



# City of Sandy

## Agenda

Planning Commission Meeting

Meeting Location: Zoom

Meeting Date: Monday, July 27,  
2020

Meeting Time: 7:00 PM

Page

### 1. MEETING FORMAT NOTICE

**Note: The Planning Commission will conduct this meeting electronically using the Zoom video conference platform.** Members of the public may listen, view, and/or participate in this meeting using Zoom. Using Zoom is free of charge. See the instructions below:

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### 2. ROLL CALL

### 3. APPROVAL OF MINUTES

- 3.1. Draft Planning Commission Minutes for June 30, 2020

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[Planning Commission - 30 Jun 2020 - Minutes - Pdf](#)

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

### 5. PUBLIC COMMENT

This meeting will include two public hearings. If you would like to offer testimony during the hearings, see the instructions below:

Testimony for each public hearing will be called for in three groups: testimony in favor of the proposal, testimony opposed to the proposal, and neutral testimony.

If you are participating online, click the "raise hand" button at the appropriate time and wait to be recognized.

If you are participating via telephone, dial \*9 to "raise your hand" at the appropriate time and wait to be recognized.

If you choose to submit testimony in written form, please send to [planning@ci.sandy.or.us](mailto:planning@ci.sandy.or.us) as soon as possible.

Thank you for your flexibility during the COVID-19 public health emergency. Please call City Hall with any questions: (503) 668-5533.

## **6. NEW BUSINESS**

- |      |  |          |
|------|--|----------|
| 6.1. | 20-015 CUP/VAR/DR Sandy Feeder Reinforcement Project<br><a href="#">20-015 CUP/VAR/DR Sandy Feeder Reinforcement Project - Pdf</a>                 | 13 - 79  |
| 6.2. | 20-023 DCA Chapters 17.10, 17.84, and 17.100 Code Amendments<br><a href="#">20-023 DCA Chapters 17.10, 17.84, and 17.100 Code Amendments - Pdf</a> | 80 - 115 |

## **7. ITEMS FROM COMMISSION AND STAFF**

## **8. ADJOURN**



**MINUTES**  
**Planning Commission Meeting**  
**Tuesday, June 30, 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, Shelley Denison, Associate Planner, Emily Meharg, Senior Planner, Jeff Aprati, City Recorder, and Greg Brewster, IT/SandyNet Director, and Spencer Parsons, City Attorney

**MEDIA PRESENT:** None

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**2. Roll Call**

**3. Approval of Minutes**

**3.1. Approval of Minutes – May 27, 2020**

**Motion:** Modify the adjournment section of the minutes. Approve the Planning Commission minutes for May 27, 2020.

Moved By: Commissioner Carlton

Seconded By: Commissioner Mayton  
Yes votes: All Ayes  
No votes: None  
Abstentions: None  
The motion passed.

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

None

**5. Public Comment**

This meeting will include two public hearings. If you would like to offer testimony during the hearings, see the instructions below:

Testimony for each public hearing will be called for in three groups: testimony in favor of the proposal, testimony opposed to the proposal, and neutral testimony.

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**6. NEW BUSINESS**

**6.1. Jewelberry Ridge Subdivision Extension (20-021 EXT):**

Chairman Crosby opened the public hearing on File No. 20-021 EXT at 6:35 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. Commissioner Mobley recused himself from the agenda item. No challenges were made, and no declarations were made by the Planning Commissioners.

**Staff Report:**

Senior Planner Emily Meharg summarized the staff report and provided a brief presentation related to the request.

**Applicant Testimony:**

John Schmidt

PO Box 189  
Boring, OR, 97009

Mr. Schmidt stated he is looking for an extension because the developer that wanted to purchase the property has temporarily backed out of negotiations. Mr. Schmidt said that the subdivision will likely be constructed in the spring through fall of 2021 so if the Planning Commission can provide an extension past July 12, 2020 that would be preferred.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Neutral Testimony:**

None

**Staff Recap:**

Meharg and O'Neill both stated that a November 2021 extension deadline is not a concern with staff. Commissioner Carlton asked if the Planning Commission can grant the extension request. O'Neill stated that a strict reading of the development code would likely not allow the Planning Commission to grant an extension; however, staff is proposing code changes to the Planning Commission in July 2020 that will enable the Planning Commission to grant extensions to subdivisions. O'Neill also mentioned that staff is trying to be flexible during times of economic uncertainty. Therefore staff is comfortable with Planning Commission granting an extension similar to the extension that was granted for Mairin's Viewpoint earlier in 2020.

**Applicant Rebuttal:**

Mr. Schmidt stated that he did not need a rebuttal.

**Motion:** Motion to close the public hearing at 6:47 p.m.

Moved By: Commissioner Carlton

Seconded By: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: Mobley

The motion passed at 6:47 p.m.

**Discussion:**

The Commissioners decided that granting an extension to November 12, 2021 was fine to allow the construction of the subdivision to occur in the summer and early fall of 2021.

**Motion:** Motion to approve an extension of the subdivision to November 12, 2021.

Moved By: Commissioner Carlton

Seconded By: Commissioner Maclean-Wenzel

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

No votes: None

Abstentions: Mobley

The motion passed at 6:50 p.m.

**6.2. Clackamas County Health Clinic (20-006 DR/VAR/DEV/ADJ):**

Chairman Crosby opened the public hearing on File No. 20-006 DR/VAR/DEV/ADJ at 6:50 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. Commissioner Carlton stated that he drives by the site every day. No challenges were made, and no declarations were made by the Planning Commissioners.

**Staff Report:**

Senior Planner Emily Meharg summarized the staff report and provided a presentation related to the request. Commissioner Carlton asked several questions that were answered by Meharg. Commissioner Carlton asked if design deviations have criterion within the Sandy Municipal Code. O'Neill explained that the existing Sandy Style code in Chapter 17.90 does not define criterion for design deviations. O'Neill stated that staff can explore creation of criterion for design deviations when the Sandy Style code revisions are proposed.

**Applicant Testimony:**

Lori Kellow  
38 NW Davis  
Portland, OR 97209

Ms. Kellow stated she represents Clackamas County and provided a summary of the proposal, including but not limited to why privacy is necessary for the proposed facility and how the need for privacy influenced the building design. The architects tried to use a blend of materials and colors to create an interesting building design.

Scott Soukup  
38 NW Davis  
Portland, OR 97209

Mr. Soukup provided additional information for the siding that is proposed. The siding that appears like redwood is fiber cement siding and should be more durable than cedar.

Commissioner Carlton and Chairman Crosby asked a few questions that were answered by Ms. Kellow and Mr. Soukup.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Neutral Testimony:**

Kathleen Walker  
15920 Bluff Road  
Sandy, OR 97055

Ms. Walker stated there is too much stuff in the record to review prior to the meeting and said she wished the PowerPoint presentation could be posted prior to the meeting for public review and interpretation. She stated that the base stonework looks like dark cement.

Mr. Soukup stated the stone is a rough cut. Chairman Crosby said this part of the meeting is not time for question and answer. Ms. Walker stated the base doesn't look very good as it's too dark and the vertical siding is also not very SandyStyle.

**Staff Recap:**

Meharg stated that the vertical panel siding is not allowed by the code and is a legitimate item for the Commission to discuss. O'Neill stated the base material meets the SandyStyle code and that the color is in the eye of the beholder, but the vertical panel siding is a deviation request so the Planning Commission could require a change to the siding.

**Applicant Rebuttal:**

Ms. Kellow stated the SandyStyle code prefers changes in relief on the building elevations and that is why the siding materials were chosen. She also stated that the two different variations in siding will provide additional interest. The base is rusticated and is an interpretation of the stone that is outlined in the development code. Mr. Soukup stated that the applicant can evaluate the colors in further detail. Commissioner Carlton asked the applicant to review the color of the base materials further. Commissioner Mayton asked what percentage of the facades is vertical panel siding? Mr. Soukup explained the percentages of siding.

**Discussion:**

Chairman Crosby asked the Commission to focus the attention on the items that were presented by staff that were identified as deviations, adjustments, and variances. Commissioner Lesowski stated he feels the building lacks the Cascadian feel that has been presented in other applications and that the design lacks the items in Section 17.90.110 (B)(3) e. Commissioners Carlton and Mayton agreed that the items in Section 17.90.110 (B)(3) e. are missing. Commissioner Carlton elaborated on the missing SandyStyle items. O'Neill stated the applicant has stated on multiple

occasions that their design is a modern interpretation of the SandyStyle. Commissioner Mobley asked for the applicant to participate and provide more feedback. Chairman Crosby stated the public record is still open so the applicant can still participate. Commissioner Logan stated the elephant in the room is the missing items from Section 17.90.110 (B)(3) e. Commissioner Maclean-Wenzel said she thinks it is a beautiful building, but agrees that design elements are missing and would like to hear from the architects.

Mr. Soukup stated the proposal does not include any exposed heavy timbers, but the proposal does include natural wood trim around the windows, metal canopies facing the different streets, and natural wood color siding. O'Neill stated that the proposal is a modern interpretation of the SandyStyle and the Commission needs to determine if they are comfortable with the proposed design or if they would like to see additional SandyStyle elements. Commissioner Mayton said he would like to see additional horizontal siding on the Highway 26 side of the building. Commissioner Lesowski stated that he would like to see some additional modifications to the building and then proposed back to the Commission. Commissioner Mobley stated he believes it meets Section 17.90.110 (B)(3) e. as it provides three of the six items. Commissioner Maclean-Wenzel stated she believes the design meets the code requirements. O'Neill stated the Commission could reference the development code diagrams for further assistance on interpreting the SandyStyle. Meharg explained in further detail how she believes the building design meets Section 17.90.110 (B)(3) e. and that she could add more detail to the findings prior to issuing the final order. Commissioner Maclean-Wenzel stated the variation in the building is what it makes it so interesting. O'Neill stated the building is incorporating a true pitched roof and not an applied pitched roof like a lot of development that has occurred around Sandy. A true pitched roof is more expensive than an applied pitched roof. Commissioner Lesowski stated he does not believe the building design is being proposed to cut costs.

Commissioner Mayton said he is not in favor of the siding proposal. Chairman Crosby stated the Commission will make individual decisions on each adjustment/variance/deviation request.

O'Neill stated the Commission could continue the discussion to a future meeting, but if the applicant does not extend the 120-day clock then there could be issues with meeting the 120-day rule. Commissioner Lesowski stated he would like revised renderings proposed before the Planning Commission at a future meeting. Commissioner Carlton suggested swapping the siding materials so there is more cedar siding and less vertical gray siding. Commissioner Lesowski said he would like revised renderings submitted for his review before making a decision. The Commission, staff, and attorney Parsons discussed the options to proceed.

**Motion:** Motion to close the public hearing at 8:36 p.m.

Moved By: Commissioner Carlton

Seconded By: Commissioner Mayton

Yes votes: All Ayes



No votes: None  
Abstentions: None  
The motion passed at 8:36 p.m.

Adjustment to not include base material on 18 percent of the façade.  
Yes votes: Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley,  
Mayton, and Crosby.  
No votes: None

Design Deviation to use vertical grooved sheet siding.  
Yes votes: Commissioners Maclean-Wenzel, Logan, Mobley, and Crosby.  
No votes: Commissioners Carlton, Lesowski, and Mayton.

Design Deviation to not provide a primary entrance at the corner.  
Yes votes: Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley,  
Mayton, and Crosby.  
No votes: None

Design Deviation to not provide a primary entrance that faces a public street.  
Yes votes: Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley,  
Mayton, and Crosby.  
No votes: None

Special Variance to not meet the percentage of windows on the street frontages.  
Yes votes: Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley,  
Mayton, and Crosby.  
No votes: None

Commissioner Logan asked if the decision is being made on the renderings or the building elevations. Commissioner Mobley stated the elevations are newer and that should be what the decision is based on, not the renderings. Commissioner Lesowski said the proposed building does not meet the SandyStyle code. Commissioner Carlton reiterated what Commissioner Lesowski stated and thanked Meharg for adding additional findings.

**Motion:** Motion to approve File No. 20-006 DR/VAR/DEV/ADJ Clackamas County Health Center findings of facts and the approved adjustment, design deviations, and special variance.

Moved By: Commissioner Logan

Seconded By: Commissioner Mobley

Yes votes: Commissioners Maclean-Wenzel, Logan, Mobley and Crosby.

No votes: Commissioners Carlton, Lesowski, and Mayton.

Abstentions: None

The motion passed at 8:58 p.m.

*Break for 5 minutes.*

**6.3. 5G Small Cell Code Amendments (20-012 DCA):**

Chairman Crosby opened the public hearing on File No. 20-012 DCA at 9:05 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.

**Staff Report:**

Associate Planner Shelley Denison summarized the staff report, proposed code amendments and provided a presentation related to the code proposal. O'Neill and Parsons elaborated on FCC rules/orders, why the code is not being proposed in Title 17 of the Sandy Municipal Code, and the plan to bring forth before the City Council in a July work session.

Commissioner Mayton asked a question about fees and who pays the infrastructure changes for modifying right-of-way fixtures. Mr. Parsons said that the City of Sandy and its residents will be subsidizing the processing of the applications. The industry will have to pay for the modifications to the right-of-way fixtures. Commissioner Carlton asked what is the role of Exhibit A? O'Neill explained the difference between the code revisions to Chapter 12 and Exhibit A which would be design criteria.

IT Director Greg Brewster stated that the different 5G facilities throughout town will be interconnected by fiber. Some frequencies go through homes and trees and some do not. If a 5G carrier comes to Sandy there will be some major construction for fiber throughout Sandy. Commissioner Mayton asked about if 5G signals have any health or safety issues. Brewster said that he would stand by the FCC that there has been no scientific evidence that 5G causes any health or safety concerns. Denison stated that her research into 5G has not identified any relationship between 5G and negative health effects.

**Testimony:**

Brian Fletcher via Zoom Q&A:

9:30 PM – “Tells us about the safety of the 5G signals.”

9:37 PM – “The city can no longer collect utility franchise fees?”

9:37 PM – “those FCC standards are old an not updated to recent technology”

Kathleen Walker  
15920 Bluff Road  
Sandy, OR 97055

Mrs. Walker stated she is very frustrated that companies are not going to collocate and that every pole could have these facilities. Is this SandyNet fiber or other fiber?

There are a lot of questions related to health and fiber infrastructure and how this affects Sandy and its citizens.

**Staff Recap:**

Denison recapped her presentation. O'Neill and Parsons added some additional information to consider. Parsons stated that even if the City of Sandy commissioned a health study that showed a negative health effect related to 5G it would only be valid if the federal government recognized the health study and declared it valid. We cannot deny a small cell application based on what we believe are health effects. It is important to expediate the code regulations, so the City of Sandy has regulations in case the City gets an application.

**Motion:** Motion to close the public hearing at 9:57 p.m.

Moved By: Commissioner Carlton

Seconded By: Commissioner Lesowski

Commissioners: All ayes

No votes: None

Abstentions: None

The motion passed at 9:57 p.m.

**Discussion:**

Chairman Crosby asked about the bold language on page 6 in Chapter 12.20.050. Parsons said he wanted input on whether the Planning Commission would prefer undergrounding language. Commissioner Lesowski and Carlton said they would like to move forward with a recommendation of approval to City Council. O'Neill said he would like additional undergrounding requirements related to the cabinets underground especially in the downtown. Commissioner Maclean-Wenzel said she would like to forward a recommendation that includes colocation when possible and undergrounding when possible.

**Motion:** Motion to move the proposed code changes forward to Council with additional considerations for undergrounding for cabinets and equipment.

Moved By: Commissioner Carlton

Seconded By: Commissioner Maclean-Wenzel

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

No votes: None

Abstentions: None

The motion passed at 10:10 p.m.

**7. Items from Commission and Staff**

O'Neill provided information on upcoming meetings and applications that have been recently submitted. Commissioner Carlton provided information on Dutch Bros and the pride the new employees seem to have related to the building and site. O'Neill added that Dutch Bros will be using the SandyStyle model at several locations in southern California. Commissioner

Lesowski said that Shelley Denison did a great job presenting to Planning Commission.

**8. 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 10:16 p.m.



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Chair, Jerry Crosby



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Planning Director, Kelly O'Neill Jr



## Staff Report

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**Meeting Date:** July 27, 2020  
**From** Shelley Denison, Associate Planner  
**SUBJECT:** 20-015 CUP/VAR/DR Sandy Feeder Reinforcement Project

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**Background:**

NW Natural Gas proposes to construct a natural gas regulator station on an approximately 9,370 square foot lot on University Avenue, approximately 250 feet north of Highway 26. Natural Gas is conveyed regionally through pressurized distribution lines. The purpose of the regulator station and associated equipment is to reduce the pressure of natural gas traveling through distribution lines to supply natural gas to the customers of the utility.

The applicant is requesting a conditional use permit for this facility, the requirements for which can be found in Sandy Development Code chapter 17.68. The applicant is anticipating very little additional traffic as a result of the development: approximately one additional trip per month. The applicant is also requesting variances to the development code as this project is not a building and therefore building requirements for the respective zoning district are not applicable. Finally, the applicant is proposing adequate landscaping and screening to screen the facility from the road.

**Recommendation:**

Staff recommends the Planning Commission **approve** the Type III Conditional Use Permit, Type III Special Variance, and Type III Design Review associated with the Sandy Feeder Reinforcement Project subject to the conditions of approval.

**Code Analysis:**

See attached staff report.

**Budgetary Impact:**

N/A

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

**DATE:** July 17, 2020

**FILE NO.:** 20-015 CUP/VAR/DR

**PROJECT NAME:** Sandy Feeder Reinforcement Project

**APPLICANT:** NW Natural Gas

**OWNER:** Sandy Chainsaw, LLC

**LEGAL DESCRIPTION:** T2S R4E Section 14AD Tax Lot 2001

The above-referenced proposal was reviewed concurrently as a Type III conditional use permit, Type III special variance, and Type III design review. The following Findings of Fact are adopted supporting approval of the plan in accordance with Chapter 17 of the Sandy Municipal Code.

**EXHIBITS:**

**Applicant's Submittals:**

- A. Land Use Application
- B. Project Narrative (May 2020)
- C. Civil Plan Set
  - C-000 Cover Sheet
  - C-100 Site Analysis Plan
  - C-200 Site Plan
  - C-300 Public Street Improvement Plan
  - C-400 Site Grading Plan
- D. Landscaping Plan Set
  - L-100 Planting Plan
  - L-200 Irrigation Plan
  - L-300 Planting Details
  - L-301 Irrigation Details
  - L-302 Fencing Details
- E. Traffic Letter

**Agency Comments:**

- F. Public Works

**Public Comments:**

G. AMR Clackamas County

**FINDINGS OF FACT**

**General**

1. These findings are based on the applicant's submittal received on May 6, 2020 and additional information received on May 21, 2020. The application was initially deemed incomplete on May 19, 2020. The application was deemed complete on May 22, 2020.
2. This report is based upon the Exhibits listed above, as well as agency comments and public testimony.
3. The subject site is approximately 0.215 acres (9,370 SF). The site is located on University Avenue approximately 250 feet north of Highway 26.
4. The parcel has a Comprehensive Plan Map designation of Retail/Commercial and a Zoning Map designation of C-2 General Commercial.
5. The applicant, NW Natural Gas, is proposing to construct a natural gas regulator station. Natural gas is conveyed regionally through pressurized distribution lines. The purpose of the regulator station and associated equipment is to reduce the pressure of natural gas traveling through distribution lines to supply natural gas to the customers of the utility.
6. Notification of the proposed application was mailed to affected agencies on June 24, 2020 and to surrounding property owners within 500 feet of the subject property on June 9, 2020.
7. A legal notice was printed in the Sandy newspaper on July 13, 2020.
8. Agency comments were received from the City's Public Works Department.
9. One written public comment was received from a nearby property owner.
10. American Medical Response (AMR) of Clackamas County operates an ambulance station across the street from the subject site. The operations manager of AMR is concerned that a major incident at the regulator station could impede the ability of AMR to respond to medical emergencies. See exhibit G.

**17.44 – General Commercial C-2**

11. This facility qualifies as a major public facility, making it a conditional use in the C-2 zoning district.

12. According to the development requirements in Section 17.44.30, the required front setback must be at least 10 feet and no greater than 50 feet. The applicant is proposing a front yard setback of 12 feet 3 inches to proposed facilities.
13. The required landscaping is 20 percent of the subject site. The applicant is proposing that 20.4 percent of the subject site is landscaped. The other development requirements in this section are not applicable or will be addressed as a special variance.

#### 17.66 – Adjustments and Variances

14. Subsection 17.90.110(D)(1) requires each building to be oriented to a public street or civic space. This standard is met when at least 50 percent of the subject site's street frontage is comprised of building(s) placed within 10 feet of a sidewalk or an approved civic space and not more than 20 percent of the off street parking on a parcel as required by SDC 17.98, tract or area of land is located between a building's front façade and the adjacent street(s).
15. This application proposes a special variance to the provisions of the Design Standards of Chapter 17.90 as the proposed development is for a major public facility that does not include a building, and this cannot meet design standards for buildings.
16. According to 17.66.80 (Type III Special Variances), the Planning Commission may grant a special variance waiving a specified provision under the Type III procedure if it finds that the provision is unreasonable and unwarranted due to the specific nature of the proposed development. Specifically, the Planning Commission must determine that the intent and purpose of the regulations and of the provisions to be waived will not be violated, and authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
17. The proposed project meets the applicable intent of the regulations that are proposed to be waived. The proposed regulator station serves to enhance the city's quality of life through enhanced utility service. The natural gas industry is heavily regulated by safety standards, thus lowering its risk for damages to adjacent properties. Additionally, the proposed project does not preclude any other property in the area from being further developed.

#### 17.68 – Conditional Uses

18. The proposed development has been interpreted to be a major public facility. Therefore, it is required to obtain conditional use approval.
19. According to the review criteria in Section 17.68.20, the project must meet criterion A through F.
20. Section 17.68.20 (A) states the use is listed as either a minor conditional use or conditional use in the underlying zoning district or has been interpreted to be similar in use to other conditional uses. This project has been interpreted to be a major public facility, which is a conditional use in the underlying zoning district.



21. Section 17.68.20 (B) states the characteristics of the site are suitable for the proposed use considering the size, shape, location, topography, and natural features. Staff has not determined that the characteristics of the site (size, shape, location, topography, and natural features) are unsuitable for the proposed use. It is a relatively flat site with grades ranging between 3 and 5 percent and does not contain any natural features.
22. Section 17.68.20 (C) states that the proposed use is timely considering the adequacy of the transportation systems, public facilities, and services existing or planned for the area affected by the use. The proposed use does not place demand on the existing public facilities, transportation systems such as streets or transit service, or other services within the City.
23. Section 17.68.20 (D) states the proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of surrounding properties for the primary uses listed in the underlying zoning district. Staff has determined that the proposed project would not limit or preclude other uses on surrounding properties.
24. Section 17.68.20 (E) states the proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance. The proposed project is not expected to create any public nuisance. It will be screened from public view and fenced for security.
25. Section 17.68.20 (F) states the proposed use will be reasonably compatible with existing or planned neighboring uses based on review of the following: basic site design, visual elements, noise, noxious odors, lighting, signage, landscaping for buffering and screening, traffic, effects on off-street parking, effects on air quality and water quality. As proposed, the site is designed to accommodate all activities on site. The development will be landscaped for aesthetics and screening from the public right-of-way and neighboring properties. The equipment on site is not large and will be painted with flat and muted earth tones. No exterior lighting is proposed. All parking is accommodated on site, and traffic to the facility will be minimal. The site will be fenced for security, and signage will be only placed for the purposes of addressing the identification of the facility. The facility is not expected to generate any noxious odors, and noise generated from the site will be minor. Within the fence line, it will sound like air flowing or an open water faucet. However, neighboring properties and the passing public will hear little to no noise.
26. Section 17.68.40 outlines a list of reasonable conditions to place on a land use proposal. One of these conditions, 17.68.40(H) allows the City to require additional landscaping, berming, screening, or fencing as a condition of the land use permit. **Staff recommends that the applicant exceed the landscaping requirements found in Chapter 17.92 and include a 10 foot landscape buffer between the back of sidewalk on University Avenue and the proposed fence.**
27. The applicant proposes galvanized chain link fencing (Exhibit D). In addition to a 10 foot landscape buffer behind the sidewalk, **staff also recommends that the applicant install vertical metal fencing along with four stone pillars consisting of dressed fieldstone to provide elements of Sandy Style architecture. If the Planning Commission requires the**

**fence as recommended by staff the applicant shall modify the fencing details and submit for staff review and approval.**

28. Currently, the applicant is proposing a 20 foot by 10 foot permeable parking spot. **Staff recommends this be increased to at least 22 foot by 10 foot to account for the size of utility vehicles.** Staff does not want utility vehicles to impede the sidewalk.

#### 17.84 – Improvements Required with Development

29. Chapter 17.84 provides general information regarding improvements required in association with development. **All required improvements shall be installed or financially guaranteed prior to final occupancy.**
30. All improvements will be constructed concurrently with the proposed development. Sheet C-300 under Exhibit C shows proposed public street improvement plans. **Land use approval does not connote utility or public improvements plan approval which will be reviewed and approved separately upon submittal of public improvement construction plans.**
31. Section 17.84.30 requires that a 5-foot sidewalk be constructed adjacent to the property along University Avenue, which is a local street. The sidewalk will meander east to allow for construction of a required planter strip. There are no pedestrian improvements beyond the sidewalk improvements along University Avenue within the City’s Transportation System Plan (TSP).
32. Section 17.84.50(A) states that a traffic evaluation may be required. According to the applicant’s project engineer, the proposed development is expected to generate one vehicle trip per month for the purposes of maintenance and security. Therefore, staff did not require a full traffic evaluation for the proposed use.
33. Section 17.84.50(D) states that where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrent with development. As proposed, the applicant will dedicate approximately 8 feet of additional right-of-way and make improvements to the street to bring it into compliance with City standards. **The applicant shall submit construction plans to the Public Works Department for review and approval prior to any construction.**
34. Section 17.84.60 details requirements for public facility extensions. The only known public facilities that are proposed to be provided to the site are public water for irrigation and public storm to capture any water from the newly constructed street improvements.
35. Per the City’s Public Works Department, since the amount of impervious surface proposed and existing is so small the applicant may utilize the Simplified Method in the City of Portland Stormwater Management Manual (COP SWMM) to comply with the requirements of Section 13.18 and 13.20 of the Sandy Municipal Code.

#### 17.90 – Design Standards

36. A Type III special variance has been requested to the applicable standards of this chapter that cannot be satisfied by the proposed development due to the unique characteristics of the use.
37. According to Section 17.90.120(A)(1), all lots shall abut or have cross access to a dedicated public street. The subject site abuts University Avenue and is proposed to take access from University Avenue.
38. Many of the requirements in Section 17.90.120(A) are not applicable to the proposed project as the site does not have access to a public alley and is only proposing a single off-street parking space as analyzed in Chapter 17.98 of this document.
39. Many of the requirements in Section 17.90.120 are not applicable to the proposed project as the development does not include a building. Since the applicant is not proposing a building civic space is not required.
40. Section 17.90.120(H) has requirements for exterior lighting. Analysis of exterior lighting is in Chapter 15.30 of this document.
41. Section 17.90.120(I)(3) requires that all sites provide street address numbers measuring a minimum of six (6) inches high, which clearly locates buildings and their entries for patrons and emergency services. The proposed site does not have a proposed building, but the site needs an address for emergency service purposes. **The applicant shall provide street address numbers measuring a minimum of six (6) inches high, which clearly locates the facility. The applicant shall verify the location(s) of the address with the Building Official and emergency service providers.**

#### 17.92 – Landscaping and Screening

42. Exhibit D details all proposed landscaping and screening plans. There are no significant plant or tree specimens currently located on the site.
43. As shown on the landscaping plan set (Exhibit D), the proposed planting areas are located outside of the fenced area and are all provided with a minimum width of 5 feet. As stated in Finding 26, staff recommends that this landscape buffer width be increased to 10 feet.
44. There are no proposed conifer trees or shrubs within the vision clearance areas of the street intersection with the driveway (See Sheet L-100 in Exhibit D), satisfying Section 17.92.10(E).
45. In accordance with Section 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacing.**
46. Section 17.92.20 requires that 20 percent of the property must be retained in landscaping according to the underlying zoning district. The applicant is proposing that 20.3 percent of the site be retained in landscaping.

47. Section 17.92.30 provides standards for tree plantings. Two street trees are proposed within a planter strip along University Avenue. The trees were selected from the City's approved street tree list. The tree planting detail on Sheet L-300 details polyethylene tree ties. **All street trees shall be a minimum of 1.5-inches in caliper measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail. All street trees shall be staked and tied with loose twine so as not to damage the trunk; the twine shall be removed after one growing season (or a maximum of 1 year). The applicant shall revise the submitted tree planting detail to meet the City of Sandy standard planting detail.**
48. Section 17.92.40 requires that landscaping shall be irrigated to sustain viable plant life. Sheet L-200 (Exhibit D) provides irrigation plans.
49. The proposed landscaping plans were prepared by a professional and licensed landscape architect. The selected planting materials were selected due to their propensity to thrive in the Pacific Northwest. Where possible, native plants are included in the overall planting plan. The plans in Exhibit D have been designed in accordance with these requirements and include a planting schedule that identify the size, spacing, and other details to ensure they are planted in accordance with the standards in Section 17.92.50. **If the Planning Commission requires the landscape buffer be increased to 10 feet in width the landscape plan and irrigation plan shall be revised and submitted for staff review and approval.**
50. All areas disturbed by the proposed development and not proposed to be used for the regulator station will be revegetated as required by Section 17.92.60.
51. The area located between the public street and the fenced area is proposed to be landscaped as required by Section 17.92.70.
52. Trees proposed by the applicant include skyrocket oak, cascara, and douglas fir. Shrubs proposed by the applicant include salal, Oregon grape, evergreen huckleberry, and nootka rose.
53. Buffering is provided between the proposed screening fence and all adjacent property lines as required by Section 17.92.80.
54. Section 17.92.100 explains that service facilities must be obscured by screening. The applicant is proposing to screen the entire facility with a combination of fencing and landscaping. The applicant desires to screen the entire facility for safety and security.

#### 17.98 – Parking, Loading, and Access

55. The proposed use being proposed is not listed in the section applicable to off-street parking requirements (Section 17.98.20). Staff required the applicant to provide one paved off-street parking space for maintenance of the facility. Because the parking space will only be used approximately one time per month staff did not feel it was necessary to require a turnaround area on the subject site.

56. Section 17.98.50 details setback requirements. As required by this section, the proposed parking space is located within the fenced area. With the exception of the driveway the area between the proposed fence and University Avenue is proposed to be landscaped.
57. The proposed driveway which connects University Avenue to the parking space is 10 feet wide and will be improved with a concrete apron in accordance with Section 17.98.100.
58. Section 17.98.100 outlines vision clearance requirements. The proposed vision clearance areas are shown on the site plan (Sheet C-200, Exhibit C) consistent with the AASHTO provisions. Based on the vehicular speeds on University Avenue, there is adequate distance to the north from the site, but the service facility on the adjacent property to the south impacts the prescribed sight distance.

### **RECOMMENDATION**

Staff recommends the Planning Commission **approve** the Type III Conditional Use Permit, Type III Special Variance, and Type III Design Review associated with the Sandy Feeder Reinforcement Project subject to the conditions of approval below.

### **CONDITIONS OF APPROVAL**

1. Staff recommends that the applicant exceed the landscaping requirements found in Chapter 17.92 and include a 10 foot landscape buffer between the back of sidewalk on University Avenue and the proposed fence.
2. If the Planning Commission requires the landscape buffer be increased to 10 feet in width the landscape plan and irrigation plan shall be revised and submitted for staff review and approval.
3. Staff recommends that the applicant install vertical metal fencing along with four stone pillars consisting of dressed fieldstone to provide elements of Sandy Style architecture.
4. If the Planning Commission requires the fence as recommended by staff the applicant shall modify the fencing details and submit for staff review and approval.
5. Staff recommends the parking spot be increased to at least 22 foot by 10 foot to account for the size of utility vehicles.
6. All required improvements shall be installed or financially guaranteed prior to final occupancy.
7. Land use approval does not connote utility or public improvements plan approval which will be reviewed and approved separately upon submittal of public improvement construction plans.

