

362nd Avenue and Bell Street Extension

Type II Partition and Type II Flood and Slope Hazard Review

Owner: Multiple Owners – See Attached List

Applicant: City of Sandy
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Site Location and Tax Lot: 16200 Royal Lane – 24E1103402
16210 Royal Lane – 24E1103401
16370 Royal Lane – 24E1103400
36405 Highway 26 – 24E1103200
36145 Highway 26 – 24E1005603

Project Size: ~119.1 acres

Zone: SFR, R-2, and C-2

Comprehensive Plan: Low Density Residential, Medium Density Residential, and Retail/Commercial

Summary of Request: The applicant is proposing to partition Tax Lot 03200 and construct an extension of Bell Street and 362nd Avenue in accordance with the City of Sandy TSP within right-of-way that is in the process of being purchased from tax lots 3400, 3401, 3402, 3500, and 3200 in map 24E11. Street improvements will include sidewalks, planter strips, bike lanes, and utilities. The proposed street improvements are located within designated FSH areas and therefore, a FSH review is provided with this application.

Date: January 7, 2022



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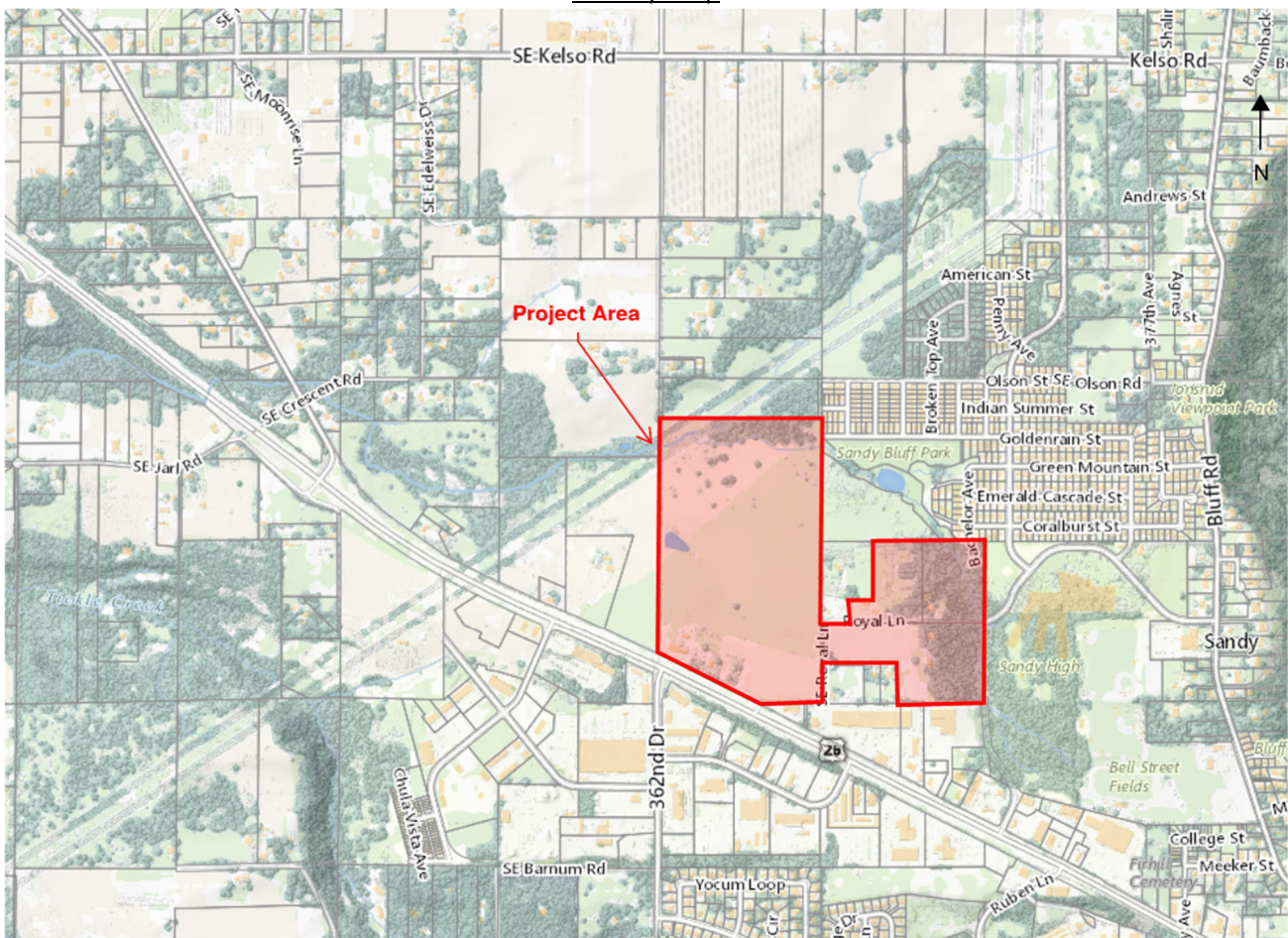