8. The applicant shall submit construction plans to the Public Works Department for review and approval prior to any construction.
9. The applicant shall provide street address numbers measuring a minimum of six (6) inches high, which clearly locates the facility. The applicant shall verify the location(s) of the address with the Building Official and emergency service providers.
10. All landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacing.
11. All street trees shall be a minimum of 1.5-inches in caliper measured 6 inches above the ground and shall be planted per the City of Sandy standard planting detail. All street trees shall be staked and tied with loose twine so as not to damage the trunk; the twine shall be removed after one growing season (or a maximum of 1 year). The applicant shall revise the submitted tree planting detail to meet the City of Sandy standard planting detail.

## NW Natural Sandy Feeder Reinforcement Project

### Type III Conditional Use Permit/Design Review/Special Variance

#### Applicant Narrative

**Applicant:** NW Natural Gas  
Attn: Deane Poirier  
250 SW Taylor Street  
Portland, OR 97204

**Owner:** Sandy Chainsaw, LLC  
39130 Proctor Boulevard  
Sandy, OR 97055

**Planner/Primary Contact:** Brad Kilby, AICP  
Harper Houf Peterson Righellis, Inc.  
205 SE Spokane Street, Suite 200  
Portland, OR 97202  
  
(503) 221-1131  
[bradk@hhpr.com](mailto:bradk@hhpr.com)

**Site Address:** No Site Address/ Located on University Street south of  
Meeker Street and north of Mount Hood Highway

**Tax Lot:** 24E14AD02001

**Site Area:** 9,370 SF

**Zoning:** C-2 General Commercial

**Summary of Request:** The applicant requests approval of a Type III application to develop a regulator station, a Type III special Variance to the Design Review Standards for buildings and associated amenities, and a Type III Design Review.

**Date:** May 4, 2020



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**Attachment 001** – Deed

**Attachment 002** - Sheet C-000 Cover Sheet

**Attachment 003** - Sheet C-100 Site Analysis Plan

**Attachment 004** - Sheet C-200 Site Plan

**Attachment 005** - Sheet C-300 Public Street Improvements

**Attachment 006** - Sheet C-400 Site Grading Plan

**Attachment 007** - Sheet L-100 Planting Plan

**Attachment 008** - Sheet L-200 Irrigation Plan

**Attachment 009** - Sheet L-300 Planting Details

**Attachment 010** - Sheet L-301 Irrigation Details

**Attachment 011** - Sheet L-302 Fencing Details

**Attachment 012** – Mailing list for all properties within 500 feet of the site

**Attachment 013** – Pre-Application Conference Notes (dated March 16, 2020)

**Attachment 014** – Tax Map



## I. Description of Proposal

### Proposal

NW Natural Gas proposes to construct a natural gas regulator station on an approximately 9,370 square foot lot. Natural Gas is conveyed regionally through pressurized distribution lines. The purpose of the regulator station and associated equipment is to reduce the pressure of natural gas traveling through distribution lines to safely and efficiently supply natural gas to the customers of the utility.

### Existing Conditions

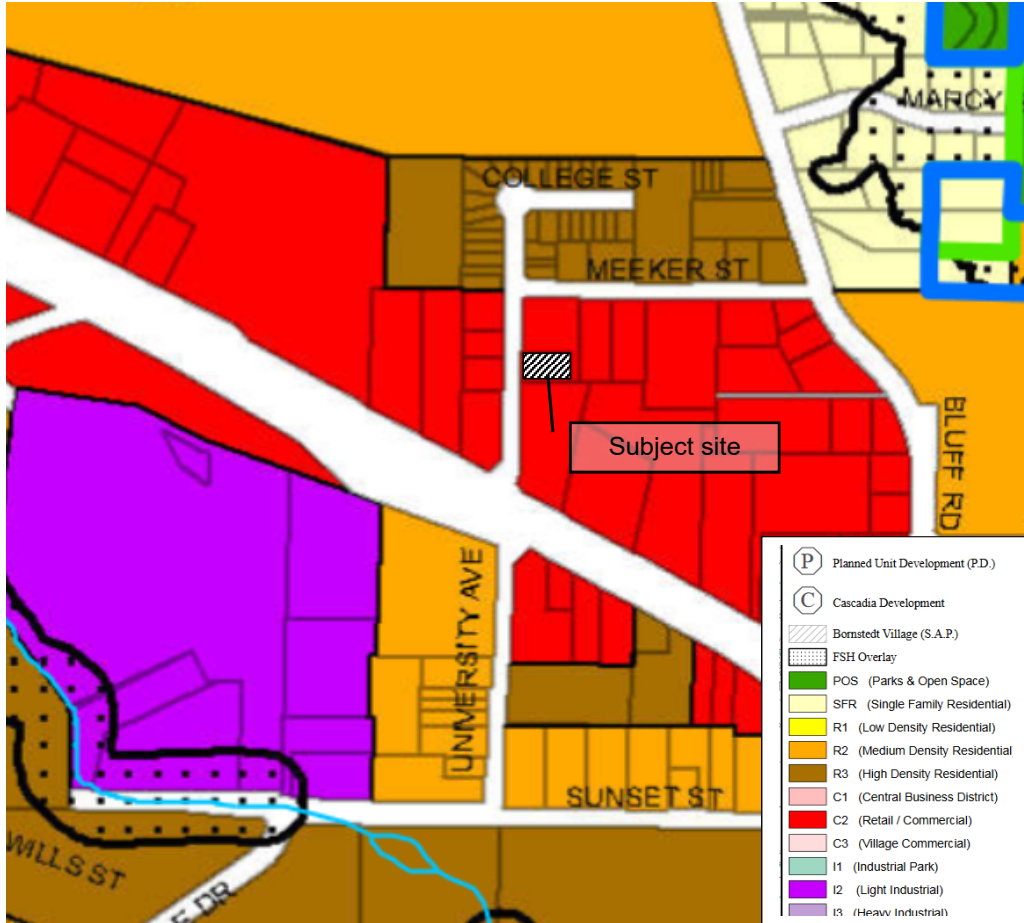
The lot is generally located approximately 250 feet north of Highway 26 on the east side of University Avenue and 200 feet south of Meeker Street. The subject site is a largely under developed gravel lot with a mix of domesticated landscaping and volunteer grasses and shrubs on the perimeter. The site is sloped east to west with slopes ranging between 1-5 percent.

The properties surrounding the site are all zoned C-2 with the following improvements.

- North: C-2 (General Commercial) – Developed with a single-family residence
- South: C-2 (General Commercial) – The Shuler Building a mixed use office complex
- East: C-2 (General Commercial) – Developed with a single-family residence
- West: C-2 (General Commercial) – Developed with a commercial garage and vehicle storage.



**Zoning Map**



**Vicinity Map**



## II. Responses to Approval Criteria

The remainder of this application narrative addresses the process and approval criteria established in the City of Sandy Municipal Code that are found to be applicable to the proposed development. The applicable code sections are italicized followed by the applicant's response.

### **Chapter 15.30 Dark Skies**

**Response:** No new lighting is proposed for the facility. Chapter 15.30 is not applicable to the proposed development.

### **Chapter 17.12 Procedures for Decision Making**

#### 17.12.00 TYPES OF PROCEDURES FOR TAKING PUBLIC ACTION

*Three separate procedures are established for processing quasi-judicial development applications (Types I, II, and III) and one procedure (Type IV) is established for processing both legislative public actions which do not involve land use permits or which require consideration of a plan amendment, land use regulation or city policies and quasi-judicial applications.*

**Response:** The proposed development is subject to a limited land use decision regarding the use and proposed development of a single piece of property. According to the pre-app notes provided by City staff on March 16, 2020 and attached to this narrative as attachment #13, the proposed development is subject to a Type III land use review.

#### 17.12.30 TYPE III

*Type III decisions generally use discretionary approval criteria and are made by the Planning Commission after a public hearing, in accordance with the provisions of Chapter 17.20. Appeal of a Type III decision is heard by the City Council according to the provisions of Chapter 17.28. Notification of a Type III decision is sent according to the requirements in Chapter 17.22. The Planning Commission may attach certain development or use conditions beyond those warranted for compliance with the standards in granting an approval if the Planning Commission determines the conditions are necessary to avoid imposing burdensome public service obligations on the City, to mitigate detrimental effects to others where such mitigation is consistent with an established policy of the City, and to otherwise fulfill the criteria for approval. If the application is approved, the Director will issue any necessary permits when the applicant has complied with the conditions set forth in the Final Order and other requirements of this Code.*

#### Types of Applications:

- A. *Appeal of a Director's decision*
- B. *Conditional Use Permit*
- C. *Design Review for projects on commercially or industrially zoned lots where the applicant has requested Type III Design Review or the Director has determined that the request involves one or more deviations from the design standards in Chapter 17.90.80*



*or 17.90.90 (C-1 Design Standards and C-2/I-1/I-2 Design Standards) and such deviation is not subject to an Adjustment or Variance process under 17.66.*

- D. Flood, Slope, and Hillside Development-Uses not listed in 17.50.60 A & B*
- E. Major Amendment to a Specific Area Plan*
- F. Special Variance*
- G. Subdivisions and Major Replats that are elevated by the Director or not in conformance with the Development Code*
- H. Variances greater than 20% of a quantifiable dimension or variances which increase density*
- I. Village Concept Plan and Village Master Plan*
- J. Zoning map amendment, where the proposal comprises one parcel (or multiple parcels covering a small area) and the proposed zoning conforms to the Comprehensive Plan Map.*

**Response:** The proposal is to develop the site with a major public facility on a lot zoned C-2. Because this is not a commercial development, open to the public, and there will not be a building involved in the proposed development, staff has indicated that the proposal would be subject to a Special Variance per subsection C. above. Therefore, the proposed development is subject to a Type III review process.

## **Chapter 17.18 Processing Applications**

### 17.18.00 PROCEDURES FOR PROCESSING LAND USE APPLICATIONS

*An application shall be processed under a Type I, II, III or IV procedure. The differences between the procedures are generally associated with the different nature of the decisions as described in Chapter 17.12.*

*When an application and proposed development is submitted, the Director shall determine the type of procedure the Code specifies for its processing and the potentially affected agencies. If a development proposal requires an applicant to file a land use application with the city (e.g. a design review application) and if there is a question as to the appropriate procedure to guide review of the application (e.g. a Type II versus a Type III design review process), the question will be resolved in favor of the lower type number.*

*If a development proposal requires an applicant to file more than one land use application with the city (e.g. a design review application and a variance) and if the development code provides that the applications are to be reviewed under separate types of procedures (e.g. a Type II design review and a Type III variance):  the Director will generally elevate all of the required applications to the highest number procedure for review (e.g. the Type II design review application would be reviewed by the Planning Commission along with the Type III variance).*

*In situations where an applicant has attended a pre-application conference and has reviewed the application with the Director prior to submitting the applications, the Director may exercise his/her discretion to review the Type II application(s) at the staff level and only schedule a public hearing for the Type III portion(s) of the development proposal.*



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**Response:** The chapter goes on to describe in detail the manner in which the different types of applications are processed, beginning with permit coordination, the pre-application conference, submittal requirements, and the sequence in which they are received, reviewed, circulated for agency review, and decided. These are steps that are specific to staffs handling and review of the land use applications. The applicant's representative has reviewed these procedures and understands the process as codified.

*A completed application form and payment of fees.*

*List and mailing labels of Affected Property Owners.*

*An explanation of intent, stating the nature of the proposed development, reasons for the request, pertinent background information, information required by the Development Code and other material that may have a bearing in determining the action to be taken.*

*Proof that the property affected by the application is in the exclusive ownership of the applicant, that the applicant has the consent of all parties in ownership of the affected property, or the applicant is the contractual owner.*

*Legal description of the property affected by the application.*

*Written narrative addressing applicable code chapters and approval criteria.*

*Vicinity Map showing site in relation to local and collector streets, plus any other significant features in the nearby area.*

*Site plan of proposed development*

*Number of Copies to be Submitted: Type III: 15 copies of site plan and other materials required by the Code. Type IV 20 copies of site plan and other materials required by the Code*

*The Director may vary the quantity of materials to be submitted as deemed necessary.*

**Response:** The submittal items listed above are provided along with this narrative as part of the complete application packet. They are either identified and provided as separate components, or as part of the plan set included with this application.

## **Chapter 17.20 Public Hearings**

### 17.20.40 APPLICANT'S RESPONSIBILITY

- A. *Documents and Evidence. All documents or evidence relied upon by the applicant shall be submitted to the local government and be made available to the public. All documents and evidence should be submitted at least 20 days in advance of the public hearing. If the applicant submits additional information, any party with standing may request that the scheduled public hearing be postponed to allow opportunity for noticed persons to review and comment.*
- B. *Burden and Nature of Proof. Except for legislative determinations, the burden of proof is upon the applicant. The proposal must be supported by proof that it conforms to any applicable elements of the Comprehensive Plan and to provisions of this Code,*





*especially the specific criteria set forth for the particular type of decision under consideration.*

- C. *Neighborhood Meetings. Applicants intending to develop a major project within the City are strongly urged to conduct their own informational meetings in the neighborhood affected prior to submitting their application to the City.*

**Response:** The applicant is aware of the requirements as they relate to the City of Sandy type III review process and that the review requires a public hearing before the City of Sandy Planning Commission. This application along with the accompanying plans and documentation provide the evidence needed for the City to make findings in support of the proposed development.

### **Chapter 17.22 Notices**

#### 17.22.00 INTENT

*The requirement for notice to affected property owners, governmental agencies, public utility providers, etc., is intended to provide those persons and entities an opportunity to comment on a proposed development and to afford interested parties the opportunity to participate in the land use decision making process.*

**Response:** Noted.

#### 17.22.80 LIST OF PROPERTY OWNERS

*The applicant shall provide a certified list of property owners and mailing labels as required by notice provisions of this Code. Unless otherwise provided, addresses for a mailed notice shall be obtained from the County's real property tax records. Unless the address is on file with the Director, a person whose name is not in the tax records at the time of filing of an application, or of initiating other action not based on an application, need not be furnished mailed notice.*

**Response:** A certified list of property owners and mailing labels for properties within 500 feet has been provided along with these application materials. See attachment 012.

### **Chapter 17.30 Zoning Districts**

#### 17.30.00 ZONING DISTRICT DESIGNATIONS

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

**Response:** The subject site and all of the surrounding properties have a C-2 General Commercial zoning designation.

### **Chapter 17.44 General Commercial (C-2)**

#### 17.44.00 INTENT

*This 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 exclusively residential uses, although mixed-use developments are encouraged.*

17.44.10 PERMITTED USES

**Response:** The proposed regulation station is classified as a Public Facility. Chapter 17.10 of the SMC defines them as, “Public facilities include, but are not limited to, sanitary sewer, water, storm drainage, street, communication, electrical and natural gas facilities necessary to support development.” Public Facilities are not listed as an outright permitted use in the C-2 zone. Even though they are intended to support development within the community, it is widely accepted that because of the unique nature of utilities that they would be generally listed as conditional outside of a public zone to allow the jurisdiction and the public to review the unique impacts of the facility to the surrounding properties.

17.44.20 MINOR CONDITIONAL USES AND CONDITIONAL USES

A. *Minor Conditional Uses:*

1. *Outdoor product display or storage of merchandise covering greater than 20% of the total lot area;*
2. *Other uses similar in nature.*

B. *Conditional Uses:*

1. *Buildings designed for one or more occupants with more than 60,000 square ft. of gross floor area;*
2. *Major public facility;*
3. *Planned unit developments, including but not limited, to single-family attached and detached residential and multi-family developments, in conjunction with recreation or supportive commercial facilities. Residential uses are limited to a maximum of 50% of the total gross acreage;*
4. *Traveler accommodation facilities including campgrounds, overnight travel parks, and recreational vehicle parks;*
5. *Other uses similar in nature.*

**Response:** As indicated above, the proposed development is for a public facility. Staff has determined that the proposed use is a Major public facility, defined as, “Any public service improvement or structure developed by or for a public agency that is not defined as a minor public facility, including but not limited to electrical substations, sewer and water treatment plants, water reservoirs, trunk lines, regional stormwater detention facilities, new or expanded public buildings designed for human occupancy that increase traffic within a neighborhood, and active park improvements such as ball fields or restroom facilities.” Therefore, the proposed development is only allowed in the C-2 zone as a Conditional Use. This application includes a request for conditional use approval.



17.44.30 DEVELOPMENT REQUIREMENTS

Dimensional Standard	Requirement	Proposed	Finding
Front Setback	10 Ft.	~12'- 3"	Met
Side Setback			
North Side	None	~7'-5"	Met
South Side	None	~12'-7"	Met
Rear Setback	None	~66'-5"	Met
Corner Setback	15 Ft.	N/A	N/A
Outside Display/ Sales Lot Area	80% Maximum	N/A	N/A
Lot Coverage- Impervious Area	No Maximum	~.03%	Met
Landscaping	20%	20.4% after R-O-W Dedication	Met
Structure Height	55 Ft.	N/A	N/A
Off-Street Parking			Met
Design Review Standards	See Chapter 17.90.120		Special Variance

<sup>5</sup> Unless abutting a more restrictive zoning district, or as required under Section 17.90.120 Design Standards for C-2.

**Response:** There are two existing buildings that were found to be located on the site with the survey. Those buildings are located at the rear of the lot and are believed to have been previously constructed by the neighbor. They are located within 3.5 feet of the rear property line, and on the south property line. They are pre-existing non-conforming buildings. As they currently sit, they are not in violation of the height or setbacks for the C-2 zone. The applicant is working with the owner to remove the buildings, and it is anticipated that the buildings will either be relocated or demolished with construction of the site improvements.

There will be no new buildings on the site. Rather, there will be mechanical equipment include piping, covered relief valves, regulators, filters and a pressure monitor placed on to the site. For the purposes of this section, we are showing the proposed setbacks to these facilities. As proposed, the development of the site is consistent with the dimensional requirements of the C-2 zone.

*B. Special Setbacks -Side or Rear Yard Abutting a More Restrictive District.*

1. *Property abutting a more restrictive zoning district shall have the same yard setback as required by the abutting district. An additional 10 ft. shall be added for each 10-foot increment in building height over 35 ft;*
2. *Measurement of the height transition area shall be made between the foundation of the proposed building and the property line of the abutting district;*
3. *When the proposed structure has different sections that have different heights, the height transition area shall be measured for each vertical surface as if it were to be freestanding. The building then must be located on the site so that no section is closer to the abutting property line than it would be if the section was free-standing;*



4. *The required buffering and screening and utilities may be located within the height transition area. Off-street parking, accessory structures and incidental development may be located within the height transition area but not any areas designated as buffering.*

**Response:** All of the surrounding properties are also zoned C-2 General Commercial. Therefore, these special setbacks are not applicable to the proposed development.

## **Chapter 17.66 Adjustments and Variances**

### 17.66.00 INTENT

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

### 17.66.80 TYPE III SPECIAL VARIANCES

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

*One of the following sets of criteria shall be applied as appropriate.*

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

**Response:** This application proposes a special variance to the provisions of the Design Standards of Chapter 17.90 and more specifically, the standards as they relate to site layout, connectivity, and building construction listed in 17.90.120. The proposed development is for a major public facility, a natural gas regulator station. It is not for a commercial or industrial development, open to the general public, and not likely a type of development the City would have considered when drafting the regulations. This development would provide infrastructure to allow NW Natural to regulate pressure between upstream higher pressure distribution lines to downstream lower pressure feeder lines in order to safely and efficiently supply their customers with natural gas.



The intent and purpose of the regulations in Chapter 17.90 include regulations and design standards that, protect and enhance the city's quality of life and community image, encourage functional, safe, and aesthetically pleasing development, while maintaining compatibility with the surrounding built and natural environment, to implement the Sandy Style as adopted by the City and to prevent any one of the following elements to be part of a development:

1. *Excessive tree removal and/or grading that may harm existing vegetation within a designated landscape conservation area.*
2. *Commercial development where buildings are setback from the street behind surface parking lots.*
3. *Excessive surface parking lot paving and redundant driveways.*
4. *Drive-up facilities adjacent to a street that interrupt pedestrian circulation patterns or create potential safety hazards.*
5. *Disjointed parking areas, confusing or unsafe circulation patterns.*
6. *Box-like structures with large, blank, unarticulated wall surfaces.*
7. *Building materials or colors that do not conform to this code.*
8. *Highly reflective surfaces or heavily tinted glass storefronts.*
9. *Strongly thematic architectural styles, forms, colors, materials, and/or detailing, that do not conform to the Sandy Style, including some forms of franchise architectural styles associated with some chain commercial establishments.*
10. *Inadequate landscape buffers adjacent to parking lots, walkways and streets.*
11. *Visible outdoor storage, loading, and equipment areas.*

The proposed development meets the applicable intent of the regulations that are proposed to be waived. The proposed regulator station serves to enhance the city's quality of life by providing an essential public facility to ensure that the citizens of Sandy are able to access natural gas for their homes and businesses. It does not include buildings or physical development that conflict with the design provisions listed in section 17.90.120, as there are no buildings proposed to be developed.

Granting of the special variance will not be materially detrimental to the public welfare or injurious to other property in the area. The natural gas industry is heavily regulated. As a utility, NW Natural is required to have rigid safety plans in place, their employees are required to participate in mandatory safety training, and they are held accountable for any accidents by a variety of government agencies such as the Oregon Public Utility Commission, OSHA, etc.

Granting of the special variance does not preclude any of the surrounding properties from developing, and it does not include any of the undesirable elements listed above. The facility will be safe and fully screened. As part of the proposed development, frontage improvements are provided along University Avenue to ensure that the public facilities are completed for this property and ready to be continued if the property to the north is redeveloped. Finally, the proposed development is a Conditional Use, which allows the City to impose additional conditions to mitigate any negative impacts to the surrounding properties. The proposed development has been designed to satisfy all other applicable requirements of the Sandy Municipal Code.



17.66.190 EFFECTIVE PERIOD OF APPROVAL

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

**Response:** Noted.

**Chapter 17.68 Conditional Uses**

17.68.00 INTENT

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

*It is the intent of this chapter to permit minor conditional uses or conditional uses that are consistent with the Comprehensive Plan, subject to procedures and criteria intended to mitigate potentially negative impacts.*

*Procedures and review criteria for conditional development are established for the following purpose:*

- A. Permit certain types of public and private development that provides a community service in locations related to their service areas.*
- B. Permit commercial development in locations related to its service area.*
- C. Ensure that a conditional use is compatible with its immediate area and the affected part of the community*

**Response:** The proposed use has been interpreted to be a major public facility by planning staff. Therefore, it is required to obtain conditional use approval from the City of Sandy. The applicant is aware that conditions can be imposed on the development to mitigate for any negative impacts to surrounding properties and to make it compatible with other uses in the area.

17.68.20 REVIEW CRITERIA

*The Planning Director (Minor Conditional Use Permit) through a Type II process or the Planning Commission (Conditional Use Permit) through a Type III process may approve an application, approve with modifications, approve with conditions, or deny an application for a conditional use permit after a public hearing. The applicant must submit evidence substantiating that all requirements of this code relative to the proposed use are satisfied and consistent with the purposes of this chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.*



*The following criteria and compatibility factors shall be considered:*

- A. *The use is listed as either a minor conditional use or conditional use in the underlying zoning district or has been interpreted to be similar in use to other listed conditional uses.*

**Response:** The proposed regulator station is considered a major public facility. Major public facilities are listed as a use that is allowed subject to approval of a conditional use permit in the C-2 zoning district.

- B. *The characteristics of the site are suitable for the proposed use considering the size, shape, location, topography, and natural features.*

**Response:** The site characteristics and location were studied by NW Natural prior to entering into a purchase agreement with the owner to ensure that it could be developed with the proposed regulator station and still provide fencing and screening for security. The site is large enough to accommodate the proposed infrastructure improvements as shown on the site plan attached to this narrative as Sheet C-200. It is a relatively flat site with grades ranging between 3-5% and does not contain any natural features.

- C. *The proposed use is timely considering the adequacy of the transportation systems, public facilities and services existing or planned for the area affected by the use*

**Response:** The proposed use does not place demand on the existing public facilities, transportation, or services within the City. It does not require a connection to sewer. However, because the applicant will be constructing street improvements, there would be a need to connect to provide a catch basin and tie in to the local storm system. A water tap will be required for the purpose of irrigating the proposed landscaping. Impervious area on site is nominal, and traffic to the site after the facility has been constructed will only occur once a month on average. The proposed development includes frontage improvements along University Avenue and impacts to public facilities as a result of the proposed development are minimal.

- D. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of surrounding properties for the primary uses listed in the underlying zoning district.*

**Response:** The proposed use does not alter the character of the surrounding area which would limit or preclude other uses allowed by the zone. Rather, this use provides additional infrastructure to support development and redevelopment of other properties in the neighborhood as well as other parts of Sandy.

- E. *The proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other considerations which may be injurious to the public health, safety, and welfare.*

**Response:** Operation of the proposed use is innocuous. It is not expected to create any public nuisance, will be screened from public view and fenced for security. The proposed operation



does not produce any amount of noise, heat, odors, or vibrations that would be expected to compromise the public health, safety, or welfare.

*F. The proposed use will be reasonably compatible with existing or planned neighboring uses based on review of the following:*

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

**Response:** As proposed, the site is designed to accommodate all activities on site. The development will be landscaped for aesthetics and screening from the public right of way and neighboring properties. The equipment on site is not large and will be painted with flat and muted earth tones. No exterior lighting is proposed. All parking is accommodated on site, and traffic to the facility will be minimal. The site will be fenced for security, and signage will be only placed for the purposes of addressing and identification of the facility. The facility is not expected to generate any noxious odors, and noise generated from the site will be minor. Within the fence line, it will sound like air flowing or an open water faucet, however, neighboring properties and the passing public will hear little to no noise.

#### 17.68.40 REASONABLE CONDITIONS

*Reasonable conditions, restrictions, or safeguards that would uphold the purpose and intent of this section and mitigate any adverse impact upon adjoining properties which may result by reason of the approved conditional use may be attached. A list of conditions may include, but is not limited to, the following:*

- A. Controlling the location and number of vehicular ingress and egress points.*
- B. Improving public facilities such as:*
  - 1. Sanitary sewer*
  - 2. Sidewalks, curbs, and other street improvements*
  - 3. Storm drainage*
  - 4. Water supply*
- C. Increasing street width*
- D. Increasing the number of off-street parking or loading spaces or areas.*
- E. Increasing the required lot size or yard dimensions*
- F. Limiting lot coverage or height of buildings because of obstruction of view and reduction of light and air to adjacent property*
- G. Limiting the number, size and location of signs*





- H. Requiring additional landscaping, berming, screening or fencing where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area*
- I. Requiring additional public safety and crime prevention measures*
- J. Requiring land dedication or money in lieu of dedication for public purposes*
- K. Submission of bonds or other suitable security to ensure that requirements are met*
- L. Submittal of final detailed plan indicating conformance with conditions*
- M. Undergrounding of utilities*

**Response:** The proposed regulator station is proposing full frontage improvements to University Avenue and providing all activities within a fenced and landscaped area. If additional conditions are warranted, the applicant will comply provided they are directly related to the use of the site and impacts associated with the use of the site.

17.68.50 EXPIRATION OF PERMIT

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

**Response:** Noted. NW Natural is expected to close on the property and begin construction within the approval period should the Conditional Use request be approved.

17.68.60 BUILDING PERMIT ISSUANCE

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

**Response:** There are no buildings proposed with this development. The equipment is mechanical and includes piping and cabinetry for valves and monitoring equipment. The applicant does not anticipate that any building permits would be required as a result of this development, and plans to construct the facility as proposed in the accompanying plan set.

17.68.70 REVOCATION

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



**Response:** Noted. The applicant intends to fully comply with the conditions of the permit if approved.

## **Chapter 17.84 Improvements Required with Development**

### 17.84.00 INTENT

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

### 17.84.20 TIMING OF IMPROVEMENTS

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

**Response:** The improvements are not proposed to be phased. All improvements will be constructed concurrently with the proposed development.

### 17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS

- A. *Sidewalks shall be required along both sides of all arterial, collector, and local streets, as follows:*
1. *Sidewalks shall be a minimum of 5 ft. wide on local streets. The sidewalks shall be separated from curbs by a tree planting area that provides separation between sidewalk and curb, unless modified in accordance with Subsection 3 below.*
  2. *Sidewalks along arterial and collector streets shall be separated from curbs with a planting area, except as necessary to continue an existing curb-tight sidewalk. The planting area shall be landscaped with trees and plant materials approved by the City. The sidewalks shall be a minimum of 6 ft. wide.*
  3. *Sidewalk improvements shall be made according to city standards, unless the city determines that the public benefit in the particular case does not warrant imposing a severe adverse impact to a natural or other significant feature such as requiring removal of a mature tree, requiring undue grading, or requiring modification to an existing building. Any exceptions to the standards shall generally be in the following order.*
    - a) *Narrow landscape strips*



- b) *Narrow sidewalk or portion of sidewalk to no less than 4 feet in width*
  - c) *Eliminate landscape strips*
  - d) *Narrow on-street improvements by eliminating on-street parking*
  - e) *Eliminate sidewalks*
4. *The timing of the installation of sidewalks shall be as follows:*
- a) *Sidewalks and planted areas along arterial and collector streets shall be installed with street improvements, or with development of the site if street improvements are deferred.*
  - b) *Sidewalks along local streets shall be installed in conjunction with development of the site, generally with building permits, except as noted in (c) below.*
  - c) *Where sidewalks on local streets abut common areas, drainageways, or other publicly owned or semi-publicly owned areas, the sidewalks and planted areas shall be installed with street improvements.*

**Response:** The proposed development includes improvements to University Avenue, a local street. Those improvements include the extension of the concrete sidewalk from the south and will terminate at the northern end of the property within the right of way. As proposed, the sidewalk will be 5-feet, matching the existing sidewalk width. The sidewalk will meander east to allow construction of a planter strip consistent with the City of Sandy design and construction requirements for local roads. All frontage improvements will be made concurrent to the construction on site.

*B. Safe and convenient pedestrian and bicyclist facilities that strive to minimize travel distance to the extent practicable shall be provided in conjunction with new development within and between new subdivisions, planned developments, commercial developments, industrial areas, residential areas, public transit stops, school transit stops, and neighborhood activity centers such as schools and parks, as follows:*

- 1. *For the purposes of this section, "safe and convenient" means pedestrian and bicyclist facilities that: are reasonably free from hazards which would interfere with or discourage travel for short trips; provide a direct route of travel between destinations; and meet the travel needs of pedestrians and bicyclists considering destination and length of trip.*
- 2. *To meet the intent of "B" above, right-of-ways connecting cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 ft. wide with 8 feet of pavement.*
- 3. *12 feet wide pathways shall be provided in areas with high bicycle volumes or multiple use by bicyclists, pedestrians, and joggers.*
- 4. *Pathways and sidewalks shall be encouraged in new developments by clustering buildings or constructing convenient pedestrian ways. Pedestrian walkways shall be provided in accordance with the following standards:*
  - a) *The pedestrian circulation system shall be at least five feet in width and shall connect the sidewalk on each abutting street to the main entrance of the primary structure on the site to minimize out of direction pedestrian travel.*



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

**Response:** The only proposed pedestrian improvements would be located within the University Avenue right-of-way that would be dedicated as part of this project. For reasons of safety and security, the applicant is not proposing any other pedestrian connections to or through the site.

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

**Response:** The Sandy TSP does not show any future trail linkages through the site. Improvements to the sidewalks along University Avenue are identified in the TSP, and sidewalk improvements along the sites frontage are proposed with this development.

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

**Response:** As proposed, the new sidewalk will extend from the southern property edge to the northern property edge consistent with these requirements. See Sheet C-300 of the plan set included with this application for details on the proposed public street improvements.

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



**Response:** As mentioned previously the applicant is only proposing pedestrian access within the dedicated right-of-way. There are no identified pedestrian improvements beyond the sidewalk improvements along University Avenue within the City's TSP. The applicant intends to construct the right-of-way along the sites frontage.

17.84.40 TRANSIT AND SCHOOL BUS TRANSIT REQUIREMENTS

**Response:** In reviewing the City of Sandy Transit Master Plan, there are no planned improvements along this portion of University Avenue. These criteria are not applicable to the proposed development.

17.84.50 STREET REQUIREMENTS

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

**Response:** The proposed development, once completed is only expected to generate an average of vehicular trip a month for the purposes of maintenance and security. A full traffic evaluation has not been prepared for the proposed development.

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



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

**Response:** No new streets are proposed with this development. University Avenue is an existing local street.

*C. Development sites shall be provided with access from a public street improved to City standards in accordance with the following:*

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

**Response:** The proposed development abuts University Avenue, an existing public street. As proposed, the applicant would dedicate approximately 8-feet of additional right-of-way, and make improvements to the street to bring it current with City standards along the sites frontage. See sheet C-300, Public Street Improvements, included as part of the plan set with this application.

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

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



**Response:** The proposed development does not include any new streets. University Avenue is existing. This criterion is not applicable to the proposed development.

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

**Response:** Public street improvements along the sites frontage is proposed with this development. No new streets are proposed.

#### 17.84.60 PUBLIC FACILITY EXTENSIONS

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

**Response:** Any necessary or required extensions or connections to public facilities will be constructed with the proposed development. The only known public facilities that are proposed to be provided to the site would be public water for the purpose of irrigation, and public storm to capture any water from the newly constructed street improvements.

#### 17.84.70 PUBLIC IMPROVEMENT PROCEDURES

*It is in the best interests of the community to ensure public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, prior to commencement of installation of public water, sanitary sewer, storm drainage, broadband (fiber), street, bicycle, or pedestrian improvements for any development site, developers shall contact the City Engineer to receive*



*information regarding adopted procedures governing plan submittal, plan review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications, and as-built drawings for installation of public improvements. All work shall proceed in accordance with those adopted procedures, and all applicable City policies, standards, and ordinances.*

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

**Response:** The proposed frontage and site improvements have been designed and coordinated by a licensed and professional civil engineer. The engineer has conceptually designed all public improvements consistent with the City of Sandy Engineering design and construction standards. All improvements will only be constructed once approved by the City Engineering department through their facilities review process.

**17.84.80 FRANCHISE UTILITY INSTALLATIONS**

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

- A. *Where a land division is proposed, the developer shall provide franchise utilities to the development site. Each lot created within a subdivision shall have an individual service available or financially guaranteed prior to approval of the final plat.*
- B. *Where necessary, in the judgment of the Director, to provide for orderly development of adjacent properties, franchise utilities shall be extended through the site to the edge of adjacent property(ies), whether or not the development involves a land division.*
- C. *The developer shall have the option of choosing whether or not to provide natural gas or cable television service to the development site, providing all of the following conditions exist:
  - 1. *Extension of franchise utilities through the site is not necessary for the future orderly development of adjacent property(ies);*
  - 2. *The development site remains in one ownership and land division does not occur (with the exception of land divisions that may occur under the provisions of 17.84.50 F above); and*
  - 3. *The development is non-residential.**
- D. *Where a land division is not proposed, the site shall have franchise utilities required by this section provided in accordance with the provisions of 17.84.70 prior to occupancy of structures.*
- E. *All franchise utility distribution facilities installed to serve new development shall be placed underground except as provided below. The following facilities may be installed above-ground:
  - 1. *Poles for street lights and traffic signals, pedestals for police and fire system communications and alarms, pad mounted transformers, pedestals, pedestal**





*mounted terminal boxes and meter cabinets, concealed ducts, substations, or facilities used to carry voltage higher than 35,000 volts;*

2. *Overhead utility distribution lines may be permitted upon approval of the City Engineer when unusual terrain, soil, or other conditions make underground installation impracticable. Location of such overhead utilities shall follow rear or side lot lines wherever feasible.*
- F. *The developer shall be responsible for making necessary arrangements with franchise utility providers for provision of plans, timing of installation, and payment for services installed. Plans for franchise utility installations shall be submitted concurrent with plan submittal for public improvements to facilitate review by the City Engineer.*
- G. *The developer shall be responsible for installation of underground conduit for street lighting along all public streets improved in conjunction with the development in accordance with the following:*
1. *The developer shall coordinate with the City Engineer to determine the location of future street light poles. The street light plan shall be designed to provide illumination meeting standards set by the City Engineer.*
  2. *The developer shall make arrangements with the serving electric utility for trenching prior to installation of underground conduit for street lighting*

**Response:** The only known franchise utility that may be required is power. The applicant and civil engineer will coordinate accordingly as required. All new utilities will be undergrounded as required.

#### 17.84.90 LAND FOR PUBLIC PURPOSES

- A. *Easements for public sanitary sewer, water, storm drain, pedestrian and bicycle facilities shall be provided whenever these facilities are located outside a public right-of-way in accordance with the following:*
1. *When located between adjacent lots, easements shall be provided on one side of a lot line.*
  2. *The minimum easement width for a single utility is 15 ft. The minimum easement width for two adjacent utilities is 20 ft. The easement width shall be centered on the utility to the greatest extent practicable. Wider easements may be required for unusually deep facilities.*
- B. *Public utility easements with a minimum width of 5 feet shall be provided adjacent to all street rights-of-way for franchise utility installations.*
- C. *Where a development site is traversed by a drainageway or water course, a drainage way dedication shall be provided to the City.*
- D. *Where a development is traversed by, or adjacent to, a future trail linkage identified within the Transportation System Plan, dedications of suitable width to accommodate the trail linkage shall be provided. This width shall be determined by the City Engineer, considering the type of trail facility involved.*
- E. *Where existing rights-of-way and/or easements within or adjacent to development sites are nonexistent or of insufficient width, dedications may be required. The need for and widths of those dedications shall be determined by the City Engineer.*



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

**Response:** An additional 8-foot wide right-of-way dedication along the sites frontage with University Avenue is included as part of this proposal. There should be no reason for any public utilities to be located outside of the right-of-way.

## **Chapter 17.90 Design Standards**

### 17.90.10 APPLICABILITY

*The provisions of this chapter apply to all zones and uses as follows except as specified in Sections 17.90.10(B), (C), (D), (E), and (F) below:*

- A. *All construction within a Commercial or Industrial Zoning District or a non-residential use in a Residential Zoning District including the following:*
  - 1. *New construction;*
  - 2. *Replacement of a building that is destroyed as specified in Section 17.08.30;*
  - 3. *Addition to an existing building;*
  - 4. *Exterior alterations other than general maintenance on an existing building;*
  - 5. *Site improvements including changes to landscaping, parking, civic spaces, etc.*

**Response:** There are no buildings proposed with this application. A Type III special variance has been requested to the applicable standards of this Chapter that cannot be satisfied by the proposed development due to the unique characteristics of the use.



17.90.040 TYPES OF REVIEW

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

**Response:** Staff has indicated that the project would be subject to a Type III Design Review due to the discretion that would be required in applying the standards of this Chapter. As indicated above, a Type III special variance has been requested to the standards of this Chapter.

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

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

*A. Site Layout and Access.*

*Intent: To provide for compact, walkable development, and to design and manage vehicle access and circulation in a manner that supports pedestrian safety, comfort and convenience. (Figures 17.90.120-A and 17.90.120-B)*

- 1. All lots shall abut or have cross access to a dedicated public street.*

**Response:** The subject site abuts University Avenue, a dedicated public street.

- 2. All lots that have access to a public alley shall provide for an additional vehicle access from that alley.*

**Response:** The subject site does not have access to a public alley. This criterion is not applicable to the proposed development.

- 3. Off-street parking shall be located to the rear or side of buildings with no portion of the parking lot located within required setbacks or within 10-feet of the public right-of-way, as shown in Figure 17.90.120-A. When access must be provided directly from a public right-of-way, driveways for ingress or egress shall be limited to one per 150 ft. For lots with frontage of less than 150 ft. or less, shared access may be required.*

**Response:** The proposed development does not include any buildings. One parking space located at the existing driveway drop and inside the fence line is proposed with the development. There are no opportunities for shared access.

- 4. Adjacent parking lots shall be connected to one another when the City determines it is practicable to do so. Developments shall avoid creating barriers to inter-parcel circulation.*



**Response:** The applicant is not proposing to connect to any adjacent parking lot. Due to safety and security concerns, it would not be prudent to connect the adjacent parking lot to this site in any location other than the public sidewalk along University Avenue.

5. *Urban design details, such as raised or painted pedestrian crossings and similar devices incorporating changes in paving materials, textures or color, shall be used to calm traffic and protect pedestrians in parking areas.*

**Response:** There are no proposed parking areas that would be available to the public on this site. The public sidewalk is proposed to be concrete consistent with the City of Sandy design standards.

6. *Parking lots may include public alley accessed garages at the rear property line, except where a setback is required for vision clearance or to conform to other city standards.*

**Response:** There are no alleys adjacent to the subject site. This standard is not applicable to the proposed development.

7. *Walkways from the public street sidewalk to the building entrance(s) are required. Crosswalks through parking lots and drive aisles shall be constructed of a material contrasting with the road surface or painted (e.g., colored concrete inlay in asphalt).*

**Response:** No buildings are proposed with this development. This criterion is not applicable to the proposed development.

8. *Connection to Adjacent Properties: The location of any real improvements to the property must provide for a future street and pedestrian connection to adjacent properties where the City determines this is practicable and necessary. Where openings occur between buildings adjacent to Highway 26, pedestrian ways should connect the street sidewalk to any internal parking areas and building entrances. Development should avoid creating barriers to pedestrian circulation.*

**Response:** For the same reasons stated above, the applicant is not proposing any connections to adjacent properties with the exception of a public sidewalk along the sites frontage with University Avenue.

9. *Joint use of access points and interconnections and cross-over easements between parcels shall be required, where the City determines it is practicable and necessary. A development approval may be conditioned to require a joint use access easement and interconnecting driveways or alleys to comply with access spacing and other applicable code requirements.*

**Response:** No joint use of access or interconnections between any of the surrounding parcels is proposed with this development due to the unique character of the use.

10. *Through lots may be permitted with two access points, one onto each abutting street, where necessary to serve a centralized, shared parking facility. Such*



*access points must conform to the above access spacing requirements and parking must be internalized to the property.*

**Response:** This standard is not applicable to the proposed development.

*11. Free-standing buildings shall be connected to one another with a seamless pedestrian network that provides access to building entrances and adjacent civic spaces.*

**Response:** No buildings are proposed with this development. This standard is not applicable.

*12. Minimum parking requirements are contained in Chapter 17.98. For developments containing more than 150 parking spaces, at least 20 percent of all parking spaces shall be constructed of permeable materials such as permeable asphalt, permeable concrete, pavers, and/or similar materials as approved by the City.*

**Response:** A single, permeable parking space is proposed for this development as it is only utilized an average of once a month for maintenance and security. This criterion is not applicable to the proposed development.

*F. Landscaping and Streetscape Design*

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

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

*Trees –Deciduous (minimum 1 1/2-inch caliper) -Autumn Blaze Maple, Red Sunset Maple, Scarlet Oak. Evergreen (minimum 8-10 feet) -Hogan Cedar, Incense Cedar, Western Red Cedar, Douglas fir. □ Small Trees/Shrubs –Vine Maple, Serviceberry, Chinese Kousa Dogwood, Red flowering Currant, Ceanothus ‘Blue Blossom’,*



*Rhododendron, Pacific Wax Myrtle. □ Groundcover –Kinnickinick, Salal, Low Oregon Grape, Coastal Strawberry, Rock Rose.*

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

**Response:** The proposed development has been designed to satisfy the provisions of Chapter 17.92 as discussed later in this narrative. The site does not abut Highway 26, however, the entire site is arguably a service area and includes fencing, screening, and landscaping to ensure that the facility is not viewed from the adjacent right of way. Landscape plans are included as attachments to the proposed development See Sheet L-100 for the overall landscape plan which includes a mix of native trees, shrubs, and groundcover.

### **Chapter 17.92 Landscaping and Screening**

#### 17.92.10 GENERAL PROVISIONS

- A. *Where landscaping is required by this Code, detailed planting plans shall be submitted for review with development applications. No development may commence until the Director or Planning Commission has determined the plans comply with the purposes clause and specific standards in this chapter. All required landscaping and related improvements shall be completed or financially guaranteed prior to the issuance of a Certificate of Occupancy.*

**Response:** A complete set of plans for landscaping are attached with the plan set. The plans include an overall landscape plan, planting schedule, irrigation plan, and details to ensure that the plans are properly spaced, installed, and maintained. Please see sheets L-100 the overall planting plan, L-200 the irrigation plan, and sheets L-300 through L-302 for landscape and screening details.

- B. *Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-of-way is the right and responsibility of the property owner, unless City ordinances specify otherwise for general public and safety reasons. If street trees or other plant materials do not survive or are removed, materials shall be replaced in kind within 6 months.*

**Response:** Noted, the proposed landscape plans include details to ensure that the plants are properly spaced, installed, and maintained. The plans include an irrigation plan to ensure that the plants survive. If any of the plants do not survive, the applicant is aware that they must be replaced as required.

- C. *Significant plant and tree specimens should be preserved to the greatest extent practicable and integrated into the design of a development. Trees of 25-inches or greater circumference measured at a height of 4-½ ft. above grade are considered significant. Plants to be saved and methods of protection shall be indicated on the detailed planting plan submitted for approval. Existing trees may be considered preserved if no cutting, filling, or compaction of the soil takes place between the trunk of the tree and the area 5-ft. outside the tree's drip line. Trees to be retained shall be*



*protected from damage during construction by a construction fence located 5 ft. outside the dripline.*

**Response:** There are no significant plant or tree specimens located on the site. This criterion is not applicable to the proposed development.

*D. Planter and boundary areas used for required plantings shall have a minimum diameter of 5-ft. (2-½ ft. radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of 7-½ ft.*

**Response:** The proposed planting areas are located outside of the fenced area and are all provided with a minimum diameter of 5 feet.

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

**Response:** There are no proposed conifer trees or shrubs within the vision clearance areas of the street intersection with the driveway. The trees will be limbed up when necessary to maintain the vision clearance areas as required. See Sheet L-100 for the location and species of the proposed plantings in proximity to the driveway intersection with University Avenue.

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

**Response:** The proposed parking space will be located within the fenced area of the site. Landscaping is proposed on the exterior, between the sidewalk and the fence to both screen the facility as well as provide an aesthetically pleasing landscape along University Avenue. See Sheet L-100 for specific details.

*G. Required landscaping/open space shall be designed and arranged to offer the maximum benefits to the occupants of the development as well as provide visual appeal and building separation.*

**Response:** There are no proposed buildings on site. There are no occupants on site either. This criterion is not applicable to the proposed development.

*H. Balconies required for entrances and exits shall not be considered as open space except where such exits and entrances are for the sole use of the unit.*

**Response:** There are no proposed balconies, entrances, or exits proposed as open space. This criterion is not applicable to the proposed development.

*I. Roofed structures shall not be included as open space except for open unenclosed public patios, balconies, gazebos, or other similar structures or spaces.*



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**Response:** There are no proposed buildings or roofed structures proposed with the development. This criterion is not applicable to the proposed development.

*J. Driveways and parking areas shall not be included as open space.*

**Response:** The proposed driveway and parking area is not included within the required landscape calculations and is not considered open space as it pertains to this development.

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

**Response:** This criterion is not applicable to the proposed development. Any area not utilized for the regulator station will be landscaped as shown on Sheet L-100.

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

**Response:** Noted. The proposed landscape plans include details for irrigation and maintenance. The applicant has been made aware of the requirement to ensure that the landscaping is maintained.

#### 17.92.20 MINIMUM IMPROVEMENTS -LANDSCAPING AND SCREENING

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

**Response:** The C-2 zone requires a minimum landscaped area of 20%. The proposed development provides 20.3% of formal landscaping to satisfy this standard.

#### 17.92.30 REQUIRED TREE PLANTINGS

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

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

**Response:** Two street trees are proposed within a planter strip along University Avenue. The proposed street trees are shown on Sheet L-100 and were selected from the City's approved street tree list by the landscape architect.

#### 17.92.40 IRRIGATION

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





**Response:** The proposed landscaping will be provided with irrigation consistent with these requirements. See Sheet L-200, the irrigation plan for specific irrigation details.

17.92.50 TYPES AND SIZES OF PLANT MATERIALS

- A. *At least 75% of the required landscaping area shall be planted with a suitable combination of trees, shrubs, or evergreen ground cover except as otherwise authorized by Chapter 17.92.10 F.*
- B. *Plant Materials. Use of native plant materials or plants acclimatized to the Pacific Northwest is encouraged where possible.*
- C. *Trees shall be species having an average mature spread of crown greater than 15 feet and having trunks which can be maintained in a clear condition with over 5 feet of clear wood (without branches). Trees having a mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread.*
- D. *Deciduous trees shall be balled and burlapped, be a minimum of 7 feet in overall height or 1 ½ inches in caliper measured 6 inches above the ground, immediately after planting. Bare root trees will be acceptable to plant during their dormant season.*
- E. *Coniferous trees shall be a minimum five feet in height above ground at time of planting.*
- F. *Shrubs shall be a minimum of 1 gallon in size or 2 feet in height when measured immediately after planting.*
- G. *Hedges, where required to screen and buffer off-street parking from adjoining properties shall be planted with an evergreen species maintained so as to form a continuous, solid visual screen within 2 years after planting.*
- H. *Vines for screening purposes shall be a minimum of 1 gallon in size or 30 inches in height immediate after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.*
- I. *Groundcovers shall be fully rooted and shall be well branched or leafed. If used in lieu of turf in whole or in part, ground covers shall be planted in such a manner as to provide complete coverage in one year.*
- J. *Turf areas shall be planted in species normally grown as permanent lawns in western Oregon. Either sod or seed are acceptable. Acceptable varieties include improved perennial ryes and fescues used within the local landscape industry.*
- K. *Landscaped areas may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, decorative hard paving and gravel areas, interspersed with planted areas. The exposed area developed with such features shall not exceed 25% of the required landscaped area. Artificial plants are prohibited in any required landscape area.*

**Response:** The proposed landscaping plans were prepared by a professional and licensed landscape architect. The selected planting materials were selected due to their propensity to thrive in the Pacific Northwest. Where possible, native plants are included in the overall planting plan. The plans have been designed in accordance with these requirements and include a planting schedule that identify the size, spacing, and other details to ensure they are planted in accordance with this section. See Sheets L-100 and L300-L302 for specific details.



17.92.60 REVEGETATION IN UNLANDSCAPED OR NATURAL LANDSCAPED AREAS

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

**Response:** All areas disturbed by the proposed development and not proposed to be used for the regulator station will be revegetated as required by this code section. An irrigation plan is included with the proposed landscape plans. See Sheet L-200.

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

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

**Response:** The area located between the public street and the fenced area is landscaped as required. The planter strip is not calculated as part of the overall landscape area.

17.92.80 BUFFER PLANTING -PARKING, LOADING AND MANUEVERING AREAS

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

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

**Response:** Buffering is provided between the proposed screening fence and all adjacent property lines as required. The proposed plantings include a mix of trees and shrubs. Where there is adequate space, the landscape architect has specified that ground cover be planted as well. There is a single parking space proposed with this development.

17.92.90 SCREENING (HEDGES, FENCES, WALLS, BERMS)

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



*fencing/wall materials. Acoustically designed fences and walls are also used where noise pollution requires mitigation.*

- A. *Height and Opacity. Where landscaping is used for required screening, it shall be at least 6 ft. in height and at least 80 percent opaque, as seen from a perpendicular line of sight, within 2 years following establishment of the primary use of the site.*
- B. *Chain Link Fencing. A chain link fence with slats shall qualify for screening only if a landscape buffer is also provided in compliance with Section 17.92.00 above.*
- C. *Height Measurement. The height of hedges, fences, walls, and berm shall be measured from the lowest adjoining finished grade, except where used to comply with screening requirements for parking, loading, storage, and similar areas. In these cases, height shall be measured from the finished grade of such improvements. Screening is not permitted within vision clearance areas.*

**Response:** The applicant is proposing a combination of landscaping and chain link fencing with a slats to screen the facility. The proposed fence is 6-foot high, set back from the adjacent property lines, and intended to screen the facility. Please see Sheet L-302 for the proposed fencing details.

#### 17.92.100 SCREENING OF SERVICE FACILITIES

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

**Response:** As stated above, the applicant is proposing to screen the entire facility with a combination of fencing and landscaping. The proposed use is a utility which will be made up entirely of mechanical and monitoring equipment. The applicant wishes to screen the entire facility for safety and security.

### **Chapter 17.98 Parking, Loading, and Access**

#### 17.98.10 GENERAL PROVISIONS

- A. *Provision and Maintenance. The provision of required off-street parking for motorvehicles and bicycles, and loading facilities for motor vehicles is a continuing obligation of the property owners. Building permits or other permits will only be issued after review and approval of site plans showing location of permanent access, parkingand 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.*
- E. Increased Intensity. When increased intensity requires no more than 2 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 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 occupancy and/or final building inspection.*
- H. Inoperative Motor Vehicles. In any residential district, 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 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 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 17.98.30 (B).*
- 3. Bicycle parking required for all uses in all districts shall be provided on the development site in accordance with Section 17.98.160 below.*

*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.*

**Response:** The applicant is aware of these general provisions to the extent that they apply to this proposal, they have been met as discussed below.

17.98.20 OFF-STREET PARKING REQUIREMENTS

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

- 1. All square footage measurements are gross square feet of total floor area.*
- 2. 18 lineal inches of bench shall be considered 1 seat.*
- 3. Except as otherwise specified, parking for employees shall be provided based on 1 space per 2 employees for the largest shift in addition to required parking specified in Sections A6-A9 below.*
- 4. Where less than 5 parking spaces are required, then only one bicycle space shall be required except as otherwise modified in Sections 5-9 below.*
- 5. In addition to requirements for residential off street parking, new dwellings shall meet the on-street parking requirements in Section 17.98.200.*
- 6. Parking Requirements – NOT LISTED*

**Response:** The proposed use is not listed. Within the pre-app notes, staff has indicated that the proposed development is required to provide one parking space. The applicant is providing one parking space as required. This is appropriate given the nature of the proposed development.

17.98.50 SETBACKS

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



*setback of 5 feet shall be provided along the property fronting on a public street. The setback area shall be landscaped as provided in this code.*

**Response:** The propose parking space is located within the fenced area. The site does not abut a residential zoning district, and is not located in a required yard area. The area between the fence and the public street (University Avenue) is proposed to be landscaped as required by 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 parking spaces shall be 13 feet by 18 feet. Accessible parking shall be provided for all uses in compliance with the requirements of the State of Oregon (ORS 447.233) and the Americans with Disabilities Act.*
  - 4. Parallel parking spaces shall be a length of 22 feet.*
  - 5. No more than 35 percent of the parking stalls shall be compact spaces.**

**Response:** The proposed development provides a single parking space constructed of permeable pavement. The space is approximately 10 feet by 18 feet as required by this code. See Sheet C-200 for the proposed location and size of the parking area.

**17.98.100 DRIVEWAYS**

- A. A driveway to an off-street parking area shall be improved from the public roadway to the parking area a minimum width of 20 feet for a two-way drive or 12 feet for a one-way drive but in either case not less than the full width of the standard approach for the first 20 feet of the driveway.*
- B. A driveway for a single-family dwelling shall have a minimum width of 10 feet.*
- C. A driveway for a two-family dwelling shall have a minimum width of 20 feet. A driveway approach must be constructed in accordance with applicable city standards and the entire driveway must be paved with asphalt or concrete.*
- D. Driveways, aisles, turnaround areas and ramps shall have a minimum vertical clearance of twelve feet for their entire length and width but such clearance may be reduced in parking structures.*
- E. No driveway shall traverse a slope in excess of 15 percent at any point along the driveway length.*
- F. The location and design of the driveway shall provide for unobstructed sight per the vision clearance requirements. Requests for exceptions to these requirements will be evaluated by the City Engineer considering the physical limitations of the lot and safety impacts to vehicular, bicycle, and pedestrian traffic.*



**Response:** The proposed driveway is shown on sheet C-200, the site plan and is approximately 20 feet wide. The driveway is improved with a concrete apron.

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.*

**Response:** Chapter 17.74 does not specify the vision clearance area for a driveway with a local street intersection, so the proposed vision clearance areas are shown on the proposed site plan consistent with the provisions AASHTO. Based on the speeds, there is adequate distance to the north from the site, but the service facility on the adjacent property to the south impacts the prescribed sight distance. These are factors outside of the applicant's control. Please see sheet C-200 for details.

17.98.120 LANDSCAPING AND SCREENING

- A. *Screening of all parking areas containing 4 or more spaces and all parking areas in conjunction with an off-street loading facility shall be required in accordance with zoning district requirements and Chapter 17.98. Where not otherwise specified by district requirement, screening along a public right-of-way shall include a minimum 5-ft. depth of buffer plantings adjacent to the right-of-way.*
- B. *When parking in a commercial or industrial district adjoins a residential zoning district, a sight-obscuring screen that is at least 80% opaque when viewed horizontally from between 2 and 8 feet above the average ground level shall be required. The screening shall be composed of materials that are an adequate size so as to achieve the required degree of screening within 3 years after installation.*
- C. *Except for a residential development which has landscaped yards, parking facilities shall include landscaping to cover not less than 10% of the area devoted to parking facilities. The landscaping shall be uniformly distributed throughout the parking area and may consist of trees, shrubs, and ground covers.*
- 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 shall be provided. No vehicle may project over a property line or a public right-of-way.*



*Parking may project over an internal sidewalk, but a minimum clearance of 5 feet for safe pedestrian circulation is required.*

**Response:** The proposed parking area is located within the interior of the facility and behind the screening fence. The area between the public right-of-way and the screening fence is landscaped as specified in Chapter 17.92.

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.*

**Response:** Because of the infrequent use of the parking space and the lack of aisles, and turnarounds, staff has indicated that the proposed parking space should be constructed of pervious pavement. The applicant has proposed that the parking space be constructed of pervious pavement as shown on sheet C-200.

17.98.150 LIGHTING

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

**Response:** No lighting is proposed with this development as it is a utility that will have infrequent visits from employees of the provider for the purposes of maintenance and security.

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*

**Response:** The proposed development is for a natural gas regulator station. There are not going to be any visits from the public, and the only vehicles permitted to access the site will be service vehicles from NW Natural. There would be no need to bike to the site, and no bicycle parking is proposed with the development.





### III. Conclusion

This request and the supporting documentation demonstrates compliance with applicable approval criteria for the proposed development. The applicant respectfully requests that the City approve this request as proposed.



10  
15  
20



Clackamas County Official Records  
Sherry Hall, County Clerk 2007-101471

01168321200701014710020027 \$36.00

D-D Cnt=1 Stn=5 LESLIE 12/05/2007 10:58:27 AM

\$10.00 \$18.00 \$10.00

Return to:  
Sandy Chainsaw LLC an Oregon limited liability company  
Attn: James A. Bureau  
39130 Proctor Blvd  
Sandy, OR 97055

Until a change is requested, all tax statements shall be sent to the following address:  
Sandy Chainsaw LLC an Oregon limited liability company  
Attn: James A. Bureau  
39130 Proctor Blvd  
Sandy, OR 97055

TRANSACTION 5660579987

**STATUTORY BARGAIN AND SALE DEED**

James A. Bureau and Brenda L. Bureau Grantor, conveys to Sandy Chainsaw LLC, an Oregon limited liability company, Grantee, the following described real property:

SEE ATTACHED EXHIBIT "A"

Tax Account No. 00667308

The true consideration for this conveyance is \$0.00. The actual consideration consists of or includes other property or other value given or promised, which other property or value is either part or the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY UNDER ORS 197.352. THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated 3 day of December, 2007

*James A. Bureau*  
James A. Bureau

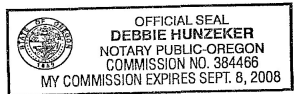
*Brenda L. Bureau*  
Brenda L. Bureau

STATE OF OREGON  
County of CLACKAMAS

This instrument was acknowledged before me this 3 day of December, 2007 by James A. Bureau and Brenda L. Bureau.

*Debbie Hunzeker*  
Notary Public for the State of Oregon

My commission expires: 9/8/2008



Order No. 56g0579987

Statutory Bargain and Sale Deed - Individual  
ORRQ 6/2005; Rev. 1/2006

Exhibit "A"

The West 125 feet of the South 75 feet of the following described tract as cut off by lines drawn parallel with the East and South lines thereof:

Part of the Southeast one-quarter of the Northeast one-quarter of Section 14, Township 2 South, Range 4 East, of the Willamette Meridian, in the City of Sandy, County of Clackamas and State of Oregon, described as:

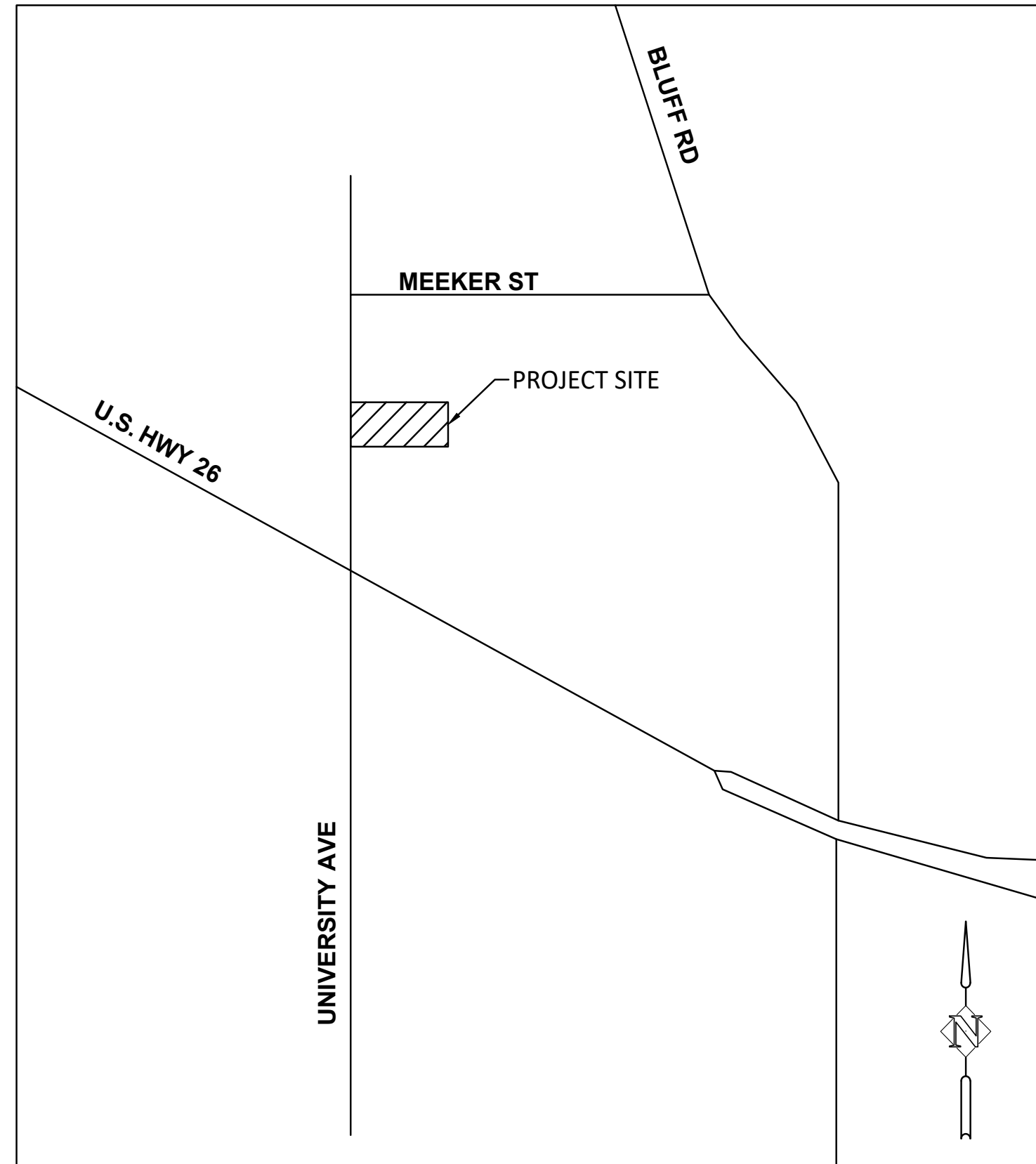
Beginning at a point on the one-sixteenth section line, 336.00 feet East of the Northwest corner of the Southeast one-quarter of the Northeast one-quarter of said Section 14, Township 2 South, Range 4 East, of the Willamette Meridian; thence South 20.00 feet to the point of beginning of the tract herein described on the South side of a 40 foot roadway; thence South 0° 46' West along the East side of a 40.00 foot roadway, 209.00 feet to a point; thence North 88° 59' East, parallel with the one-sixteenth section line, a distance of 209.00 feet to a point; thence North 0° 46' East, 209.00 feet to a point on the South line of a 40 foot roadway; thence South 88° 59' West, parallel with the one-sixteenth section line and 20 feet South thereof, a distance of 209.00 feet to the point of beginning.

EXCEPTING THEREFROM the Easterly 66 feet conveyed to Edgar F. Woody, et ux, by deed recorded August 1, 1951, in Book 447, Page 168, Deed Records.

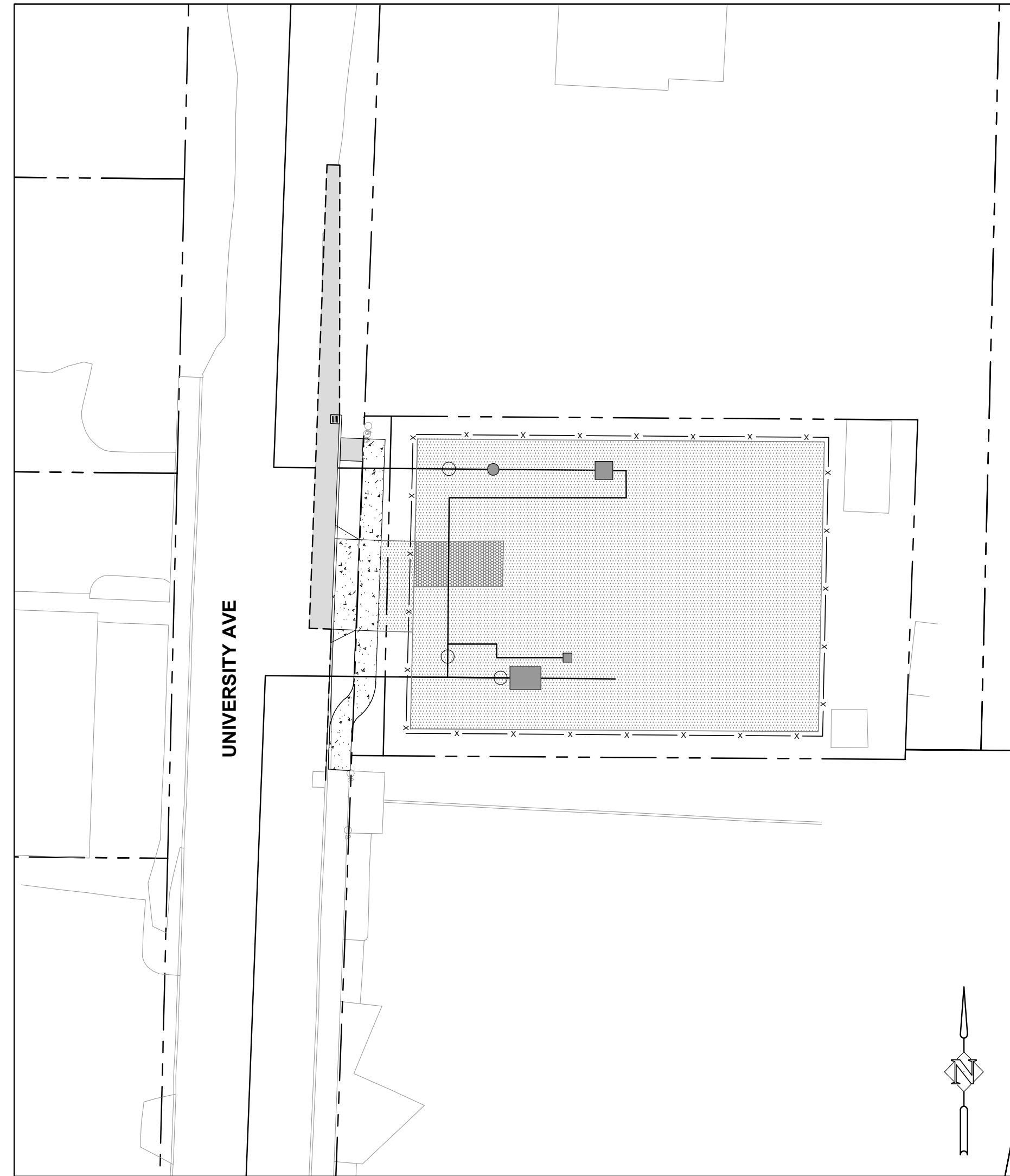
②

# SANDY FEEDER REINFORCEMENT PROJECT

PREPARED FOR:  
**NORTHWEST NATURAL GAS**  
 SANDY, OREGON



**VICINITY MAP**  
 SCALE: NTS



**SITE MAP**  
 SCALE: 1" = 20'

**SITE INFORMATION**

LOCATED AT UNIVERSITY AVE  
 LOCATED IN THE NE ¼ OF SECTION 14, TOWNSHIP 2 SOUTH,  
 RANGE 4 EAST, WILLAMETTE MERIDIAN, CITY OF SANDY,  
 CLACKAMAS COUNTY, OREGON

**DATUM**

ELEVATION DATUM: NAVD88 PER GPS METHODS

**SHEET INDEX**

Sheet No.	SHEET TITLE
C-000	COVER SHEET
C-100	SITE ANALYSIS PLAN
C-200	SITE PLAN
C-300	UNIVERSITY AVE IMPROVEMENTS
C-400	SITE GRADING PLAN
L-100	LANDSCAPING PLAN
L-200	IRRIGATION PLAN
L-300	PLANTING DETAILS
L-301	IRRIGATION DETAILS
L-302	FENCING DETAILS

**PROJECT TEAM**

**DEVELOPER/ APPLICANT**

NORTHWEST NATURAL GAS  
 290 SW TAYLOR ST  
 PORTLAND, OR 97204

**CIVIL ENGINEER**

HARPER HOUF PETERSON RIGHELLIS INC.  
 205 SE SPOKANE STREET, SUITE 200  
 PORTLAND, OREGON 97202  
 PHONE: (503) 221-1131  
 FAX: (503) 221-1171  
 EMAIL: JEFFV@HHPRI.COM  
 CONTACT: JEFF VANDERDASSON, PE

**SURVEYOR**

HARPER HOUF PETERSON RIGHELLIS INC.  
 205 SE SPOKANE STREET, SUITE 200  
 PORTLAND, OREGON 97202  
 PHONE: (503) 221-1131  
 FAX: (503) 221-1171  
 EMAIL: JOHN@HHPRI.COM  
 CONTACT: JOHN CAMPBELL, PLS

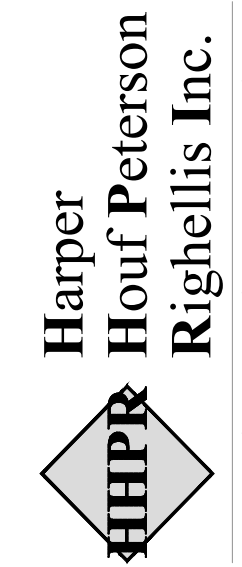
**LANDSCAPE ARCHITECT**

HARPER HOUF PETERSON RIGHELLIS INC.  
 205 SE SPOKANE STREET, SUITE 200  
 PORTLAND, OREGON 97202  
 PHONE: (503) 221-1131  
 FAX: (503) 221-1171  
 EMAIL: JEFF@HHPRI.COM  
 CONTACT: JEFF CREEL, RLA

**PLANNER**

HARPER HOUF PETERSON RIGHELLIS INC.  
 205 SE SPOKANE STREET, SUITE 200  
 PORTLAND, OREGON 97202  
 PHONE: (503) 221-1131  
 FAX: (503) 221-1171  
 EMAIL: BRAD@HHPRI.COM  
 CONTACT: BRAD KILBY, AICP

COVER SHEET  
**SANDY FEEDER REINFORCEMENT PROJECT**  
 SANDY, OR



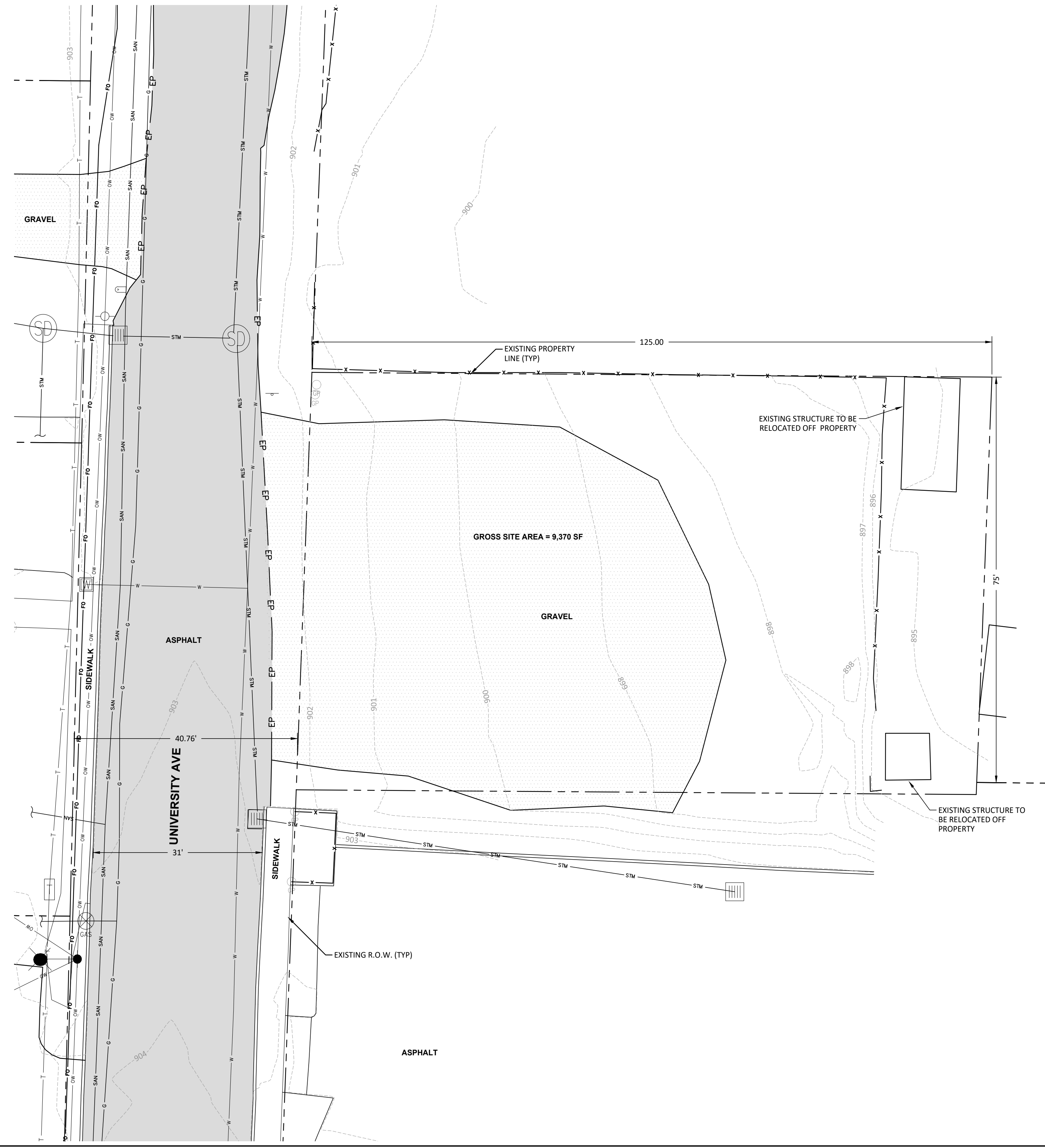
205 SE Spokane Street, Suite 200, Portland, OR 97202  
 phone: 503.221.1131 www.hhpri.com fax: 503.221.1171

DESIGNED:	JAV
DRAWN:	HHPRI TEAM
CHECKED:	JAV
DATE:	04/30/2020

SHEET NO.  
**C-000**  
 JOB NO.  
 GTS-02

R:\01-Portland\GTS (Gas Transmission Systems) \incl\GTS-02 (Sandy Feeder Reinforcement)\GTS02.DWG\Sheets\GTS02 COVER SHEET\_C-000.dwg

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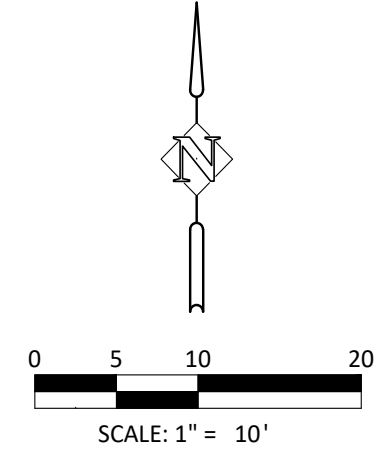


**TOPOGRAPHIC LEGEND:**

- STW — STORM SEWER LINE
- SAN — SANITARY SEWER LINE
- W — WATER LINE
- G — GAS LINE
- OW — OVERHEAD WIRE
- X — FENCE LINE, TYPE AS NOTED
- FO — FIBER OPTIC LINE
- T — TELEPHONE LINE
- EP — EDGE OF PAVEMENT
- 900 — EXISTING MAJOR CONTOUR
- 901 — EXISTING MINOR CONTOUR
- ⊙ — STORM SEWER MANHOLE
- ⊞ — CATCH BASIN
- ⊞ — WATER METER
- ⊞ — GAS VALVE
- ⊞ — SINGLE POST SIGN
- ⊞ — POST
- ⊞ — MAIL-BOX
- ⊞ — TELEPHONE BOX
- ⊞ — UTILITY POLE
- ⊞ — UTILITY POLE
- ⊞ — W/ UNDERGROUND UTILITIES AND STREET LIGHT

**STORM SEWER NOTES**

- 8502 CATCH BASIN  
RIM=902.84'  
IE 6" PVC(E)=900.59'  
IE 12" PVC(N)=900.24'  
SUMP=899.29'
- 8503 CATCH BASIN  
RIM=902.27'  
IE 6" PVC(W)=900.52'  
SUMP=898.77'
- 8533 STORM MANHOLE  
RIM=902.66'  
IE 12" HDPE(W)=897.51'  
IE 12" PVC(S)=897.46'  
IE 12" HDPE(N)=897.36'  
BOTTOM=897.26'
- 8534 CATCH BASIN  
RIM=902.21'  
IE 10" PVC(W)=898.21'  
IE 12" HDPE(E)=897.76'  
BOTTOM=897.51'
- 8535 STORM MANHOLE-POLLUTION CONTROL  
RIM=903.36'  
IE 10" PVC(W)=898.66'  
IE 12" HDPE(S)=898.66'  
IE 12" HDPE(E)=898.36'  
SUMP=893.61'



SITE ANALYSIS PLAN  
**SANDY FEEDER REINFORCEMENT PROJECT**  
SANDY, OR

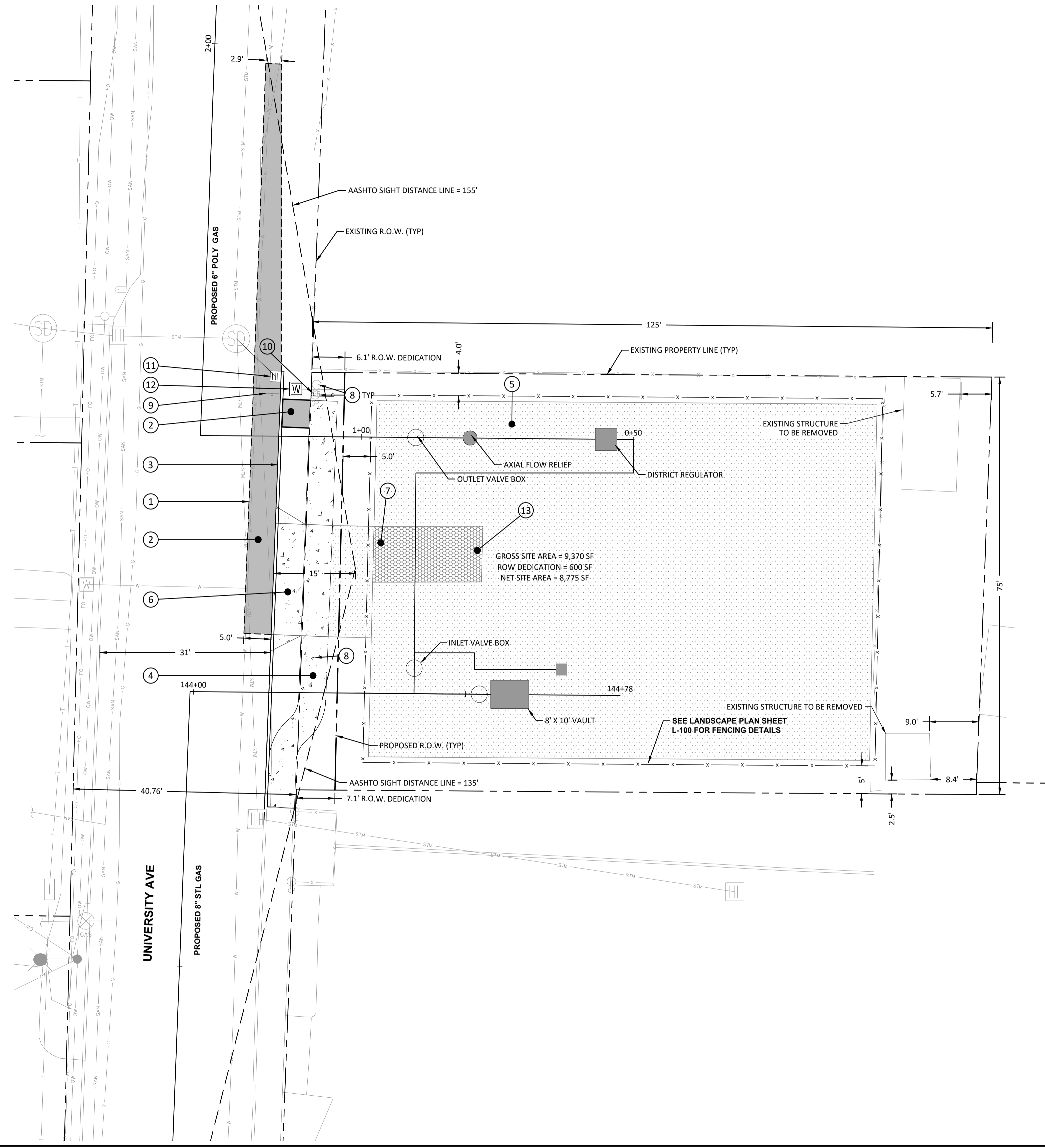
**Harper Houf Peterson**  
**Righellis Inc.**  
ENGINEERS + PLANNERS  
LANDSCAPE ARCHITECTS + SURVEYORS  
205 SE Spokane Street, Suite 200, Portland, OR 97202  
phone: 503.221.1131 www.hhp.com fax: 503.221.1171

DESIGNED:	JAV
DRAWN:	HHPR TEAM
CHECKED:	JAV
DATE:	04/30/2020

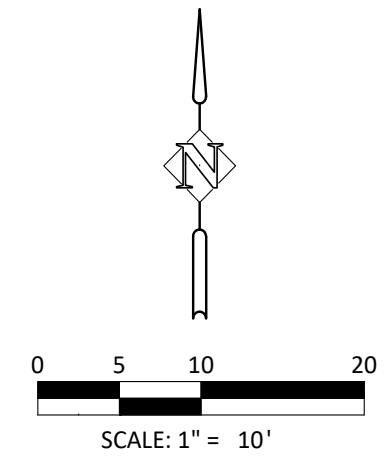
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SHEET NO.  
**C-100**  
JOB NO. GTS-02

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- NOTES:**
- 1 SAWCUT & REMOVE ALL EXISTING ASPHALT PAVEMENT AS REQUIRED AND DIRECTED.
  - 2 CONSTRUCT ASPHALT PAVEMENT SECTION. MATCH AT SAWCUT LINE.
  - 3 CONSTRUCT STANDARD CURB.
  - 4 CONSTRUCT CONCRETE SIDEWALK.
  - 5 STRIP 3" EXISTING MATERIAL AND REPLACE WITH 3" THICK 3/4"-0 CRUSHED ROCK SECTION.
  - 6 CONSTRUCT 20' DRIVEWAY APPROACH.
  - 7 CONSTRUCT 20' X 10' PERMEABLE PAVEMENT PARKING STALL.
  - 8 REMOVE EXISTING POST.
  - 9 RELOCATE EXISTING SIGN.
  - 10 INSTALL SIDEWALK BARRICADE.
  - 11 INSTALL CATCH BASIN W/10 LATERAL. CONNECT TO EXISTING LEAD.
  - 12 INSTALL IRRIGATION METER.
  - 13 INSTALL STOP BLOCK.

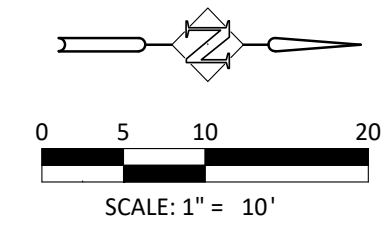
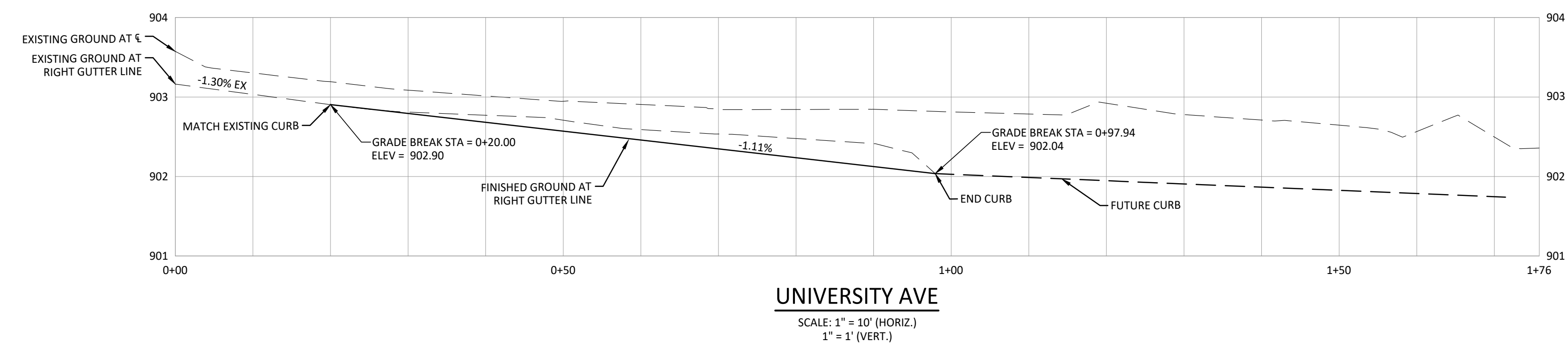
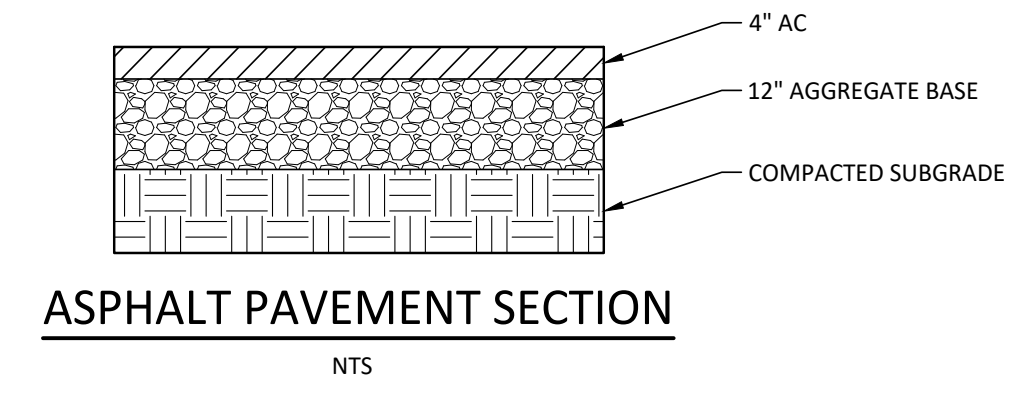
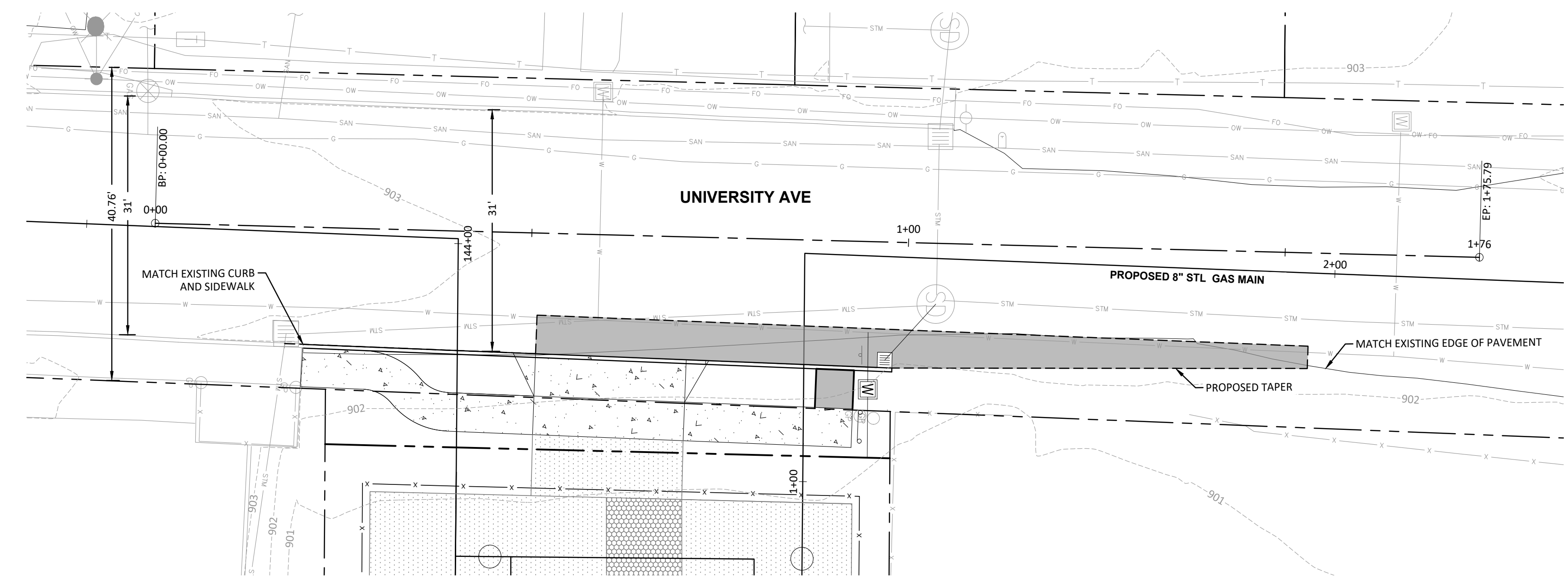


**SITE PLAN**  
**SANDY FEEDER REINFORCEMENT PROJECT**  
**SANDY, OR**

**Harper Houf Peterson**  
**Righellis Inc.**  
ENGINEERS & PLANNERS  
LANDSCAPE ARCHITECTS & SURVEYORS  
205 SE Spokane Street, Suite 200, Portland, OR 97202  
phone: 503.221.1131 www.hhp.com fax: 503.221.1171

DESIGNED:	JAV															
DRAWN:	HHPR TEAM															
CHECKED:	JAV															
DATE:	04/30/2020															
R E V I S I O N S																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">NO.</th> <th style="width: 80%;">DESCRIPTION</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					NO.	DESCRIPTION	DATE									
NO.	DESCRIPTION	DATE														
SHEET NO.		<b>C-200</b>														
JOB NO.		GTS-02														

R:\01-Portland\GTS (Gas Transmission Systems) \incl\GTS-02 (Sandy Feeder Reinforcement)\GTS02.DWG\Sheets\GTS02 UNIVERSITY AVE IMPROVEMENTS C-300.dwg

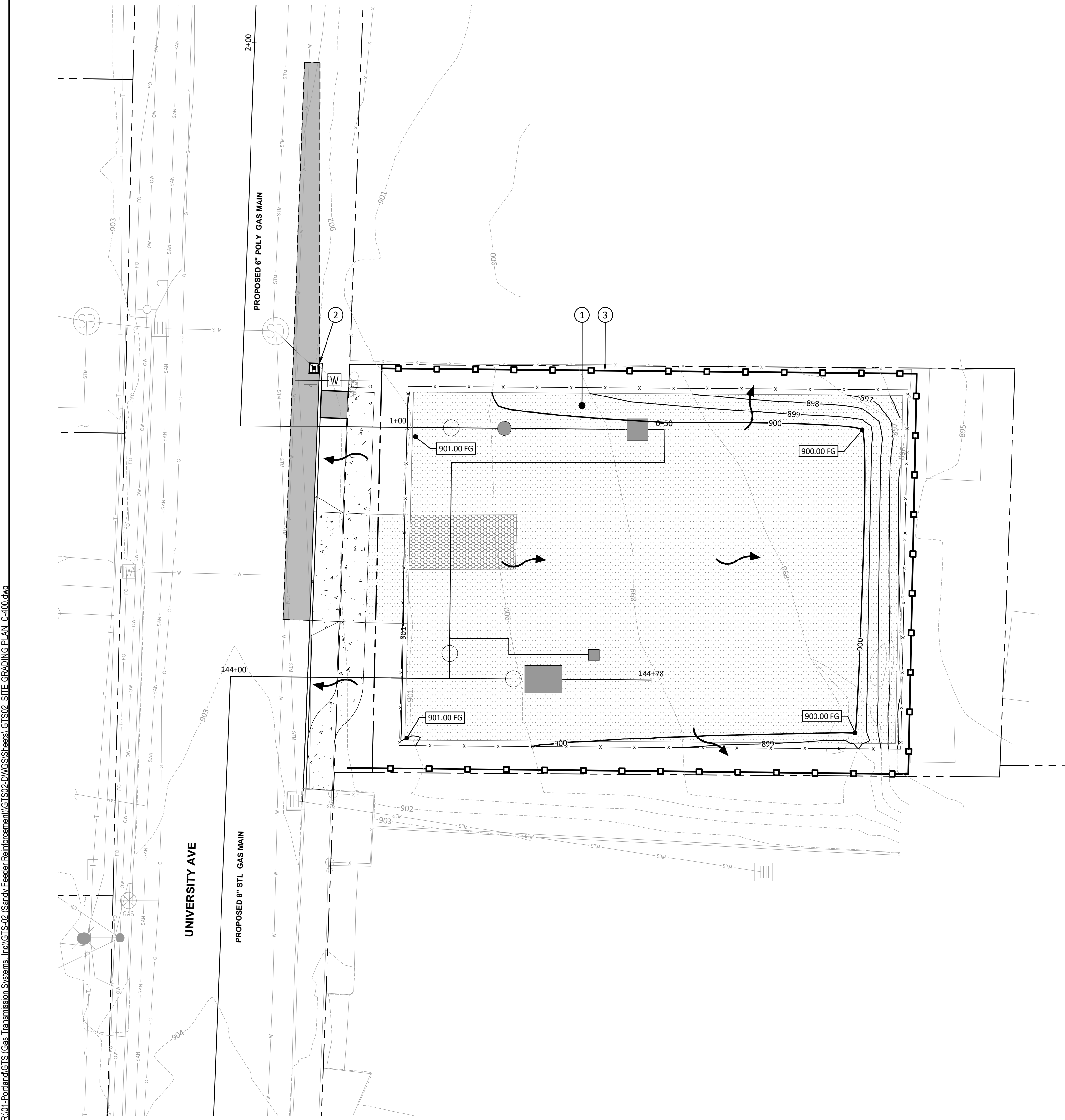


UNIVERSITY AVE IMPROVEMENTS  
**SANDY FEEDER REINFORCEMENT PROJECT**  
SANDY, OR

**Harper Houf Peterson**  
**Righellis Inc.**  
ENGINEERS + PLANNERS  
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205 SE Spokane Street, Suite 200, Portland, OR 97202  
phone: 503.221.1131 www.hhp.com fax: 503.221.1171

DESIGNED:	JAV
DRAWN:	HHPR TEAM
CHECKED:	JAV
DATE:	04/30/2020
R E V I S I O N S	
NO.	DESCRIPTION
SHEET NO. <b>C-300</b>	
JOB NO.	GTS-02

R:\01-Portland\GTS (Gas Transmission Systems).inc\GTS-02 (Sandy Feeder Reinforcement)\GTS02.DWG\Sheets\GTS02 SITE GRADING PLAN C-400.dwg

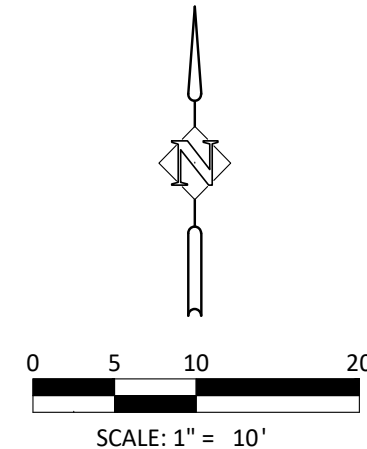


**NOTES:**

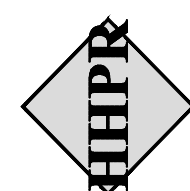
- ① STRIP 3" EXISTING MATERIAL AND REPLACE WITH 3" THICK 3/4"-Ø CRUSHED ROCK SECTION FOR ENTIRE AREA INSIDE FENCE.
- ② INSTALL INLET PROTECTION.
- ③ INSTALL SEDIMENT FENCE.

**GRADING LEGEND:**

- - - 900 - - - EXISTING MAJOR CONTOUR
- - - 901 - - - EXISTING MINOR CONTOUR
- 900 — PROPOSED MAJOR CONTOUR
- 901 — PROPOSED MINOR CONTOUR
- □ — SEDIMENT FENCE
- □ — INLET PROTECTION
- DRAINAGE FLOW DIRECTION



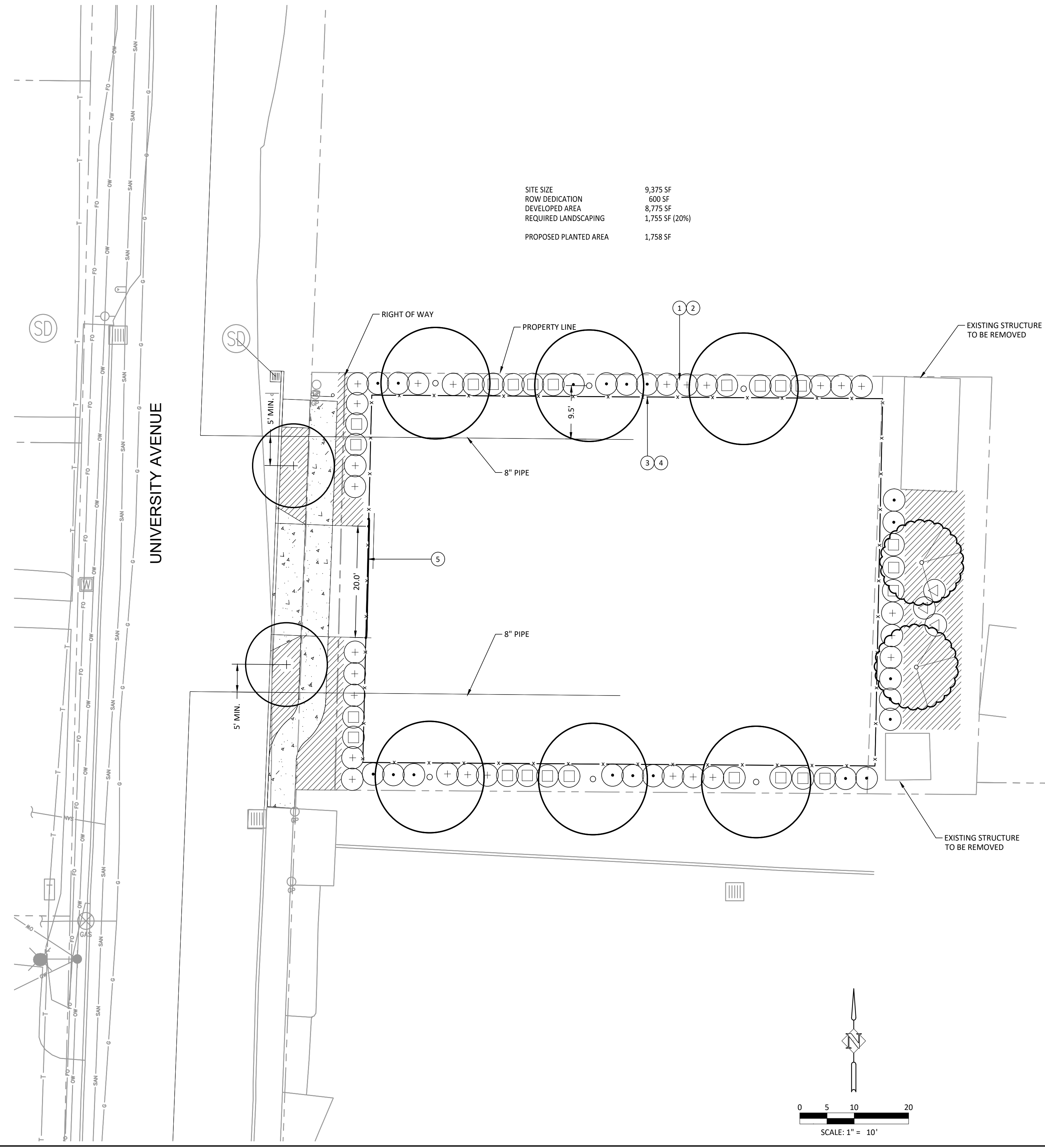
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DESIGNED:	JAV	DRAWN:	HHPR TEAM
CHECKED:	JAV	DATE:	04/30/2020
DATE	NO.	DESCRIPTION	


**Harper Houf Peterson**  
**Righellis Inc.**  
ENGINEERS \* PLANNERS  
 LANDSCAPE ARCHITECTS \* SURVEYORS  
 205 SE Spokane Street, Suite 200, Portland, OR 97202  
 phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

**SITE GRADING PLAN**  
**SANDY FEEDER REINFORCEMENT PROJECT**  
**SANDY, OR**



P:\0-L-Portland\GTS (Gas, Transmission, Systems, Inc)\GTS-02 (Sandy Feeder Reinforcement)\GTS02-DWG\Sheets\GTS02-PLANTING PLAN L-100.dwg



**CONSTRUCTION NOTES:**

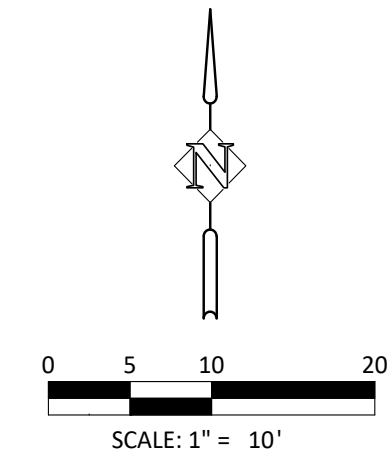
- REMOVE WEEDS AND AMEND EXISTING TOPSOIL WITH 4" COMPOST. TILL COMPOST INTO TOP 12" OF SOIL PRIOR TO PLANTING. QUANTITY - 27 CY
- PLACE 3" BARK MULCH IN PLANTERS, TYP. QUANTITY - 20 CY
- CONSTRUCT 6' TALL CHAINLINK FENCE PER DETAIL 1/L302. QUANTITY - 309 LF
- INSTALL PRIVACY SLATS IN CHAINLINK FENCE & GATE. PRIVACY SLATS: BOTTOM LOCK BY PEXCO (OR APPROVED EQUAL). COLOR: DARK BROWN. QUANTITY - 321 LF
- CONSTRUCT 6' ROLLING CHAINLINK GATE PER DETAIL 2/L302. DOUBLE CHAINLINK GATE - 1 EA.

**GENERAL PLANTING NOTES:**

- ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH CURRENT CITY OF SANDY STANDARDS AND OREGON BUILDING AND SPECIALITY CODES.
- INSTALL EROSION CONTROL SYSTEMS IN ACCORDANCE WITH CITY OF SANDY STANDARDS PRIOR TO SITE WORK AND LANDSCAPE INSTALLATION.
- CONTRACTOR SHALL MARK AND PROTECT ALL UTILITIES, SITE FEATURES, AND VEGETATION TO REMAIN IN PLACE.
- CONTRACTOR SHALL REMOVE ALL WEEDS AND INVASIVE SPECIES PRIOR TO PLANTING OR SEEDING.
- ALL DISTURBED AREAS SHALL BE SEEDED.
- PRIOR TO PLANTING, CONTRACTOR SHALL TEST ON-SITE SOILS FOR SOIL FERTILITY BY CERTIFIED TESTING LAB. IF NECESSARY, BACKFILL SOILS FOR TREE PITS, SHRUB AND GROUND COVER AREAS SHALL BE AMENDED AS RECOMMENDED BY SOIL ANALYSIS REPORT.
- RIGHT OF WAY PLANTER BEDS SHALL BE SCARIFIED 12" BELOW FINISHED GRADE AND HAVE 12" OF TOPSOIL ADDED TO BRING BACK TO FINISHED GRADE PRIOR TO PLANTING.
- CONTRACTOR TO INSTALL 3" LAYER OF COMPOST MULCH AT ALL TREE, SHRUB AND GROUND COVER AREAS.
- PLANT MATERIAL INSTALLED SHALL CONFORM IN SIZE AND GRADE TO THE "AMERICAN STANDARD FOR NURSERY STOCK" CURRENT EDITION.
- QUANTITIES OF PLANT MATERIALS SHALL BE AS DETERMINED BY CONTRACTOR IN ACCORDANCE WITH SPECIFIED SPACING OR LOCATION ON PLAN. MATERIAL QUANTITIES SHOWN ON PLAN ARE FOR CONTRACTOR CONVENIENCE ONLY AND SHALL BE VERIFIED BY CONTRACTOR PRIOR TO INSTALLATION. SURPLUS OR SHORTAGES OF PLANT QUANTITIES SHALL BE RESPONSIBILITY OF CONTRACTOR.
- LANDSCAPE CONTRACTOR SHALL WATER AND MAINTAIN PLANTINGS FOR DURATION OF 365 DAY WARRANTY PERIOD AFTER INSTALLATION AND GUARANTEE ALL PLANTINGS TO BE IN SATISFACTORY HEALTH. LANDSCAPE CONTRACTOR SHALL REPLACE ALL DAMAGED, DEAD, OR DYING PLANTS COVERED BY WARRANTY WITHIN 30 DAYS OF INITIAL IDENTIFICATION OF CONDITION.

**PLANT SCHEDULE:**

TREES	
	2 Quercus robur 'Fastigiata' - Skyrocket Oak 2" CAL. B&B, WELL BRANCHED, LIMBED TO 6'
	6 Rhamnus purshiana - Cascara 2" CAL. B&B, WELL BRANCHED, LIMBED TO 6'
	2 Pseudotsuga menziesii - Douglas Fir 6' HT. B&B, FULL TREES, BRANCHED TO GROUND
SHRUBS	
	19 Gaultheria shallon - Salal 1 GAL. CONT., FULL PLANTS, SPACING AS SHOWN
	26 Mahonia aquifolium - Oregon Grape 1 GAL. CONT., FULL PLANTS, SPACING AS SHOWN
	24 Vaccinium ovatum - Evergreen Huckleberry 1 GAL. CONT., FULL PLANTS, SPACING AS SHOWN
	3 Rosa nutkana - Nootka Rose 1 GAL. CONT., FULL PLANTS, SPACING AS SHOWN
GROUND COVER	
	236 Arctostaphylos uva-ursi - Bearberry 4" POTS. CONT., FULL PLANTS, 24" O.C.

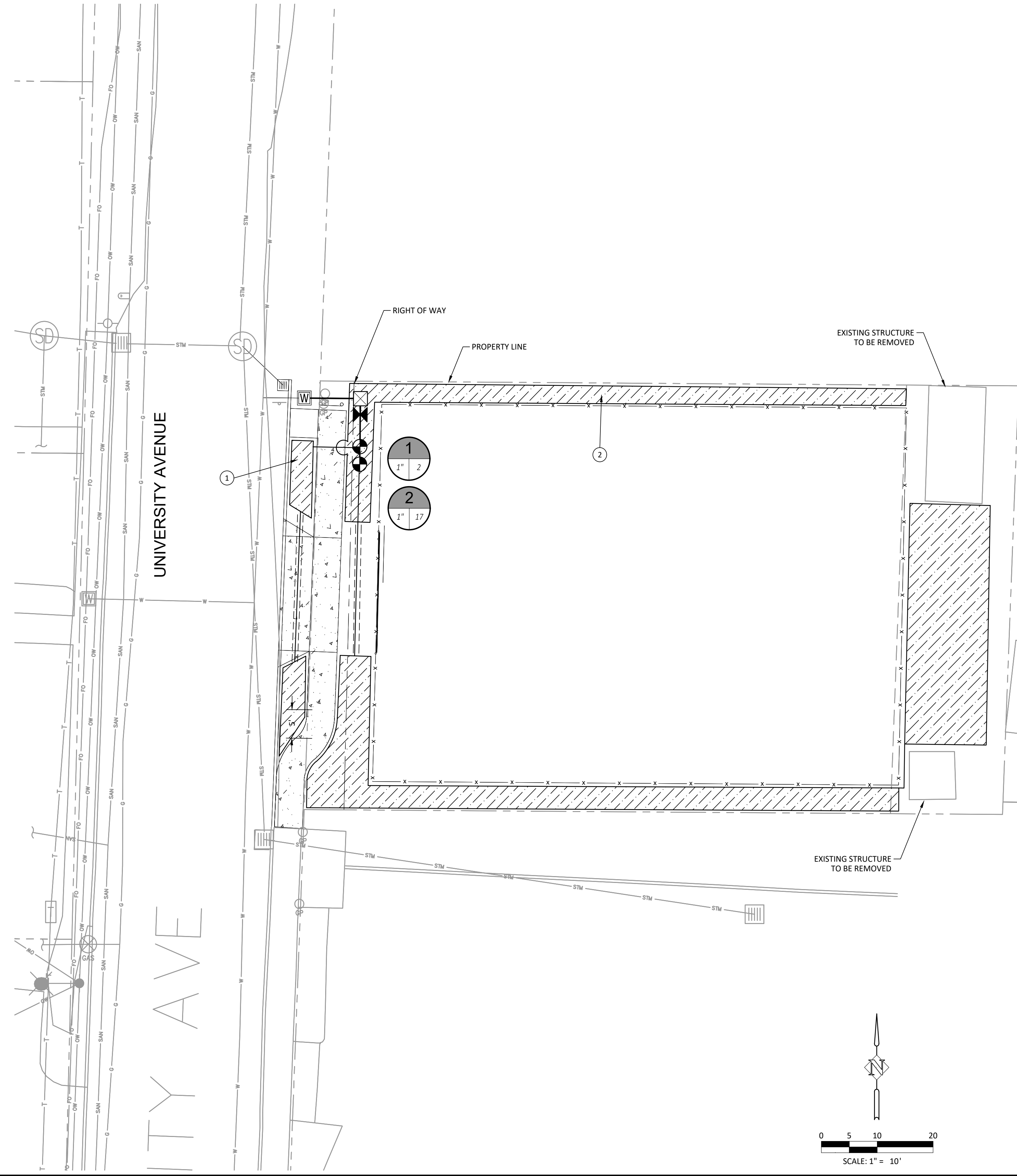


PLANTING PLAN  
**SANDY FEEDER REINFORCEMENT PROJECT**  
SANDY, OR

**Harper Houf Peterson**  
**Righellis Inc.**  
ENGINEERS + PLANNERS  
LANDSCAPE ARCHITECTS + SURVEYORS  
205 SE Spokane Street, Suite 200, Portland, OR 97202  
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

DESIGNED:	JAV
DRAWN:	HHPR TEAM
CHECKED:	JAV
DATE:	04/30/2020
R E V I S I O N S	
SHEET NO.	
<b>L-100</b>	
JOB NO. GTS-02	

P:\04-Portland\GTS (Gas, Transmission, Systems, Inc)\GTS-02 (Sandy Feeder Reinforcement)\GTS-02-DWG\Sheets\GTS-02-IRRG PLAN\_L-200.dwg



**CONSTRUCTION NOTES:**

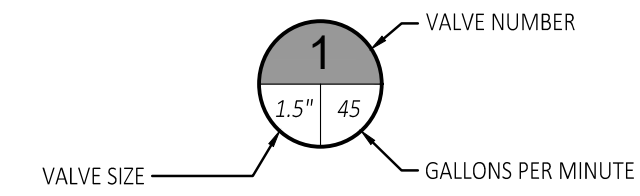
- 1 POINT OF CONNECTION - NEW WATER METER
- 2 INSTALL DRIP IRRIGATION ZONE PER DETAIL 8/L-301

**GENERAL IRRIGATION NOTES:**

1. CONTRACTOR SHALL INSPECT SITE AND VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION.
2. IRRIGATION PLANS ARE SCHEMATIC REPRESENTATIONS ONLY. PLACE LINES IN COMMON TRENCH WHENEVER POSSIBLE. FIELD ADJUST LINES TO AVOID CONFLICT WITH UTILITIES.
3. IRRIGATION LATERAL AND MAINLINE PIPE SHOW OUTSIDE OF PLANTING AREAS FOR CLARIFICATION ONLY. PLACE LATERAL AND MAINLINE PIPE IN PLANTER AREAS UNLESS IRRIGATION SLEEVES ARE SHOWN.
4. ALL COMPONENTS OF IRRIGATION SYSTEM SHALL BE INSTALLED AND PROPERLY ADJUSTED TO PROVIDE ADEQUATE COVERAGE AND MINIMIZATION OF OVERSPRAY ONTO WALKS, BUILDINGS, PARKING AREAS, ETC.
5. ALL PIPE SIZES INDICATED ARE MINIMUMS. CONTRACTOR MAY NOT DECREASE PIPE SIZE. LARGER PIPE SIZES MAY BE USED AT NO ADDITIONAL COST TO OWNER.
6. INSTALL ALL IRRIGATION PIPE AND CONTROL WIRES IN MINIMUM 4" PVC SLEEVE BELOW ALL PAVED SURFACES UNLESS OTHERWISE INDICATED ON PLANS. INSTALL SLEEVES PRIOR TO PLACEMENT OF PAVEMENTS AND PAVEMENT SUB-BASE.
7. COORDINATE IRRIGATION POINTS OF CONNECTION AND LOCATION OF AUTOMATIC CONTROL VALVES WITH PROJECT MANAGER. COORDINATE ALL WORK WITH OTHER TRADES, I.E. ELECTRICAL, MASONRY, ETC.
8. CONTRACTOR TO PROGRAM AUTOMATIC CONTROLLER TO ALLOW FOR EQUIVALENT OF 1" OF WATER PER WEEK, OR PER SITE AND PLANTING NEEDS FOR BEST PLANT HEALTH.
9. ALL PIPES SHALL BE TRENCHED. PROVIDE POSITIVE DRAINAGE OF MAINLINE. PLACE MANUAL DRAIN AT LOW POINTS IN MAINLINE. IDENTIFY LOCATIONS ON AS-BUILTS.
10. USE 45° ELLS INSTEAD OF 90° ELLS ON ALL MAINLINES 2-1/2" AND LARGER. INSTALL CONCRETE THRUST BLOCKS AT ALL MAINLINE CHANGES IN DIRECTION. POUR MINIMUM OF 1 CUBIC FOOT OF CONCRETE ON UNDISTURBED SOIL. WRAP PIPE IN PLASTIC WRAP PRIOR TO COVERING WITH CONCRETE.

**IRRIGATION SCHEDULE:**

EQUIPMENT	SYMBOL	DESCRIPTION	DETAIL
BACKFLOW PREVENTOR - FEBCO MODEL 850 Y, 1 1/2" OR APPROVED EQ.			1 1.50"
BALL VALVE - NIBCO T-560 OR APPROVED EQUAL.			2 1.50"
REMOTE CONTROL VALVE - RAINBIRD XCZ-100-PRB-COM DRIP CONTROL ZONE KIT			4 1.50"
CONTROLLER - RAINBIRD TBOS2CM1 BATTERY OPERATED CONTROLLER			6 1.50"
<b>PIPE</b>			
MAINLINE - 1 1/2" SCH. 40 PVC			7 1.50"
SLEEVING - 3" SLEEVE			3 1.50"
LATERAL LINE - .75", CLASS 200 PVC			7 1.50"
DRIPLINE - RAINBIRD XFCV-09-12-100 SURFACE DRIPLINE			8 1.50"
<b>VALVE ZONE KEY</b>			

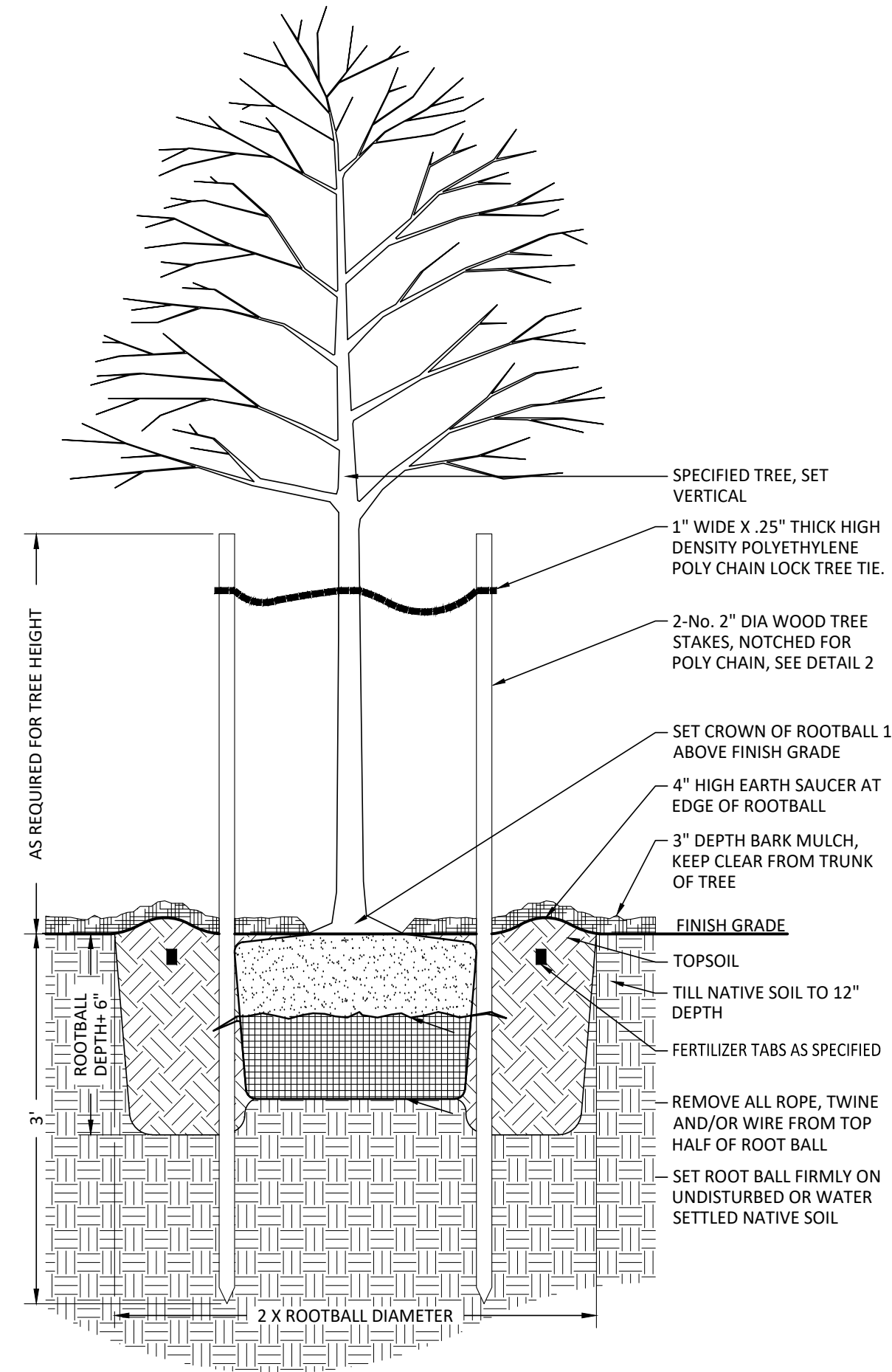


IRRIGATION PLAN  
**SANDY FEEDER REINFORCEMENT PROJECT**  
 SANDY, OR

**Harper Houf Peterson**  
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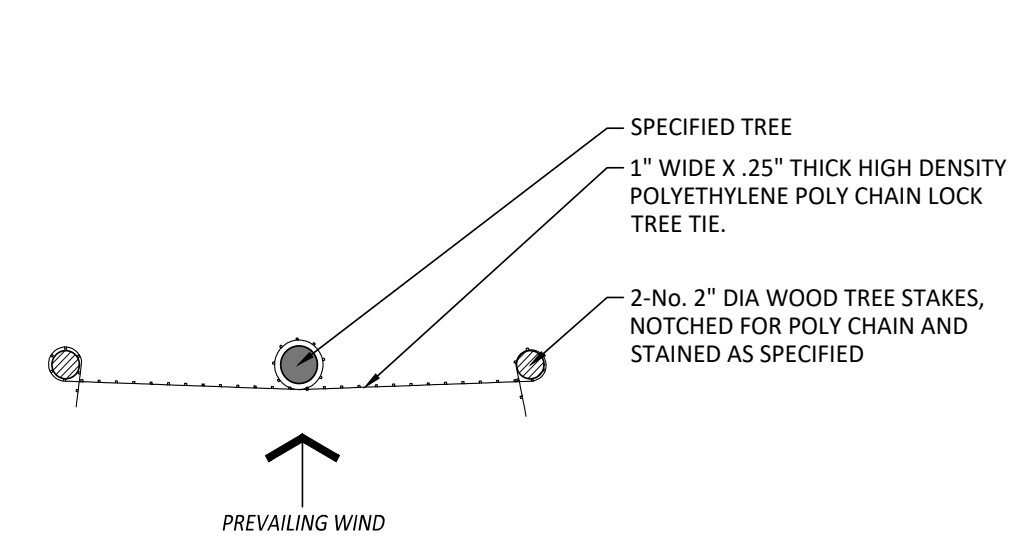
DESIGNED: JAV	DATE: 04/30/2020	
DRAWN: HHPR TEAM		
CHECKED: JAV		
R E V I S I O N S		
DATE	NO.	DESCRIPTION
SHEET NO.		<b>L-200</b>
JOB NO.		GTS-02

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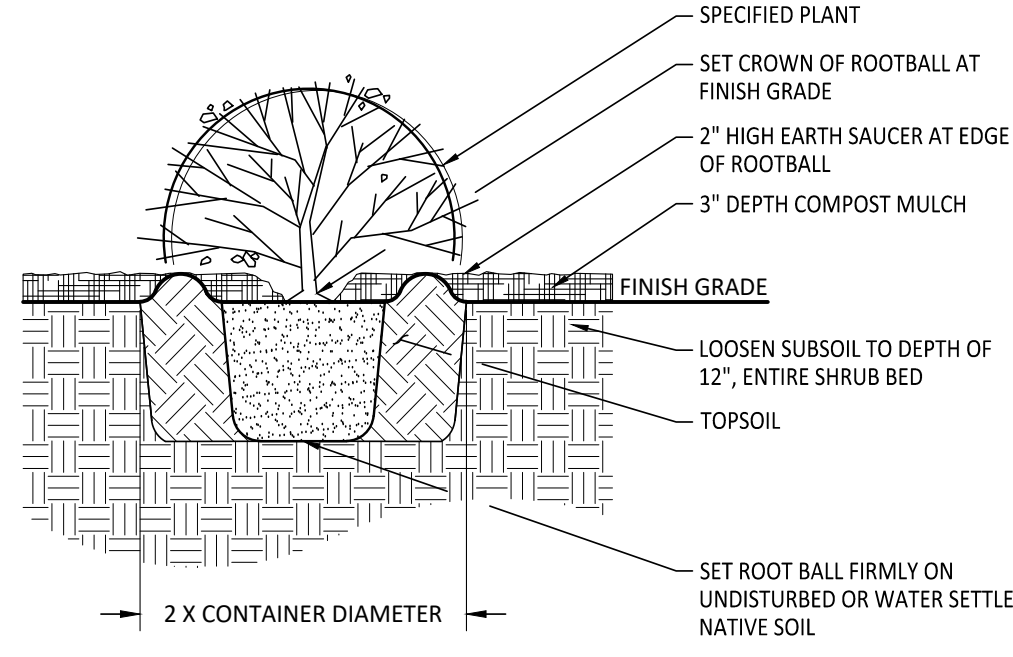
1 DECIDUOUS TREE PLANTING Section NOT TO SCALE

NOTE: WRAP POLY CHAIN AROUND NOTCHED STAKE AND LOCK TO SECURE. WRAP CENTER OF POLY CHAIN AROUND TREE TRUNK TO MOVE 3" IN ALL DIRECTIONS.

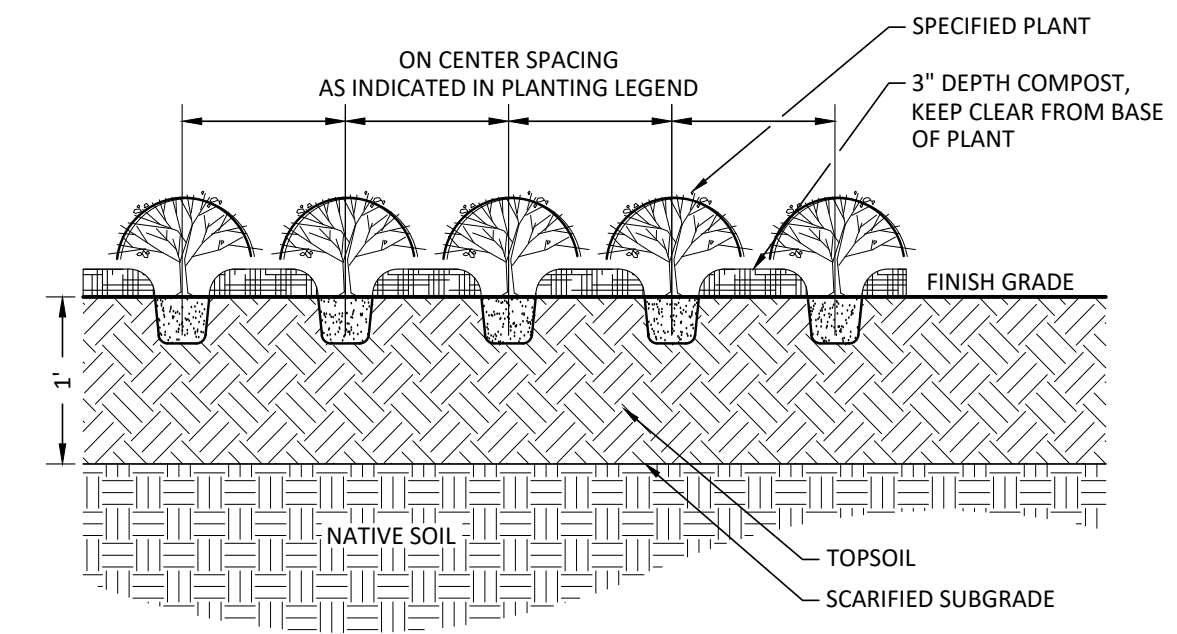


2 TREE STAKING Plan NOT TO SCALE

NOTE: PROVIDE 36" DIAMETER MULCH OR COMPOST RING, AS SPECIFIED.

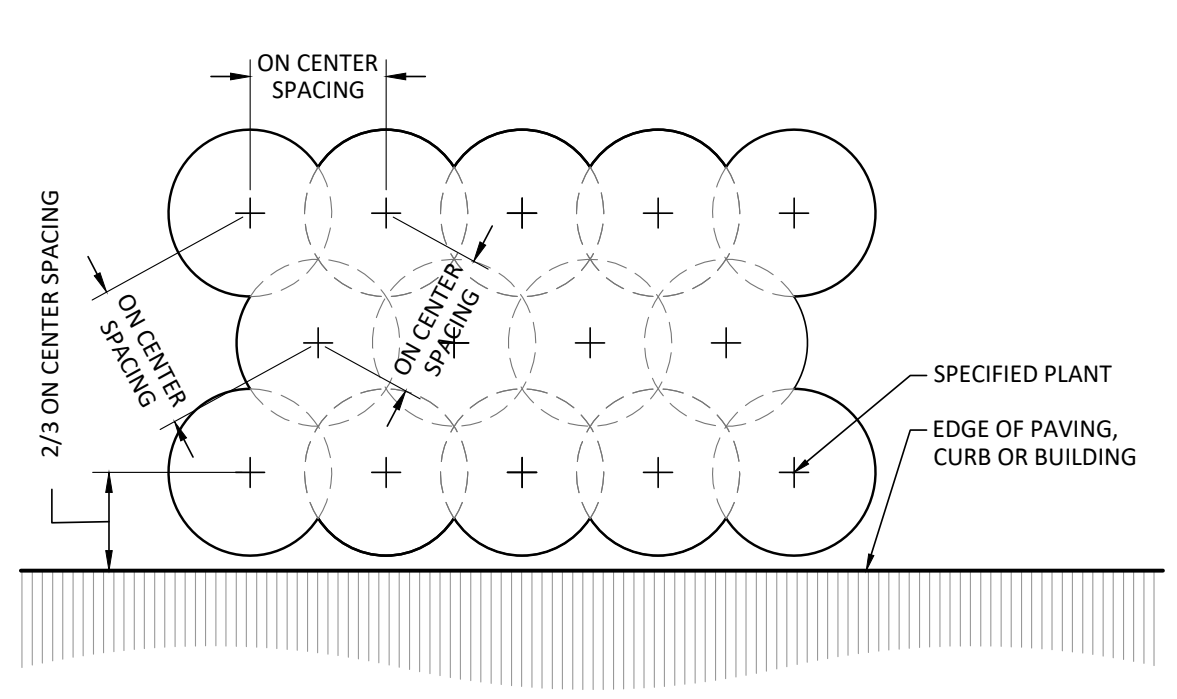


3 SHRUB PLANTING Section NOT TO SCALE



4 GROUNDCOVER PLANTING Section NOT TO SCALE

NOTE: ON CENTER SPACING SHALL BE AS INDICATED IN PLANTING LEGEND.



5 TRIANGULAR SPACING Plan NOT TO SCALE

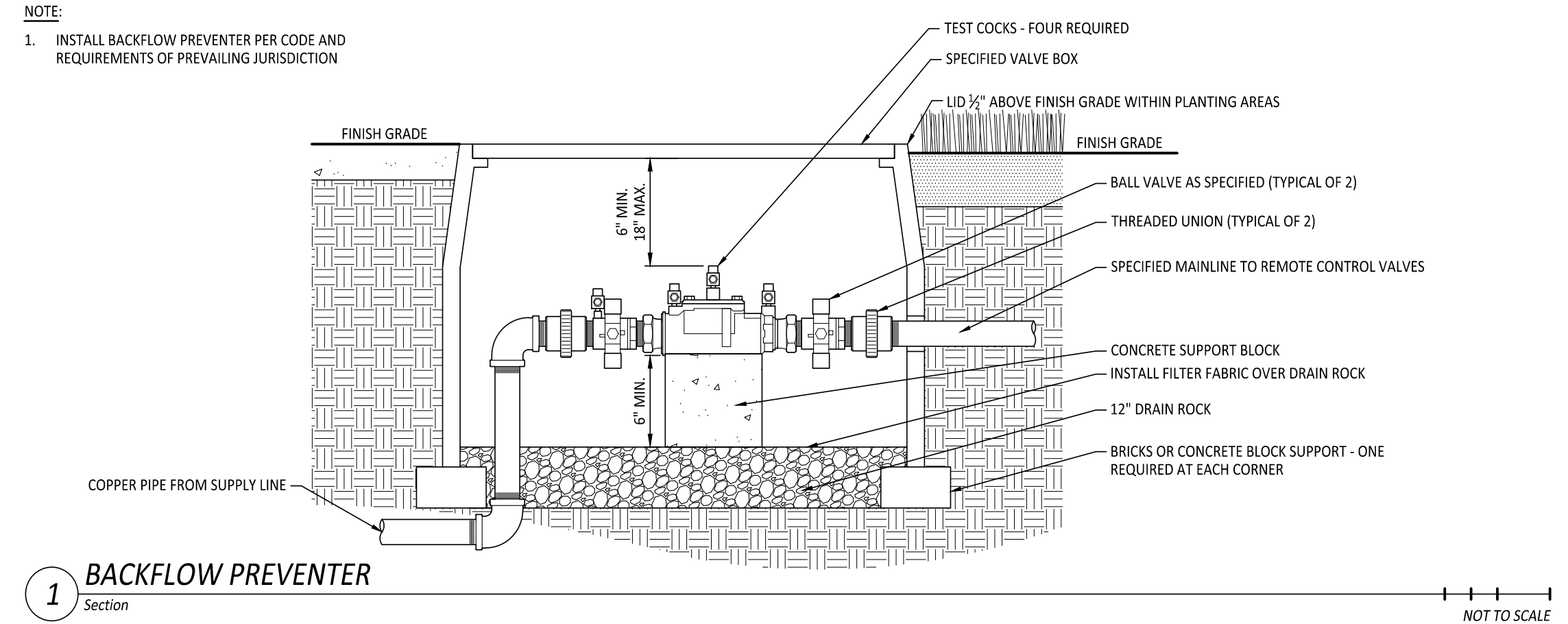
PLANTING DETAILS  
SANDY FEEDER REINFORCEMENT PROJECT  
SANDY, OR

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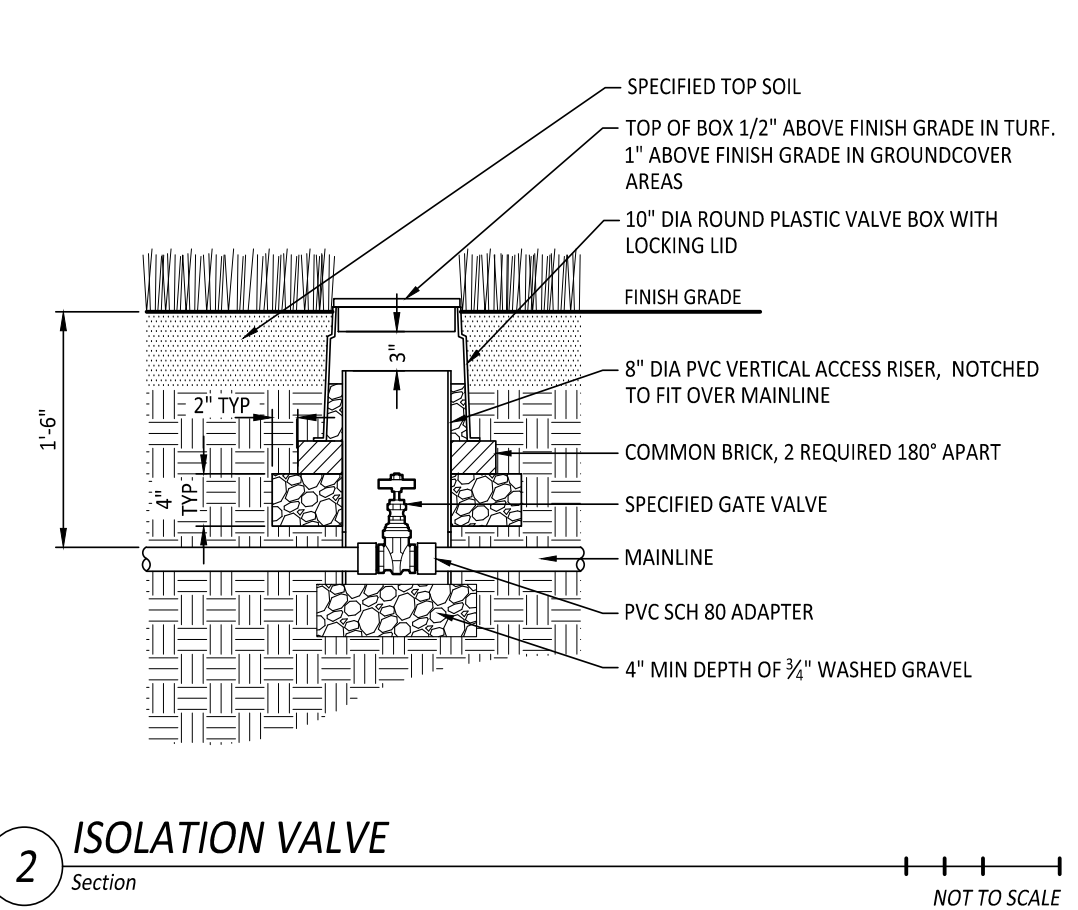
DESIGNED:	JAV
DRAWN:	HHPR TEAM
CHECKED:	JAV
DATE:	04/30/2020
R E V I S I O N S	
DATE	NO. DESCRIPTION
SHEET NO. <b>L-300</b>	
JOB NO. GTS-02	

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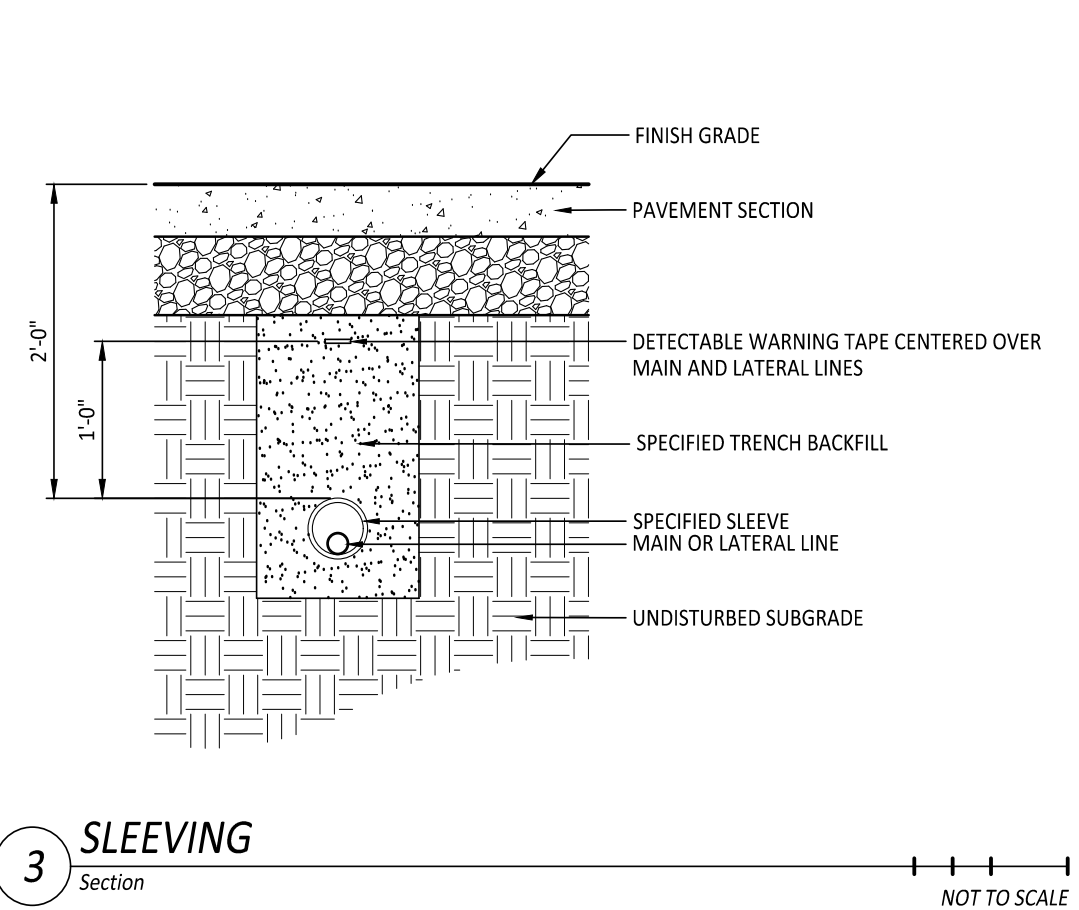
**NOTE:**  
1. INSTALL BACKFLOW PREVENTER PER CODE AND REQUIREMENTS OF PREVAILING JURISDICTION



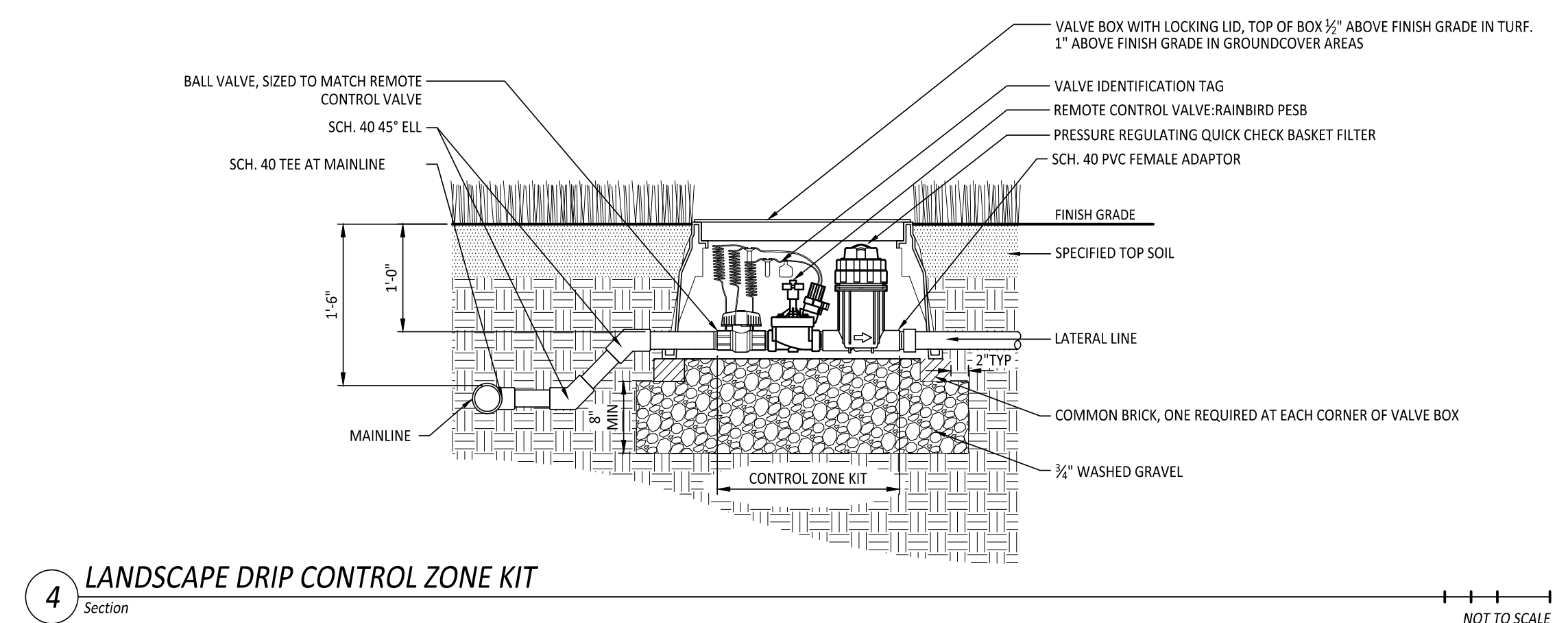
**1 BACKFLOW PREVENTER**  
Section NOT TO SCALE



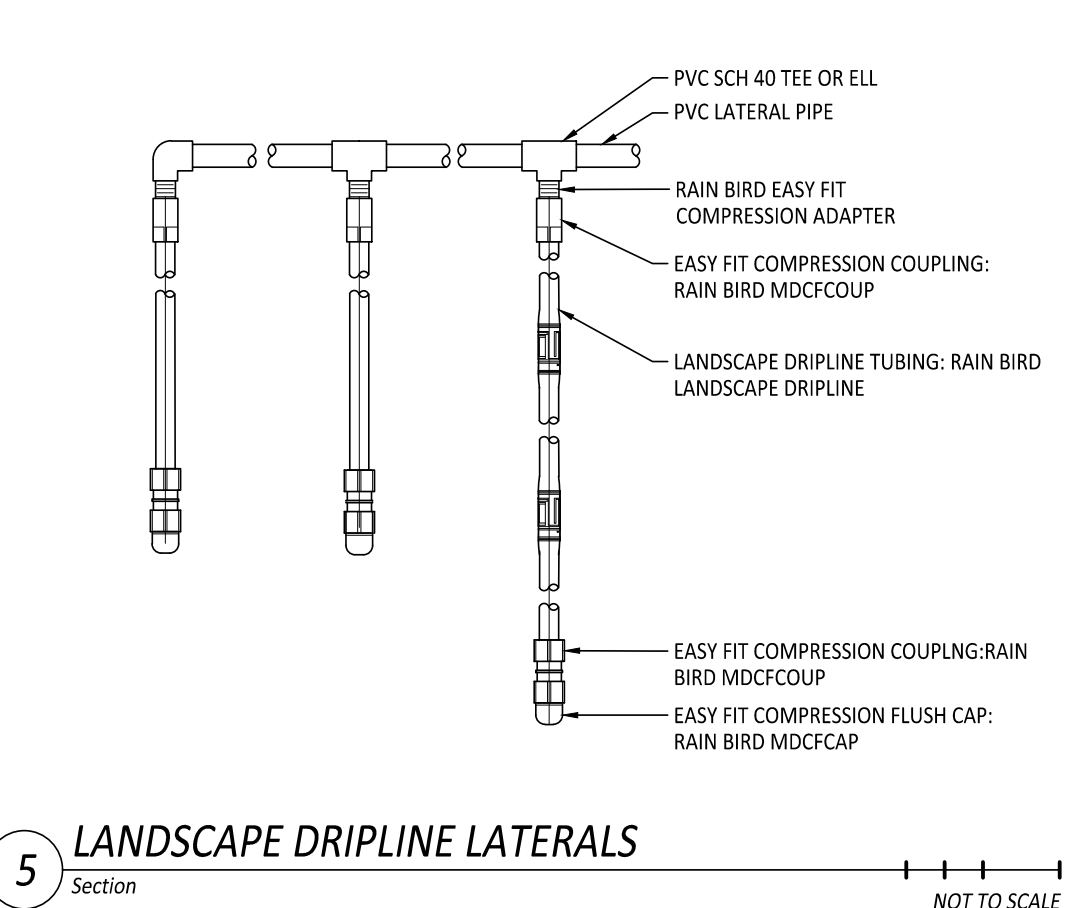
**2 ISOLATION VALVE**  
Section NOT TO SCALE



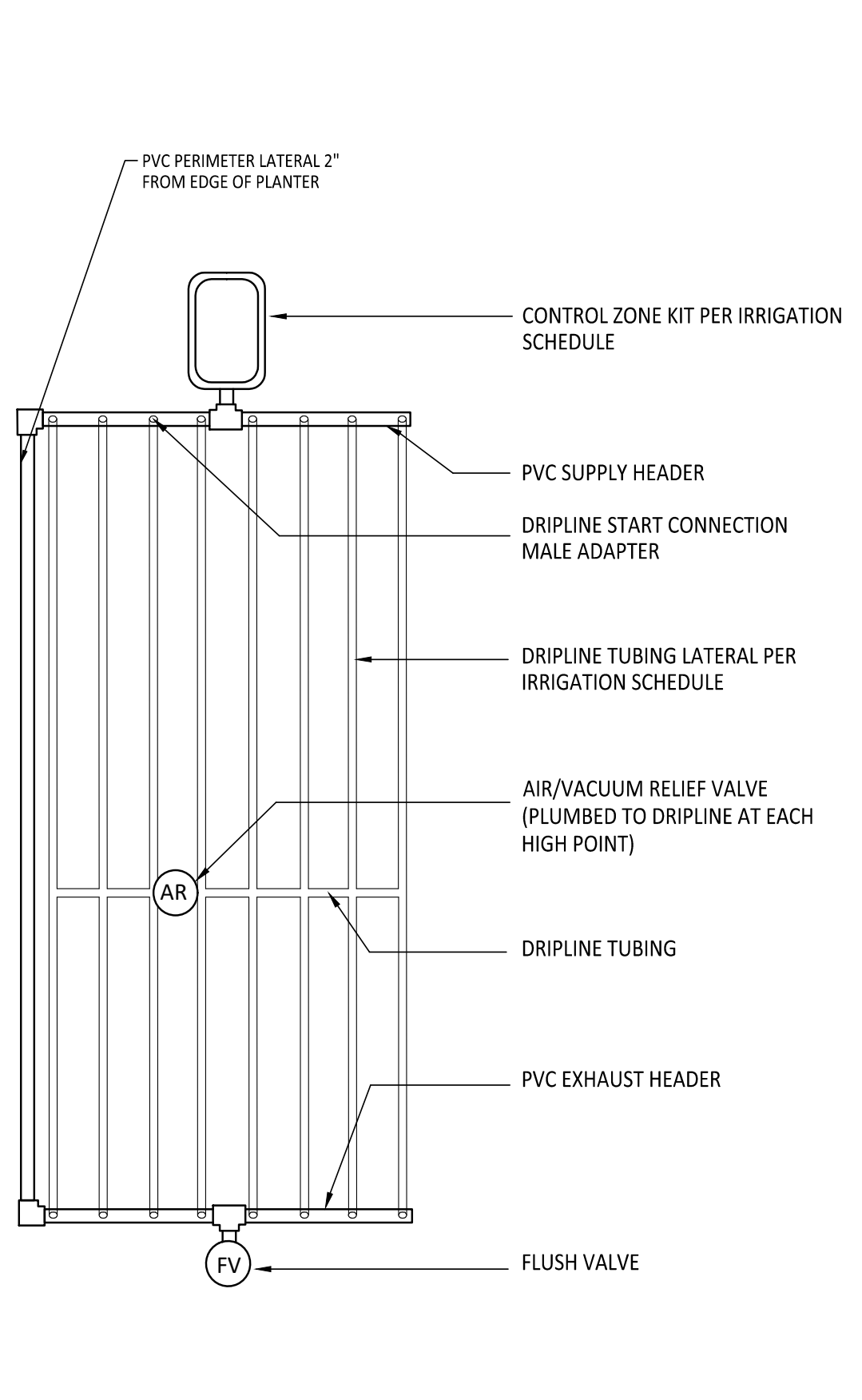
**3 SLEEVING**  
Section NOT TO SCALE



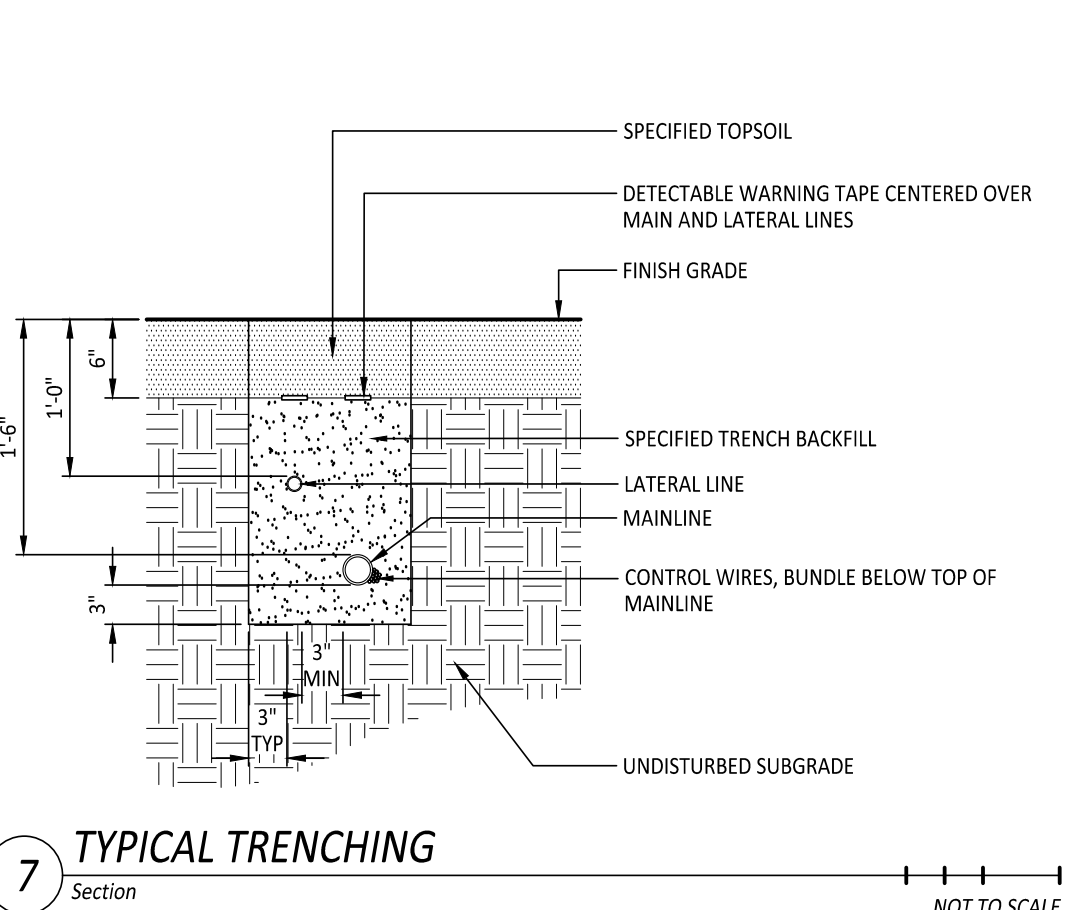
**4 LANDSCAPE DRIP CONTROL ZONE KIT**  
Section NOT TO SCALE



**5 LANDSCAPE DRIPLINE LATERALS**  
Section NOT TO SCALE



**6 BATTERY OPERATED CONTROLLER**  
Section NOT TO SCALE



**7 TYPICAL TRENCHING**  
Section NOT TO SCALE



**8 TYPICAL DRIPLINE LAYOUT**  
Section NOT TO SCALE

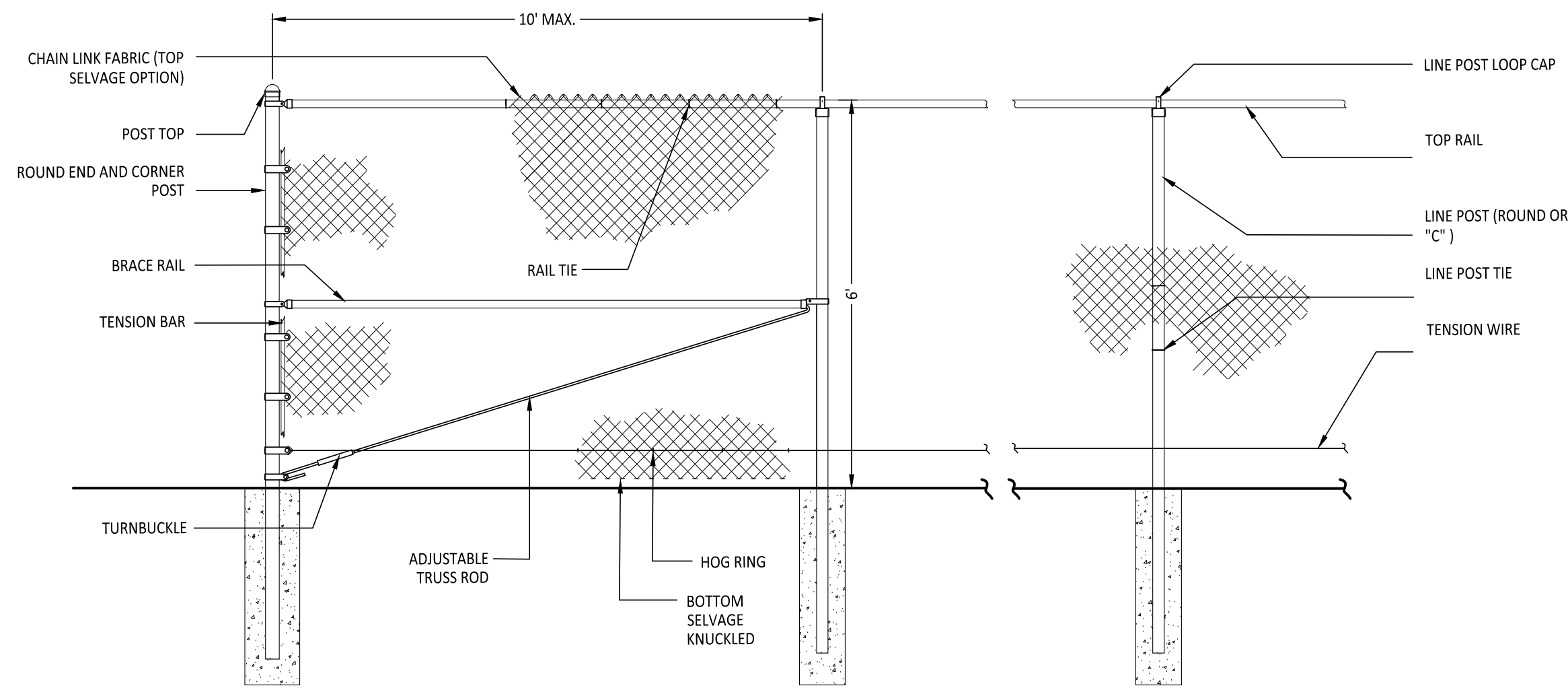
IRRIGATION DETAILS  
**SANDY FEEDER REINFORCEMENT PROJECT**  
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DESIGNED:	JAV
DRAWN:	HHPR TEAM
CHECKED:	JAV
DATE:	04/30/2020

NO.	DATE	DESCRIPTION

SHEET NO.  
**L-301**  
JOB NO. GTS-02



CHAIN LINK POST AND RAIL SIZING CHART

FENCE HEIGHT	END, GATE AND CORNER POSTS	LINE POSTS	TOP RAIL	MID/BRACE RAIL
6'	2.375"	2.375"	1.625"	1.625"
8'	4.0"	2.375"	1.625"	1.625"
10'	4.0"	2.875"	1.625"	1.625"
12'	4.0"	2.875"	1.625"	1.625"
16'	6.625"	4.0"	1.625"	1.625"
18'	6.625"	4.0"	1.625"	1.625"

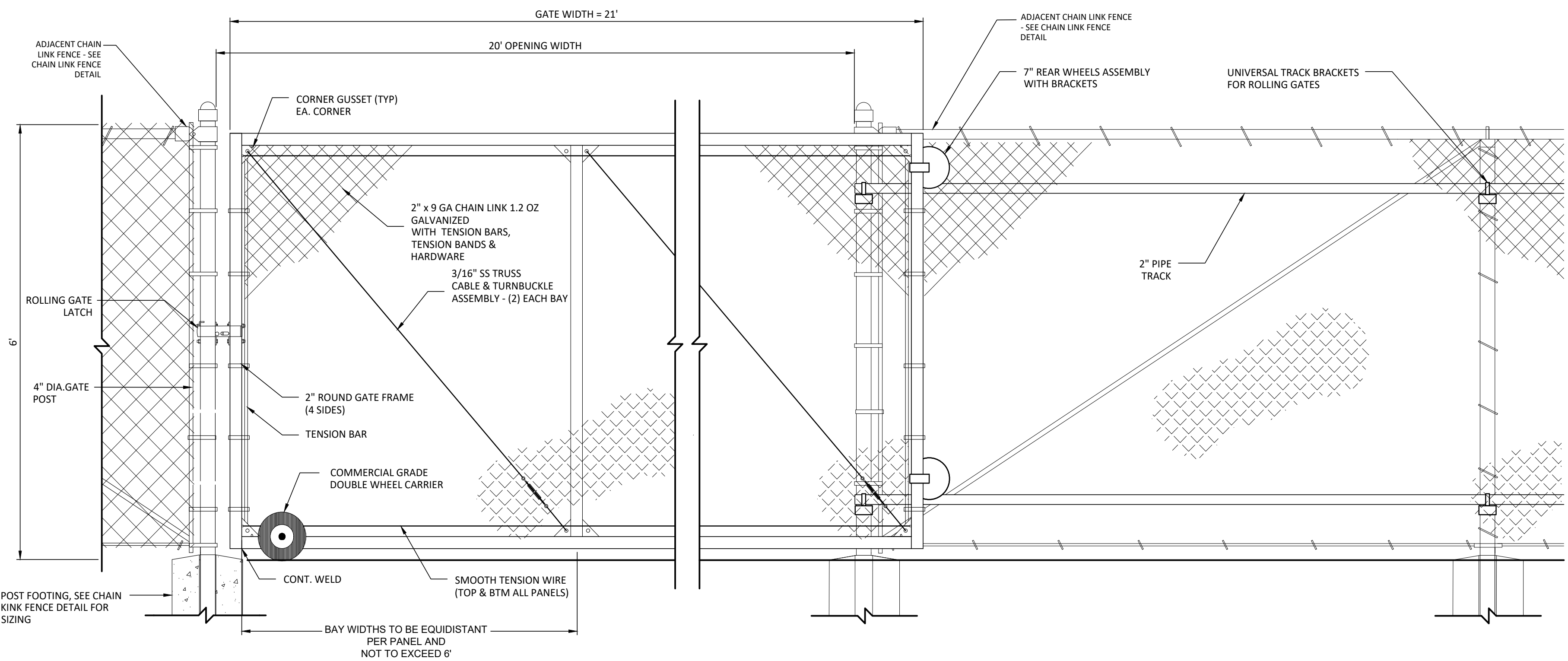
CHAIN LINK POST FOOTING SIZING CHART

FENCE HEIGHT	END, GATE AND CORNER DEPTH	END, GATE AND CORNER DIAMETER	LINE POST DEPTH	LINE POST DIAMETER
6'	36"	10"	30"	10"
8'	42"	12"	36"	10"
10'	48"	16"	42"	12"
12'	54"	16"	48"	12"
16'	66"	26"	60"	16"
18'	72"	26"	66"	16"

NOTE:  
 1. USE #7 GAUGE TENSION WIRE  
 2. USE KNUCKLE OPTION FOR TOP AND BOTTOM FABRIC

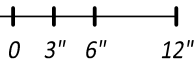


1 CHAINLINK FENCE  
Section



NOTES  
 1. FRAME MATERIAL GRADE AS PER WRITTEN SPECIFICATIONS  
 2. ALL MATERIAL SHOWN SHALL BE NEW ALUMINUM UNLESS OTHERWISE NOTED.  
 3. 2" X 9 GA. GALVANIZED CHAINLINK FABRIC TO COVER THE ENTIRE LENGTH OF GATE.  
 4. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO FABRICATION AND INSTALLATION. DRAWINGS SHALL INCLUDE DIMENSION, POST SIZES, FOOTING SIZES.

2 CHAIN LINK ROLLING GATE  
Section



FENCING DETAILS  
**SANDY FEEDER REINFORCEMENT PROJECT**  
 SANDY, OR

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DATE:	04/30/2020	
R E V I S I O N S		
DATE	NO.	DESCRIPTION
SHEET NO.		<b>L-302</b>
JOB NO.		GTS-02

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M/S



July 8, 2020

Shelley Denison  
Planning Division  
City of Sandy Development Services  
39250 Pioneer Blvd  
Sandy, OR 97055

Dear Ms. Denison,

This letter is in regard to the proposed natural gas regulator station on University Avenue. American Medical Response is the contracted ambulance provider for Clackamas County, under that contract we have an ambulance station across the street from the proposed site at 10765 University Ave. Three ambulances and other critical resources are housed at that address, providing emergency medical services to the City of Sandy and other communities in rural Clackamas County. AMR is opposed to this site being used for the natural gas regulator station for the risk it poses to the ambulance station. We fear that a major incident at this facility could not only involve our resources, but our personnel stationed there as well. This would also negatively impact our ability to respond to this incident, but any other emergency in Sandy and East Clackamas County.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Mahle', is written over a light blue circular stamp.

Jason Mahle  
Operations Manager  
AMR Clackamas County

12438 SE Capps Rd.  
Clackamas, OR 97015

M E M O R A N D U M

TO: SHELLEY DENISON, ASSOCIATE PLANNER  
FROM: MIKE WALKER, PUBLIC WORKS DIRECTOR  
RE: FILE NO. 20-015-CUP/VAR/DR  
DATE: JULY 6, 2020

The following are PW comments on the above-referenced application:

**Transportation**

The applicant shall improve the University Ave. frontage of the site per section 15.20.010 Sandy Municipal Code (SMC). Street improvements shall include but not be limited to: curbs, widening, sidewalks, drainage, street trees and street lighting. The applicant shall dedicate five feet of right-of-way along the University Ave. frontage of the site or sufficient right-of-way to accommodate the street improvements, whichever is greater.

**Utilities**

Since the amount of impervious surface proposed and existing is so small the applicant may utilize the Simplified Method in the City of Portland Stormwater Management Manual (COP SWMM) to comply with the requirements of section 13.18 and 13.20 SMC.

**Miscellaneous**

The proposed chain-link fence surrounding the site should be black vinyl-coated fence fabric with black powder-coated posts rails and hardware instead of galvanized steel.



## Staff Report

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**Meeting Date:** July 27, 2020  
**From:** Emily Meharg, Senior Planner  
**SUBJECT:** 20-023 DCA Chapters 17.10, 17.84, and 17.100 Code Amendments

---

**Background:**

File No. 20-023 DCA amends Chapters 17.100, 17.84, and 17.10 of the Development Code, which contain the procedures for land divisions, improvements required with development, and definitions, respectively. The primary goal of the amendments is to incorporate average daily traffic (ADT) standards into the development code. The current development code does not contain a clear and objective criterion that requires subdivisions and other land division applications to adhere to the ADT standards for streets. The proposed code edits add a clear and objective criterion related to ADT standards.

Chapter 17.10 Definitions (*Note: only the 2 pages with edits are included.*)

- Added definition of average daily traffic (ADT).
- Updated definition of each street classification to include ADT standards.

Chapter 17.84 Improvements Required with Development

- Revised cul-de-sac standard to be clear and objective.
- Added clear and objective language related to transportation impact analysis.
- Other housekeeping amendments.

Chapter 17.100 Land Divisions

- Added compliance with ADT standards to the criteria for land divisions.
- Added clarifying language to allow the Planning Commission to grant an extension of the tentative plat approval.
- Added clarifications to street signs, street surfacing, and street lighting sections (Sections 17.100.190, 17.100.200, and 17.100.210).
- Added clarifications regarding bonds and performance guarantee.
- Other housekeeping amendments.

The Commission's role in this process is to review the proposed code amendments and forward a recommendation to the City Council.

**Recommendation:**



Staff recommends the Planning Commission hold a public hearing to take testimony regarding modifications to Chapters 17.100, 17.84, and 17.10 and forward a recommendation of approval to the City Council.

**Code Analysis:**

Chapter 17.10 Draft Code  
Chapter 17.84 Draft Code  
Chapter 17.100 Draft Code

**Budgetary Impact:**

None

**Application:** For purposes of this Code, application is defined as documents and materials submitted or to be submitted to the city.

**Area of Shallow Flooding:** A designated Zone AO or AH on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard:** The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard."

**Automobile Fueling Station:** Automotive fueling station means any premises used primarily for supplying motor fuel, oil, minor servicing, excluding body and fender repair, and the sale of accessories as a secondary service for automobiles, at retail direct to the customer.

**Automobile Wrecking Yard:** The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**Average Daily Traffic (ADT):** Two-direction, 24-hour total count of vehicles crossing a line on an average weekday. Unusual seasonal variations must be specified, or else the typical annual conditions are assumed. Use the following equation to calculate ADT: trip generation by ITE land use category x number of units = ADT.

**Base Flood:** A flood having a one percent chance of being equaled or exceeded in any given year.

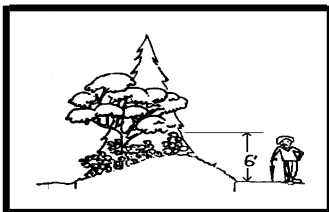
**Base Flood Elevation (BFE):** The elevation to which floodwater is anticipated to rise during the base flood.

**Basement:** Any area of a building having its floor subgrade below ground level on all sides.

**Batten seam:** Application of a batten where two exterior boards or panels adjoin (e.g., board and batten siding).

**Bed and Breakfast Inn:** A house, or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.

**Berm:** An earthen mound designed to provide a visual interest, screen undesirable views, and/or decrease noise.



17.10 - 4

Revised by Ordinance 2019-01 effective 1/07/19

**Stream:** A channel such as a river or creek that carries flowing surface water, including perennial streams and intermittent streams with defined channels, and excluding man-made irrigation and drainage channels.

**Street:** Designated in the City of Sandy Transportation System Plan as follows:

- A. ~~Arterial Highways~~**Arterial, Major:** These consist of state highways, which carry nearly all vehicle trips entering, leaving, or passing through the Sandy area.
- B. ~~Arterial Streets~~**Arterial, Minor:** These interconnect and support the arterial highway system and link major commercial, residential, industrial, and institutional areas. Average daily traffic (ADT) shall not exceed 16,000 vehicles/day.
- C. **Residential Minor Arterial:** A hybrid between minor arterial and collector street which allows moderate to high traffic volumes on streets where over 90 percent of the fronting lots are residential. Intended to provide some relief to the strained arterial system while ensuring a safe residential environment. ~~Paved~~Right-of-way width of shall not be less than 62~~38~~ feet ~~to nor more than 50-82~~ feet, street shall be a minimum three-lane cross section, and may include on-street parking. Average daily traffic (ADT) shall not exceed 10,000 vehicles/day.
- D. **Collector Streets:** These provide both access and circulation within residential neighborhoods and commercial/industrial areas. Right-of-way width shall not be less than 44 feet nor more than 78 feet. Average daily traffic (ADT) shall not exceed 6,000 vehicles/day.
- E. **Local Streets:** The primary function is to provide access to immediately adjacent land. Service to through-traffic movement on local streets is discouraged. Right-of-way width shall be 50 feet. Average daily traffic (ADT) shall not exceed 1,000 vehicles/day.
- F. **Cul-de-Sac:** A local street with only one outlet and having a bulb at the opposite end. A cul-de-sac shall not exceed 400 feet in length nor serve more than 20 dwelling units except through approval of a Special Variance.
- ~~F.G.~~ **Green Street:** A street with a water quality treatment and/or conveyance swale on either one or both sides. Right-of-way width shall be 52 feet for a swale on one side and 55 feet for swales on both sides of a local street. ADT standards and dimensional standards shall adhere to the above classifications depending on the street type.

**Structure:** A building or other improvement that is built, constructed or installed, not including minor improvements, such as fences, utility poles, flagpoles, or irrigation system components that are not customarily regulated through zoning ordinances.

**Structure (Area of Special Flood Hazard):** For floodplain management purposes, a structure is a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

**CHAPTER 17.84  
IMPROVEMENTS REQUIRED WITH DEVELOPMENT**

**17.84.00 INTENT**

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

**17.84.10 EXCEPTIONS**

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

**17.84.20 TIMING OF IMPROVEMENTS**

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

**17.84.30 PEDESTRIAN AND BICYCLIST REQUIREMENTS**

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

4. The timing of the installation of sidewalks shall be as follows:
  - a) Sidewalks and planted areas along arterial and collector streets shall be installed with street improvements, or with development of the site if street improvements are deferred.
  - b) Sidewalks along local streets shall be installed in conjunction with development of the site, generally with building permits, except as noted in (c) below.
  - c) Where sidewalks on local streets abut common areas, tracts, drainageways, or other publicly owned or semi-publicly owned areas, the sidewalks and planted areas shall be installed with street improvements.
  
- B. Safe and convenient pedestrian and bicyclist facilities that strive to minimize travel distance to the extent practicable shall be provided in conjunction with new development within and between new subdivisions, planned developments, commercial developments, industrial areas, residential areas, public transit stops, school transit stops, and neighborhood activity centers such as schools and parks, as follows:
  1. For the purposes of this section, “safe and convenient” means pedestrian and bicyclist facilities that: are reasonably free from hazards which would interfere with or discourage travel for short trips; provide a direct route of travel between destinations; and meet the travel needs of pedestrians and bicyclists considering destination and length of trip.
  2. To meet the intent of “B” above, ~~rights-of-ways~~ connecting cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 ft. wide with eight (8) feet of pavement.
  3. ~~12 feet-ft.~~ wide pathways shall be provided in areas with high bicycle volumes or ~~multiple-use~~multi-use by bicyclists, pedestrians, and joggers.
  4. Pathways and sidewalks shall be encouraged in new developments by clustering buildings or constructing convenient pedestrian ways. Pedestrian walkways shall be provided in accordance with the following standards:
    - a) The pedestrian circulation system shall be at least five (5) feet in width and shall connect the sidewalk on each abutting street to the main entrance of the primary structure on the site to minimize out of direction pedestrian travel.
    - b) Walkways at least five (5) feet in width shall be provided to connect the pedestrian circulation system with existing or planned pedestrian facilities which abut the site but are not adjacent to the streets abutting the site.
    - c) Walkways shall be as direct as possible and avoid unnecessary meandering.
    - d) Walkway/driveway crossings shall be minimized. Internal parking lot design shall maintain ease of access for pedestrians from abutting streets, pedestrian facilities, and transit stops.
    - e) With the exception of walkway/driveway crossings, walkways shall be separated from vehicle parking or vehicle maneuvering areas by grade, different paving material, painted crosshatching or landscaping. They shall be constructed in accordance with the sidewalk standards adopted by the City. (This provision does not require a separated walkway system to collect drivers and passengers from cars that have parked on site unless an unusual parking lot hazard exists).
    - f) ~~Pedestrians~~ amenities such as covered walk-ways, awnings, visual corridors and benches will be encouraged. For every two benches provided, the minimum parking requirements will be reduced by one, up to a maximum of four benches per site. Benches shall have direct access to the circulation system.
  
- C. Where a development site is traversed by or adjacent to a future trail linkage identified within the Transportation System Plan, improvement of the trail linkage shall occur concurrent with

development. Dedication of the trail to the City shall be provided in accordance with 17.84.  
~~8090(D)180-~~

- D. To provide for orderly development of an effective pedestrian network, pedestrian facilities installed concurrent with development of a site shall be extended through the site to the edge of adjacent property(ies).
- E. To ensure improved access between a development site and an existing developed facility such as a commercial center, school, park, or trail system, the Planning Commission or Director may require off-site pedestrian facility improvements concurrent with development.

#### 17.84.40 TRANSIT AND SCHOOL BUS TRANSIT REQUIREMENTS

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

#### 17.84.50 STREET REQUIREMENTS

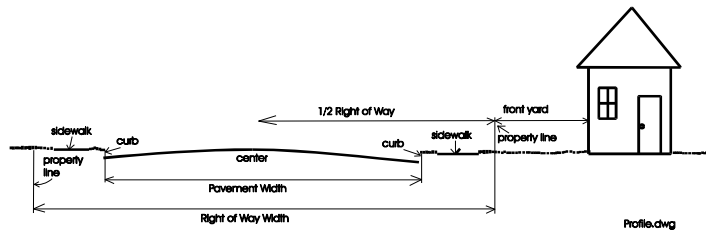
- A. Transportation Impact Study (No Dwellings). For development applications that do not propose any dwelling units, the City may require ~~Traffic~~ a transportation impact study that ~~evaluations may be required of all development proposals to evaluate the traffic impact of development proposals~~ the proposed development on the transportation system. Unless the City does not require a transportation impact study, the applicant shall prepare the study; ~~determine reasonable required mitigation and prudent transportation facility improvements and justify modifications to the design standards. Such studies shall be prepared in~~ accordance with the following:
  - 1. A proposal establishing the scope of the ~~traffic evaluation~~ study shall be submitted for review to the City Traffic Engineer. The ~~evaluation scope requirements~~ shall reflect the magnitude of the project in accordance with accepted transportation planning and traffic engineering practices. Large projects ~~should~~ shall assess all nearby key intersections. Once the City Traffic Engineer has approved scope of the ~~traffic evaluation~~ study has been approved, the applicant shall ~~present~~ submit the results of the study with and an overall site development proposal as part of its development application. Failure to submit a required study will result in an incomplete application. ~~If required by the City Engineer, such evaluations~~ A traffic impact study shall bear the signed sealed by of a Licensed Professional Civil Engineer or ~~Licensed~~ Professional Traffic Operations Engineer licensed in the State of Oregon.
  - 2. If the ~~traffic evaluation~~ study identifies level-of-service conditions less than the minimum standard established in the development code or the Sandy Transportation System Plan,

or fails to demonstrate that average daily traffic on existing or proposed streets will meet the ADT standards established in the development code, the applicant shall propose improvements and funding strategies for mitigating the identified problems or deficiencies shall that will be considered implemented concurrent with a the proposed development proposal.

- B. Transportation Impact Study (Dwellings). For development applications that propose dwelling units, an applicant must submit a transportation impact study unless the application is exempt from this requirement pursuant to subsection (B)(5), below. Failure to submit the study will result in an incomplete application. A traffic impact study shall bear the seal of a Professional Civil Engineer or Professional Traffic Operations Engineer licensed in the State of Oregon. The applicant shall prepare the study in accordance with the following:
1. The study area must include all existing and proposed site accesses and all existing and proposed streets and intersections within a one mile radius of the development site.
  2. The study must analyze existing conditions and projected conditions upon completion of the proposed development.
  3. The study must be performed for the weekday a.m. peak hour (one hour between 7 a.m. and 9 a.m.) and p.m. peak hour (one hour between 4 p.m. and 6 p.m.).
  4. The study must demonstrate that the transportation impacts from the proposed development will comply with the City's level-of-service and average daily traffic standards.
  5. A transportation impact study is not required under this section if:
    - a) The proposed development will generate no more than 50 vehicle trips in any weekday a.m. or p.m. peak hour as determined by using the most recent edition of the Institute of Transportation Engineers Trip Generation Manual; or
    - b) The proposed development completed a transportation impact study at the time of annexation.
- C. Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:
1. Arterial streets should generally be spaced in one-mile intervals.
  2. Traffic signals should generally not be spaced closer than 1,500 ft. for reasonable traffic progression.
- ~~ED.~~ Local streets shall be designed to discourage through traffic. NOTE: for the purposes of this section, "through traffic" means the traffic traveling through an area that does not have a local origination or destination. To discourage through traffic and excessive vehicle speeds the following street design characteristics shall be considered, as well as other designs intended to discourage traffic:
1. Straight segments of local streets should be kept to less than a quarter mile in length. As practical, local streets should include traffic calming features, and design features such as curves and "T" intersections while maintaining pedestrian connectivity.
  2. Local streets should typically intersect in "T" configurations rather than 4-way intersections to minimize conflicts and discourage through traffic. Adjacent "T" intersections shall maintain a minimum of 150 ft. between the nearest edges of the 2-two rights-of-way.
  3. Cul-de-sacs ~~should generally~~shall not exceed 400 ft. in length nor serve more than 20 dwelling units, except ~~in cases where existing topography, wetlands, or drainage systems or other existing features necessitate a longer cul-de-sac in order to provide adequate access to an area~~through approval of a Special Variance. Cul-de-sacs longer than 400 feet

or developments with only one access point may be required to provide an alternative access for emergency vehicle use only, install fire prevention sprinklers, or provide other mitigating measures, determined by the City.

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



- F.** As necessary to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies) in accordance with the following:
1. Temporary dead-ends created by this requirement to extend street improvements to the edge of adjacent properties may be installed without ~~a~~<sup>a</sup> turn-arounds, subject to the approval of the Fire Marshal.
  2. In order to assure the eventual continuation or completion of the street, reserve strips may be required.
- G.** Where required by the Planning Commission or Director, public street improvements may be required through a development site to provide for the logical extension of an existing street network or to connect a site with a nearby neighborhood activity center, such as a school or park. Where this creates a land division incidental to the development, a land partition shall be completed concurrent with the development.



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

~~G-I.~~ Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network is not adversely affected. The following standards shall apply:

1. Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.
2. Grades shall not exceed 6 percent on arterial streets, 10 percent on collector streets, and 15 percent on local streets.
3. As far as practical, arterial streets and collector streets shall be extended in alignment with existing streets by continuation of the street centerline. When staggered street alignments resulting in “T” intersections are unavoidable, they shall leave a minimum of 150 ft. between the nearest edges of the two rights-of-way.
4. Centerline radii of curves shall not be less than 500 ft. on arterial streets, 300 ft. on collector streets, and 100 ft. on local streets.
5. Streets shall be designed to intersect at angles as near as practicable to right angles and shall comply with the following:
  - a) The intersection of an arterial or collector street with another arterial or collector street shall have a minimum of 100 ft. of straight (tangent) alignment perpendicular to the intersection.
  - b) The intersection of a local street with another street shall have a minimum of 50 ft. of straight (tangent) alignment perpendicular to the intersection.
  - c) Where right angle intersections are not possible, exceptions can be granted by the City Engineer provided that intersections not at right angles have a minimum corner radius of 20 ft. along the right-of-way lines of the acute angle.
  - d) Intersections with arterial and collector streets shall have a minimum curb corner radius of 20 ft. All other intersections shall have a minimum curb corner radius of 10 ft.
6. Right-of-way and improvement widths shall be as specified by the Transportation System Plan. Exceptions to those specifications may be approved by the City Engineer to deal with specific unique physical constraints of the site.

~~H-J.~~ Private streets may be considered within a development site provided all the following conditions are met:

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

**17.84.60 PUBLIC FACILITY EXTENSIONS**

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

**17.84.70 PUBLIC IMPROVEMENT PROCEDURES**

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

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

**17.84.80 FRANCHISE UTILITY INSTALLATIONS**

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

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

1. The developer shall coordinate with the City Engineer to determine the location of future street light poles. The street light plan shall be designed to provide illumination meeting standards set by the City Engineer.
2. The developer shall make arrangements with the serving electric utility for trenching prior to installation of underground conduit for street lighting.

#### **17.84.90 LAND FOR PUBLIC PURPOSES**

- A. Easements for public sanitary sewer, water, storm drain, pedestrian and bicycle facilities shall be provided whenever these facilities are located outside a public right-of-way in accordance with the following:
  1. When located between adjacent lots, easements shall be provided on one side of a lot line.
  2. The minimum easement width for a single utility is 15 ft. The minimum easement width for two adjacent utilities is 20 ft. The easement width shall be centered on the utility to the greatest extent practicable. Wider easements may be required for unusually deep facilities.
- B. Public utility easements with a minimum width of ~~5~~-eight (8) feet shall be provided adjacent to all street rights-of-way for franchise utility installations.
- C. Where a development site is traversed by a drainageway or water course, a drainage way dedication shall be provided to the City.
- D. Where a development is traversed by, or adjacent to, a future trail linkage identified within the Transportation System Plan, dedications of suitable width to accommodate the trail linkage shall be provided. This width shall be determined by the City Engineer, considering the type of trail facility involved.
- E. Where existing rights-of-way and/or easements within or adjacent to development sites are nonexistent or of insufficient width, dedications may be required. The need for and widths of those dedications shall be determined by the City Engineer.
- F. Where easement or dedications are required in conjunction with land divisions, they shall be recorded on the plat. Where a development does not include a land division, easements and/or dedications shall be recorded on standard document forms provided by the City Engineer.
- G. If the City has an interest in acquiring any portion of a proposed subdivision or planned development site for a public purpose, other than for those purposes listed above, or if the City has been advised of such interest by a school district or other public agency, and there is a reasonable assurance that steps will be taken to acquire the land, the Planning Commission may require those portions of the land be reserved for public acquisition for a period not to exceed one (1) year.
- H. Environmental assessments for all lands to be dedicated to the public or City may be required to be provided by the developer. An environmental assessment shall include information necessary for the City to evaluate potential liability for environmental hazards, contamination, or required waste cleanups related to the dedicated land. An environmental

assessment shall be completed prior to the acceptance of dedicated lands in accordance with the following:

1. The initial environmental assessment shall detail the history of ownership and general use of the land by past owners. Upon review of the information provided by the grantor, as well as any site investigation by the City, the Director will determine if the risks of potential contamination warrant further investigation. When further site investigation is warranted, a Level I Environmental Assessment shall be provided by the grantor.

#### **17.84.100 MAIL DELIVERY FACILITIES**

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

[Mail delivery facilities may not be placed on arterial or collector streets or in sight distance zones or vision clearance areas.](#)

## **CHAPTER 17.100 LAND DIVISION**

### **17.100.00 INTENT**

The intent of this chapter is to implement the Comprehensive Plan, to provide procedures, regulations, and design standards for land divisions and associated improvements and to provide for orderly and efficient land division patterns supported by a connected system of streets, water supply, ~~sewage~~sanitary sewer and stormwater drainage facilities.

The division of land is the initial step in establishing Sandy's ultimate development pattern. The framework of streets, blocks and individual lots is implemented through the land division process. Density, ~~units per gross acre, and~~ dimensional standards, setbacks, and building height are established in applicable zoning district regulations.

This chapter presents the review procedures, design standards and improvement requirements for land divisions. Procedures for replats and property line adjustments are also addressed in this chapter.

### **17.100.10 GENERAL PROVISIONS**

- A. No land shall be divided prior to approval of a minor partition, major partition or subdivision in accordance with this Code.
- B. No sale or conveyance of any portion of a lot, ~~for~~ other than for a public purpose, shall leave a structure on the remainder of a lot with less than the minimum lot, yard or setback requirements of the zoning district.
- C. Land division is processed by approval of a tentative plan prior to approval of the final land division plat or map. Where a Type II or Type III procedure is required for land division approval, that procedure shall apply to the tentative plan approval. As long as there is compliance with the approved tentative plan and conditions, the Director shall have the authority to ~~approval~~approve final plats and maps for land divisions through a Type I procedure.

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

- A. Type I Land Division (Property Line Adjustment). Property line adjustments shall be a Type I procedure if the resulting parcels comply with standards of the Development Code and this chapter.
- B. Type I Land Division (Minor Partition). A minor partition shall be a Type I procedure if the land division does not create a street and the resulting parcels comply with the standards of the zoning district and this chapter.
- C. Type II Land Division (Major Partition or Subdivision). A major partition or subdivision shall be a Type II procedure when a street is extended, satisfactory street conditions exist and the resulting parcels/lots comply with the standards of the zoning district and this chapter. Satisfactory street conditions exist when the Director determines one of the following:

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1. Existing streets are stubbed to the property boundaries and are linked by the land division.
  2. An existing street or a new proposed street need not continue beyond the land division in order to complete an appropriate street system or to provide access to adjacent property.
  3. The proposed street layout is consistent with a street pattern adopted as part of the Comprehensive Plan or an officially adopted City street plan.
- D. Type II Land Division (Minor ~~Revised Plat~~ Replat). A minor replat of an existing platted subdivision shall be a Type II procedure when the street(s) are existing and no extension or reconstruction/realignment is necessary, when the replat does not increase the allowable density, the resulting parcels comply with the standards of the zoning district and this chapter, and the replat involves no more than six (6) lots.
- E. Type III Land Division (Major Partition or Subdivision). A major partition or subdivision shall be a Type III procedure if unsatisfactory street conditions exist or the resulting parcels/lots do not comply with the standards of the zoning district and this chapter. The Director shall determine if unsatisfactory street conditions exist based on one of the following criteria:
1. The land division does not link streets that are stubbed to the boundaries of the property.
  2. An existing street or a new proposed street will be extended beyond the boundaries of the land division to complete a street system or provide access to adjacent property.
  3. The proposed street layout is inconsistent with a street pattern adopted as part of the Comprehensive Plan or an officially adopted City street plan.
- F. Type III Land Division (Major Replat). A major replat involves the realignment of property lines involving more than six lots, even if the subdivision does not increase the allowable density. All parcels resulting from the replat must comply with the standards of the zoning district and this chapter. Any replat involving the creation, extension or modification of a street shall be processed as a major replat.

### **17.100.30 PROPERTY LINE ADJUSTMENT**

Approval of a property line adjustment is required to move a common boundary between two parcels or lots. A Type I property line adjustment is not considered a development action for purposes of determining whether floodplain, greenway, or right-of-way dedication or improvements are required.

- A. Application Requirements. Property line adjustment applications shall be made on forms provided by the ~~city~~ City and shall be accompanied by:
1. ~~Eight~~ Two (2) copies of the property line adjustment map;
  2. The required fee;
  3. Any data or narrative necessary to explain the application.
- B. Map Information. The property line adjustment map and narrative shall include the following:
1. The names, addresses and phone numbers of the owner(s) of the subject parcels and authorized representative;
  2. Scale of the drawing using an engineer's scale;
  3. North arrow and date;

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4. Legal description of the property;
  5. Dimensions and size of the parcels involved in the property line adjustment;
  6. Approximate locations of structures, utilities, rights-of-way and easements;
  7. Points of access, existing and proposed;
  8. Any natural features such as waterways, drainage area, significant vegetation or rock outcroppings;
  9. Approximate topography, particularly noting any area of steep slope.
- C. Approval Criteria. The Director shall approve a request for a property line adjustment if the following criteria are satisfied:
1. No additional parcels are created.
  2. All parcels meet the density requirements and dimensional standards of the base zoning district.
  3. Access, utilities, easements, and proposed future streets will not be adversely affected by the property line adjustment.
- D. Final Approval. Three paper copies of the final map shall be submitted within one year of approval of the property line adjustment. The final map shall include a boundary survey, which complies with ORS Chapters 92 and 209. The approved final map, along with required deeds, must be recorded with Clackamas County.

#### **17.100.40 MINOR AND MAJOR PARTITIONS**

Approval of a partition is required for a land division of 3 or fewer parcels in a calendar year. Partitions, which do not require creation or extension of a street for access, is classified as a Type I minor partition. Partitions, which require creation or extension of a street for access ~~is~~ are classified as ~~a~~ Type II, major partitions.

- A. Preapplication Conference. The applicant for a minor or major partition shall participate in a preapplication conference with ~~city~~ City staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. A preapplication conference is required.
- B. Application Requirements. Partition applications shall be made on forms provided by the planning department and shall be accompanied by:
1. Eight copies of the tentative plan for the minor or major partition;
  2. The required fee;
  3. Any data or narrative necessary to explain the application;
  4. List of affected property owners.
- C. Tentative Partition Plan. The tentative plan shall be a minimum of 8 1/2 x 11 inches in size and shall include the following information:
1. The date, north point, engineering scale, and legal description;
  2. Name and address of the owner of record and of the person who prepared the partition plan;
  3. Zoning, size and dimensions of the tract to be partitioned;
  4. Size, dimensions and identification of proposed parcels (Parcel 1, Parcel 2, Parcel 3);
  5. Approximate location of any structures on the tract to be partitioned, including setbacks to proposed parcel boundaries;

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6. Location, names and widths of streets, sidewalks and bikeways within the tract to be partitioned and extending 400 feet beyond the tract boundaries;
  7. Location, width and purpose of existing and proposed easements on the tract to be partitioned;
  8. Location and size of [sanitary](#) sewer, water and [stormwater](#) drainage facilities proposed to serve the [property tract](#) to be partitioned;
  9. Natural features such as waterways, drainage area, significant vegetation or rock outcroppings;
  10. Approximate topography, particularly noting any area of steep slope;
  11. A plan for future parcel redivision, if the proposed parcels are large enough to be redivided under the comprehensive plan or zoning designation.
- D. Approval Criteria. The Director or Planning Commission shall review the tentative plan for a minor or major partition based on the classification procedure (Type I, II or III) and the following approval criteria:
1. The proposed partition is consistent with the density, setback and dimensional standards of the base zoning district.
  2. The proposed partition is consistent with the design standards set forth in this chapter.
  3. Adequate public facilities are available or can be provided to serve the proposed partition.
  4. All proposed improvements meet City standards.
  - ~~4.5.~~ [Traffic volumes shall not exceed average daily traffic \(ADT\) standards for each street classification as detailed in Chapter 17.10. Definitions.](#)
  - ~~5-6.~~ The plan preserves the potential for future redivision of the parcels, if applicable.
- E. Conditions. The Director or Planning Commission may require dedication of land and easements and may specify such conditions or modifications of the tentative partition plan as deemed necessary. In no event, however, shall the Director or Planning Commission require greater dedications or conditions than could be required if the entire tract were subdivided.
- F. Approval of Tentative Partition Plan. When a tentative partition plan has been approved, all copies shall be marked with the date and conditions of approval. One copy shall be returned to the applicant, one copy shall be sent to the county and one copy shall be retained by the ~~city~~ [City](#).
- G. Approval Signatures for Final Partition Map. Following review and approval of a final partition map, the Director shall:
1. Review Plat for Accuracy. The Director may require field investigations to verify that the plat survey is accurate. The applicant shall be notified and afforded an opportunity to make corrections if needed.
  2. Sign the plat to certify that the map is approved.
  3. Notify the applicant that the partition map and accompanying documents have been approved and are ready for recording with the Clackamas County Recorder.
  4. Deliver the signed original to the applicant who shall deliver the original and two exact copies to the County Recorder's office. One recorded copy shall be returned to the City of Sandy immediately after recording is completed.
- H. Effective Date for Final Partition Map Approval. The partition shall become final upon recording of the approved partition map together with any required documents with the County Recorder. Work specifically authorized following tentative approval may take place

prior to processing of the final partition map. The documents effectuating a partition shall become null and void if not recorded with the County Recorder within one year following approval.

- I. Improvements. The same improvements shall be installed to serve each parcel of a partition as required of a subdivision. Improvement standards are set forth in Section 17.90. If the Director and City Engineer find a need to vary the improvement standards for a partition, the application shall be processed through a Type III hearing and may ~~except~~ exempt specific improvements.
- J. Exceptions to Improvements. Exceptions to improvements may be approved in transition areas or other areas as deemed appropriate by the ~~city~~ City. In lieu of excepting an improvement, the Planning Commission may recommend to the ~~city~~ City council ~~Council~~ that the improvement be installed in the area under special assessment financing or other facility extension policies of the ~~city~~ City.

#### **17.100.50 NONRESIDENTIAL PARTITIONS OR SUBDIVISIONS**

This section includes special provisions for partitions or subdivisions of land that is zoned for commercial or industrial use.

- A. Principles and Standards. In addition to the standards established for partitions or subdivisions, the applicant for a nonresidential partition or subdivision shall demonstrate that the street, parcel and block pattern proposed is adapted to uses in the vicinity. The following principles and standards shall be observed:
  - 1. Proposed commercial and industrial parcels shall be suitable in area and dimensions to the types of development anticipated.
  - 2. Street right-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated.
  - 3. Special requirements may be imposed by the ~~city~~ City with respect to street, curb, gutter and sidewalk design and construction.
  - 4. Special requirements may be imposed by the ~~city~~ City with respect to the installation of public utilities, including but not limited to water, sanitary sewer, and stormwater drainage facilities.
  - 5. Efforts shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision. Such efforts may include the provision of extra depth in parcels backing up on existing or potential residential development and landscaped buffers.
  - 6. Streets carrying nonresidential traffic, particularly truck traffic, should not normally be extended through adjacent residential areas.
  - 6.7. Traffic volumes shall not exceed average daily traffic (ADT) standards for each street classification as detailed in Chapter 17.10, Definitions.

#### **17.100.60 SUBDIVISIONS**

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

- A. Preapplication Conference. The applicant for a subdivision shall participate in a preapplication conference with ~~city~~City staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. The preapplication conference provides the opportunity to discuss the conceptual development of the property in advance of formal submission of the tentative plan in order to save the applicant unnecessary delay and cost.
- B. Application Requirements for a Tentative Plat. Subdivision applications shall be made on forms provided by the planning department and shall be accompanied by:
1. 20 copies of the tentative plat;
  2. Required fee and technical service deposit;
  3. 20 copies of all other supplementary material as may be required to indicate the general program and objectives of the subdivision;
  4. Preliminary title search;
  5. List of affected property owners.
- C. Format. The Tentative Plat shall be drawn on a sheet 18 x 24 inches in size and at a scale of one inch equals one hundred feet unless an alternative format is approved by the Director at the preapplication conference. The application shall include one copy of a scaled drawing of the proposed subdivision, on a sheet 8 1/2 x 11, suitable for reproduction.
- D. Data Requirements for Tentative Plat.
1. Scale of drawing, north arrow, and date.
  2. Location of the subdivision by section, township and range, and a legal description sufficient to define the location and boundaries of the proposed tract.
  3. A vicinity map, showing adjacent property boundaries and how proposed streets may be extended to connect to existing streets.
  4. Names, addresses, and telephone numbers of the owner(s) of the property, the engineer or surveyor, and the date of the survey.
  5. Streets: location, names, paved widths, alleys, and right-of-way (existing and proposed) on and within 400 feet of the boundaries of the subdivision tract.
  6. Easements: location, widths, purpose of all easements (existing and proposed) on or serving the tract.
  7. Utilities: location of stormwater drainage, sanitary sewers and water lines (existing and proposed) on and abutting the tract. If utilities are not on or abutting the tract, indicate the direction and distance to the nearest locations.
  8. Ground elevations shown by contour lines at two-foot vertical intervals for ground slopes of less than 10 percent and at ten-foot vertical intervals for ground slopes exceeding 10 percent. Ground elevation shall be related to an established benchmark or other datum approved by the Director.
  9. Natural features such as marshes, rock outcroppings, watercourses on and abutting the property, and location of wooded areas.
  10. Approximate location of areas subject to periodic inundation or storm sewer overflow, location of any floodplain or flood hazard district.
  11. Location, width, and direction of flow of all water courses.
  12. Identification of the top of bank and boundary of mandatory setback for any stream or water course.
  13. Identification of any associated wetland and boundary of mandatory setback.
  14. Identification of any wetland and boundary of mandatory setback.

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15. Location of at least one temporary bench mark within the tract boundaries.
  16. Existing uses of the property, including location and present use of all existing structures to remain on the property after platting.
  17. Lots and Blocks: approximate dimensions of all lots, minimum lot sizes, and proposed lot and block numbers.
  18. Existing zoning and proposed land use.
  19. Designation of land intended to be dedicated or reserved for public use, with the purpose, conditions, or limitations of such reservations clearly indicated.
  20. Proposed development phases, if applicable.
  21. Any other information determined necessary by the Director ~~at the preapplication conference,~~ such as a soil report or other engineering study, traffic analysis, floodplain or wetland delineation, etc.
- E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in ~~Section~~ Chapter 17.12 and the following approval criteria:
1. The proposed subdivision is consistent with the density, setback and dimensional standards of the base zoning district, unless modified by a Planned Development approval.
  2. The proposed subdivision is consistent with the design standards set forth in this chapter.
  3. The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.
  4. Traffic volumes shall not exceed average daily traffic (ADT) standards for each street classification as detailed in Chapter 17.10, Definitions.
  - ~~3-5.~~ Adequate public facilities are available or can be provided to serve the proposed subdivision.
  - ~~4-6.~~ All proposed improvements meet City standards.
  - ~~5-7.~~ The phasing plan, if requested, can be carried out in a manner that meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.
- F. Conditions. The Director or Planning Commission may require dedication of land and easements, and may specify such conditions or modifications of the tentative plat as deemed necessary.
- G. Improvements. A detailed list of required improvements for the subdivisions shall be set forth in the approval and conditions for the tentative plat.
- H. Tentative Plat Expiration Date. The final plat shall be delivered to the Director for approval within ~~one~~ two (2) years following approval of the tentative plat, and shall incorporate any modification or condition required by approval of the tentative plat. The Director may, upon written request ~~of the subdivider,~~ grant an extension of the tentative plat approval for up to one (1) additional year. The Planning Commission may, upon written request, grant an extension of the tentative plat approval for up to one (1) additional year beyond the extension if granted by the Director. The two extensions, one by the Director and one by the Planning Commission, are the maximum number of extensions that may be granted for a subdivision.
- I. Submission of Final Plat. The applicant shall survey the subdivision and prepare a final plat in conformance with the tentative plat approval and the requirements of ORS Chapter 92.

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- J. Information on Plat. In addition to information required for the tentative plat or otherwise specified by state law, the following information shall be shown on the final plat for the subdivision:
1. Tract boundary lines, right-of-way lines of streets and property lines with dimensions, bearings or deflection angles and radii, arcs, points of curvature and tangent bearings. All bearings and angles shall be shown to the nearest one-second and all dimensions to the nearest 0.01 foot. If circular curves are proposed in the plat, the following data must be shown in table form: curve radius, central angles, arc length, and bearing of long chord. All information shown on the face of the plat shall be mathematically perfect.
  2. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded references. If an easement is not definitely located of record, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision shall be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's certificates of dedication.
  3. Any building setback lines if more restrictive than the ~~city~~ City zoning ordinance.
  4. Location and purpose for which sites, other than residential lots, are dedicated or reserved.
  5. Easements and any other areas for public use dedicated without any reservation or restriction.
  6. A copy of any deed restrictions written on the face of the plat or prepared to record with the plat with reference on the face of the plat.
  7. The following certificates that may be combined where appropriate:
    - a) A certificate signed and acknowledged by all parties having any recorded title interest in the land, consenting to the preparation and recording of the plat.
    - b) A certificate signed and acknowledged as above, dedicating all land intended for public use except land which is intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants.
    - c) A certificate with the seal of and signed by the engineer or the surveyor responsible for the survey and final plat.
    - d) Other certificates now or hereafter required by law.
  8. Supplemental Information with Plat. The following data shall accompany the final plat:
    - a) A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the tract.
    - b) Sheets and drawings showing the following:
      - 1) Traverse data including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners, and showing the error of closure, if any.
      - 2) The computation of distances, angles and courses shown on the plat.
      - 3) Ties to existing monuments, proposed monuments, adjacent subdivisions, street corners and state highway stationing.
    - c) A copy of any deed restrictions applicable to the subdivision.
    - d) A copy of any dedication requiring separate documents.
    - e) A list of all taxes and assessments on the tract which have become a lien on the tract.
    - f) A certificate by the engineer that the subdivider has complied with the improvement requirements.

9. Certification by the ~~city-City engineer-Engineer~~ or by the owner of a privately owned domestic water supply system, that water will be available to the property line of each and every lot depicted in the final plat.
- K. Technical Plat Review. Upon receipt by the ~~city-City~~, the plat and supplemental information shall be reviewed by the ~~city-City engineer-Engineer~~ and Director through a Type I procedure. The review shall focus on conformance of the final plat with the approved tentative plat, conditions of approval and provisions of city, county or state law applicable to subdivisions.
1. The ~~city-City engineer-Engineer~~ may make field checks as needed to verify that the final plat is sufficiently correct on the ground, and ~~city-City~~ representatives may enter the subdivision property for this purpose.
  2. If the ~~city-City engineer-Engineer~~ or Director determines that full conformance has not been made, he shall advise the subdivider of the changes or additions that must be made and shall afford the subdivider an opportunity to make the changes or additions.
  3. All costs associated with the technical plat review and recording shall be the responsibility of the applicant.
- L. Approval of Final Plat. The signatures of the Director and the ~~city-City engineer-Engineer~~ shall indicate approval of the final plat. After the plat has been approved by all city and county officials, ~~two prints of all data (plat face, dedications, certificates, approvals and one a~~ digital copy of ~~the plat and a digital copy of any~~ recorded documents ~~restrictive and protective covenants)~~ shall be ~~delivered returned~~ to the ~~Director city-engineer~~ within 20 working days of recording.
- M. Recording of Final Plat. Approval of the plat by the ~~city-City~~ shall be conditioned on its prompt recording. The subdivider shall, without delay, submit the plat to the county assessor and the county governing body for signatures as required by ORS 92.100. The plat shall be prepared as provided by ORS 92.080. Approval of the final plat shall be null and void if the plat is not submitted for recording within ~~thirty-30~~ days after the date the last required approving signature has been obtained.

#### **17.100.70 LAND DIVISION DESIGN STANDARDS**

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

#### **17.100.80 CHARACTER OF THE LAND**

Land which the Director or the Planning Commission finds to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the partition or subdivision and the surrounding areas, shall not be developed unless adequate methods are formulated by the

subdivider and approved by the Director or the Planning Commission to solve the problems created by the unsuitable land conditions.

#### **17.100.90 ACCESS CONTROL GUIDELINES AND COORDINATION**

- A. Notice and coordination with ODOT required. The city will coordinate and notify ODOT regarding all proposals for new or modified public and private accesses on to Highways 26 and 211.
- B. It is the city policy to, over time, reduce noncompliance with the Oregon Highway Plan Access Management Policy guidelines.
- C. Reduction of compliance with the cited State standards means that all reasonable alternatives to reduce the number of accesses and avoid new non-complying accesses will be explored during the development review. The methods to be explored include, but are not limited to: closure, relocation, and consolidation of access; right-in/right-out driveways; crossover easements; and use of local streets, alleys, and frontage roads.

#### **17.100.100 STREETS GENERALLY**

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

- A. Street Connectivity Principle. The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.
- B. Transportation Impact Studies. Transportation impact studies commensurate with the scope of the development proposal may be required by the city engineer to assist the city to evaluate the traffic impacts of development proposals, determine reasonable and prudent transportation facility improvements and mitigation and justify modifications to the design standards. Such studies ~~will~~ shall be prepared in accordance with Chapter 17.84 ~~the following:~~
  - ~~1. A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer and other agencies with jurisdiction over affected roadways. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic operations engineer registered in the State of Oregon shall prepare such studies.~~
  - ~~2.1. If the study identifies level of service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem proposed by the applicant shall be considered as part of the land use decision for the proposal.~~

- C. Topography and Arrangement. All streets shall be properly related to special traffic generators such as industries, business districts, schools, and shopping centers and to the pattern of existing and proposed land uses.
- D. Street Spacing. Street layout shall generally use a rectangular grid pattern with modifications as appropriate to adapt to topography or natural conditions.
- E. Future Street Plan. Future street plans are conceptual plans, street extensions and connections on acreage adjacent to land divisions. They assure access for future development and promote a logical, connected pattern of streets. It is in the interest of the city to promote a logical, connected pattern of streets. All applications for land divisions shall provide a future street plan that shows the pattern of existing and proposed future streets within the boundaries of the proposed land divisions, proposed connections to abutting properties, and extension of streets to adjacent parcels within a 400 foot radius of the study area where development may practically occur.
- F. Connections. Except as permitted under Exemptions, all streets, alleys and pedestrian walkways shall connect to other streets within the development and to existing and planned streets outside the development and to undeveloped properties which have no future street plan. Streets shall terminate at other streets or at parks, schools or other public land within a neighborhood.

~~Where practicable, local~~ Local roads shall align and connect with other roads when crossing collectors and arterials per the criteria in 17.84.50K(5)(e).

Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops, and existing or planned neighborhood activity centers, such as schools, shopping areas and parks.

- G. Exemptions.
  1. A future street plan is not required for partitions of residentially zoned land when none of the parcels may be redivided under existing minimum density standards.
  2. Standards for street connections do not apply to freeways and other highways with full access control.
  3. When street connection standards are inconsistent with an adopted street spacing standard for arterials or collectors, a right turn in/right turn out only design including median control may be approved. Where compliance with the standards would result in unacceptable sight distances, an accessway may be approved in place of a street connection.

#### **17.100.110 STREET STANDARDS AND CLASSIFICATION**

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

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

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- B. Minor arterials are designed to collect and distribute traffic from major and minor arterials to neighborhood collectors and local streets, or directly to traffic destinations. Minor arterials should generally be spaced at 1-mile intervals. [Minor arterials shall not exceed the ADT standards set out in Chapter 17.10.](#)
- C. Residential minor arterials are a hybrid between minor arterial and collector type streets that allow for moderate to high traffic volumes on streets where over 90% of the fronting lots are residential. [Residential minor arterials shall not exceed the ADT standards set out in Chapter 17.10.](#)
- D. Collector streets are designed to collect and distribute traffic from higher type arterial streets to local streets or directly to traffic destinations. Collector streets should generally be spaced at 1/2-mile intervals. [Collector streets shall not exceed the ADT standards set out in Chapter 17.10.](#)
- E. Local streets are designed to provide direct access to abutting property and connect to collector streets. A general spacing of 8-10 local streets per mile is recommended. [Local streets shall not exceed the ADT standards set out in Chapter 17.10.](#)
- F. Cul-de-sacs and dead end streets are discouraged. If deemed necessary, cul-de-sacs shall be as short as possible and shall not exceed 400 feet in length.
- G. Public access lanes are designed to provide primary access to a limited number of dwellings when the construction of a local street is unnecessary.
- H. Alleys are designed to provide access to multiple dwellings in areas where lot frontages are narrow and driveway spacing requirements cannot be met.

**17.100.120 BLOCKS AND ACCESSWAYS**

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

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### **17.100.130 EASEMENTS**

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

### **17.100.140 PUBLIC ALLEYS**

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

### **17.100.150 RESIDENTIAL SHARED PRIVATE DRIVES**

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

#### **A. Criteria for Approval**

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

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

#### **B. Design**

- 1. A shared private drive constructed to city standards shall not serve more than two (2) dwelling units.
- 2. A shared access easement and maintenance agreement shall be established between the two units served by a shared private drive. The language of the easement and maintenance agreement shall be subject to approval by the Director. [Such easements shall be recorded in the Deed Records of Clackamas County.](#)
- 3. Public utility easements shall be provided where necessary in accordance with Section 17.100.130.
- 4. Shared private drives shall be fully improved with an all weather surface (e.g. concrete, asphalt, permeable pavers) in conformance with city standards. The pavement width shall be 20 feet.

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5. Parking shall not be permitted along shared private drives at any time and shall be signed and identified accordingly.

#### **17.100.160 PUBLIC ACCESS LANES**

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

##### **A. Criteria for Approval**

Public access lanes may be approved by the Director when certain conditions exist which make the construction of a standard local street unnecessary. Approval of public access lanes shall be based on one or more of the following:

1. Physical conditions such as natural features, unusual lot size, shape, or other unique features prevent the construction of a local street.
2. It is determined that construction of a local street is not necessary to facilitate orderly development of a future street system.
3. It is determined that there are no logical extensions of an existing local street to serve the site.

##### **B. General Provisions**

1. A public access lane may serve a maximum of six (6) dwelling units.
2. Public access lanes are subject to spacing requirements of Section 17.100.120.
3. Public utility easements shall be provided where necessary in accordance with Section 17.100.130.
4. If a public access lane is designed as a dead end, a turnaround shall be provided at the point where the lane terminates. The design of the turnaround shall be subject to approval by the Director and the Fire Department.

5. Parking shall be prohibited in public access lane turnarounds.

~~5-6.~~ [Street lighting may be required in public access lanes for traffic and pedestrian safety.](#)

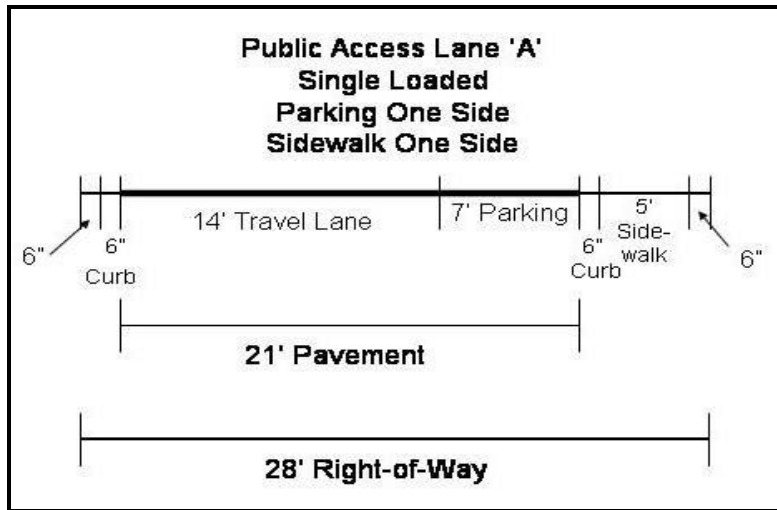
##### **C. Public Access Lane Design**

1. Public Access Lane 'A' (Figure 17.100 - A)
  - a) Public access lane 'A' is designed to be single loaded and provide access to lots located on one side of the lane only.
  - b) Public access lanes shall be constructed to city standards and must meet the required dimensions as specified in this section.
  - c) Curbside sidewalks on the side of the lane which abuts lot frontage are along public access lanes to achieve specified dimensions.
  - d) Planter strips are not required along public access lanes due to the minimal lots served. Lots abutting a public access lane are required to have street trees planted in accordance with Section 17.100.290.
  - e) Parking is permitted on one side of a public access lane 'A' as shown in Figure 17.100 - A. Parking shall be permitted on the side of the lane which abuts lot frontages only. Signage shall be displayed to indicate the parking regulations along the lane and in the turnaround.

#### **Figure 17.100 – A: Public Access Lane 'A'**

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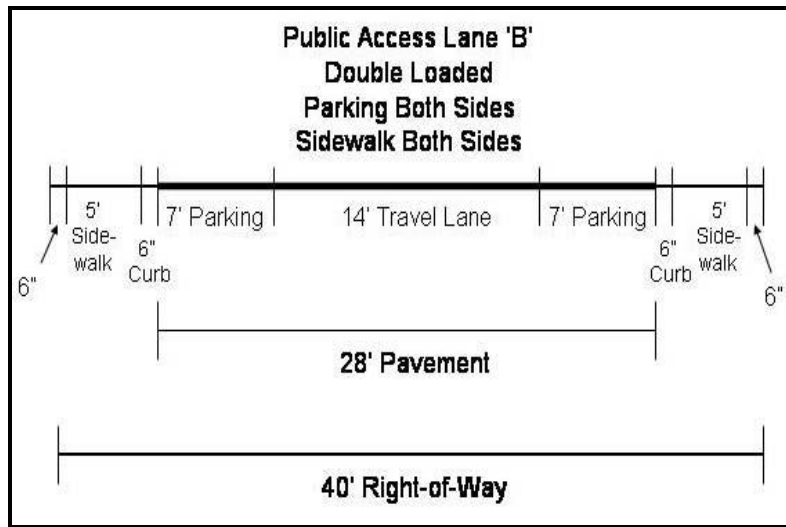
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2. Public Access Lane Option 'B' (Figure 17.100 - B).

- a) Public access lane 'B' is designed to be double loaded and provide access to lots located on both sides of the lane.
- b) Public access lanes shall be constructed to city standards and must meet the required dimensions as specified in this section.
- c) Curbside sidewalks are required along both sides of the access lane to achieve specified dimensions.
- d) Planter strips are not required along public access lanes due to the minimal lots served. Lots abutting a public access lane are required to have street trees planted in accordance with Section 17.100.290.
- e) Parking is permitted on both sides of a public access lane 'B' as shown in Figure 17.100 - B. Signage shall be displayed to indicate the parking regulations along the lane and in the turnaround.

**Figure 17.100 – B: Public Access Lane 'B'**



**17.100.170 FLAG LOTS**

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

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

**17.100.180 INTERSECTIONS**

- A. Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than 75 degrees shall not be acceptable. No more than two streets shall intersect at any one point unless specifically approved by the City Engineer. The city engineer may require left turn lanes, signals, special crosswalks, curb extensions and other intersection design elements justified by a traffic study or necessary to comply with the Development Code.
- B. Curve Radius. All local and neighborhood collector streets shall have a minimum curve radius (at intersections of rights-of-way) of 20 feet, unless otherwise approved by the City Engineer. When a local or neighborhood collector enters on to a collector or arterial street, the curve radius shall be a minimum of 30 feet, unless otherwise approved by the City Engineer.

**17.100.190 STREET AND TRAFFIC CONTROL SIGNS**

~~The subdivider shall pay the cost of street signs prior to the issuance of a Certificate of Substantial Completion. The City shall install all street signs and upon completion will bill the developer for costs associated with installation. In addition, the subdivider may be required to pay for any traffic safety devices related to the development.~~ The City Engineer shall specify the type and location of ~~the~~ [traffic control signs](#), street signs and/or traffic safety devices.

#### **17.100.200 STREET SURFACING**

Public streets, including alleys, within the development shall be improved in accordance with the requirements of the City or the ~~standards of the Oregon State Highway Department~~ [Oregon Standard Specifications](#). ~~An overlay of asphalt concrete, or material approved by the City Engineer, shall be placed on all streets within the development~~ [All streets shall be paved with asphaltic concrete or Portland cement concrete surfacing](#). Where required, speed humps shall be constructed in conformance with the City's standards and specifications.

#### **17.100.210 STREET LIGHTING**

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

#### **17.100.220 LOT DESIGN**

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

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

#### **17.100.230 WATER FACILITIES**

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

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

#### **17.100.240 SANITARY SEWERS**

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

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

#### **17.100.250 SURFACE DRAINAGE AND STORM SEWER SYSTEM**

- A. Drainage facilities shall be provided within the subdivision and to connect with off-site drainage ways or storm sewers. Capacity, grade and materials shall be by a design approved by the city engineer. Design of drainage within the subdivision shall take into account the location, capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.
- B. In addition to normal drainage design and construction, provisions shall be taken to handle any drainage from preexisting subsurface drain tile. It shall be the design engineer's duty to investigate the location of drain tile and its relation to public improvements and building construction.
- C. The roof and site drainage from each lot shall be discharged to either curb face outlets (if minor quantity), to a public storm drain or to a natural acceptable drainage way if adjacent to the lot.

**17.100.260 UNDERGROUND UTILITIES**

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

**17.100.270 SIDEWALKS**

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

**17.100.280 BICYCLE ROUTES**

If appropriate to the extension of a system of bicycle routes, existing or planned, the Director or the Planning Commission may require the installation of bicycle lanes within streets. Separate bicycle access ways may be required to reduce walking or cycling distance when no feasible street connection is available.

**17.100.290 STREET TREES**

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

**17.100.300 EROSION CONTROL**

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

**17.100.310 REQUIRED IMPROVEMENTS**

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

~~A. Drainage facilities~~

- A. Lot, street and perimeter monumentation
- B. Mailbox delivery units
- C. Sanitary sewers

D. Stormwater drainage facilities

~~D.~~E. Sidewalks

~~E.~~F. Street lights

~~F.~~G. Street name signs

~~G.~~H. Street trees

~~H.~~I. Streets

~~I.~~J. Traffic control devices and signs

~~J.~~K. Underground communication lines, including broadband (fiber), telephone, and cable.

Franchise agreements will dictate whether telephone and cable lines are required.

~~K.~~L. Underground power lines



~~L.M.~~ Water distribution lines and fire hydrants

### **17.100.320 IMPROVEMENT PROCEDURES**

Improvements installed by a land divider either as a requirement of these regulations or at his own option shall conform to the ~~design~~ standards of Chapter 17.84 and improvement standards and specifications adopted by the ~~city~~City. Improvements shall be installed in accordance with the following general procedure:

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

### **17.100.330 OPTIONS FOR IMPROVEMENTS**

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

- A. Install Improvements. The applicant may install the required improvements for the subdivision prior to recording the final subdivision plat. If this procedure is to be used, the subdivision plat shall contain all the required certifications except the County Surveyor ~~and the Board of County Commissioners~~. The City shall keep the subdivision plat until the improvements have been completed and approved by the City Engineer. Upon City Engineer's approval, the City shall forward the final subdivision plat for certification by the ~~Board of County Commissioners~~County Surveyor and then to the County Clerk for recording; or
- B. Agree to Install Improvement. The applicant may execute and file with the City an agreement specifying the period within which required improvements shall be completed. The

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agreement shall state that if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense from the applicant. A performance ~~guarantee bond equal to 110 percent of the value of the guaranteed~~ improvements shall be required. Performance bonds shall be issued by a surety registered to do business in Oregon. The value of the guaranteed improvements may include engineering, construction management, legal and other related expenses necessary to complete the work. The agreement may provide for the construction of the improvements in increments and for an extension of time under specified conditions; or

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

#### **17.100.340 PERFORMANCE GUARANTEE**

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

- A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
- B. In lieu of the surety bond, the applicant may:
1. Deposit with the City cash money to be released only upon authorization of the City Engineer;
  - ~~2. Supply certification by a bank or other reputable lending institution that money is being held to cover the cost of required improvements to be released only upon authorization of the City Engineer;~~
  - ~~3.~~2. Supply certification by a bank or other reputable lending institution that an irrevocable ~~line~~ letter of credit in compliance with the International Chamber of Commerce Uniform Customs and Practice for Documentary Credits, UCP 600 or most current revision. has been established to cover the cost of required improvements, to be ~~utilized~~ released only upon authorization of the City Engineer. The amount of the letter of credit shall equal 110% of the value of the improvements to be guaranteed; or
  - ~~4.~~3. Provide bonds in a form approved by the City Attorney.
- C. Such assurance of full and faithful performance shall be for a sum determined by the City Engineer as sufficient to cover the cost of required improvements, including related engineering and incidental expenses.

D. If the applicant fails to carry out provisions of the agreement and the City has expenses resulting from such failure, the City shall call on the performance guarantee for reimbursement. If the amount of the performance guarantee exceeds the expense incurred, the remainder shall be released. If the amount of the performance guarantee is less than the expense incurred, the applicant shall be liable to the City for the difference.

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