I. SUMMARY OF PROPOSAL AND REQUEST

Existing Conditions

The project site includes five lots – four on Royal Lane and one on Highway 26. The tax lot numbers included in the project area are 24E1103402, 24E1103401, 24E1103400, 24E1103200, and 24E113500. All of the properties are located within the Sandy Urban Growth Boundary and within the Sandy City Limits. Annexation of tax lot 3500 was approved by the City at their public hearing on Monday, October 18, 2021 under file number 21-041. There are three different zoning districts within the project site, including SFR, R-2, and C-2. The Sandy Zoning Map designates the properties SFR (Single Family Residential), R-2 (Medium Density Residential), and C-2 (General Commercial).

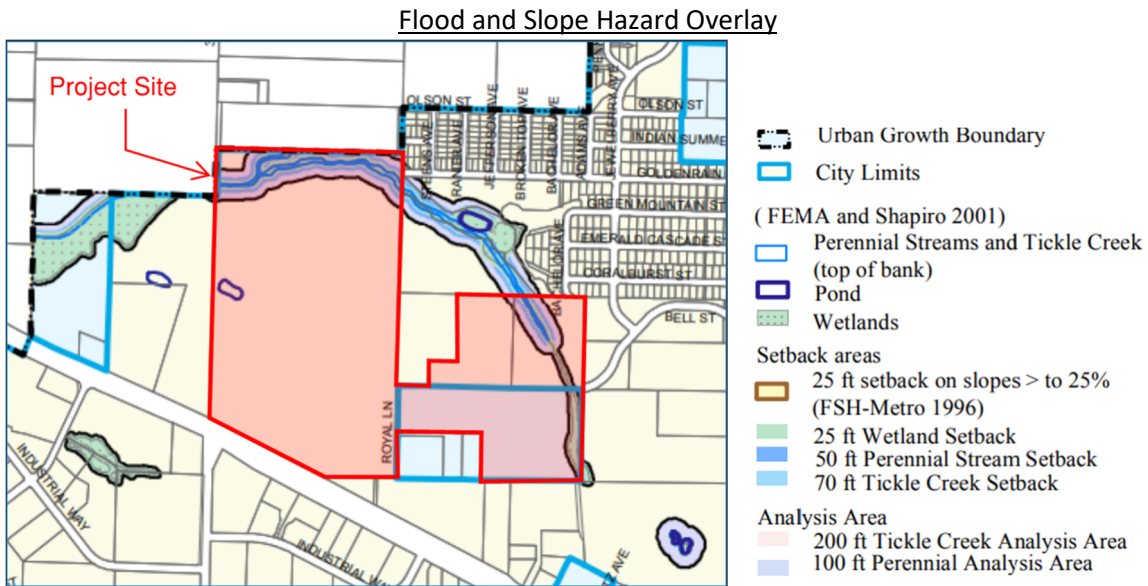
Vicinity Map



Proposal

The applicant is proposing to partition Tax Lot 03200 into two lots and construct a road extending Bell Street to the west that would connect with SE 362nd Drive at Highway 26. The road expansions would include vehicle travel lanes, a landscaped center median, bike lanes on both sides of the street, and a planter strip and sidewalk on one side of the street.

The street extension will include several sloped embankments and cross over a Flood and Slope Hazard Overlay resource near the southern side of the project site and a wetland on the north end of the site, requiring a FSH Review. Mitigation for wetland and stream impacts is proposed downstream of the Bell Street crossing on Tax Lot 24E11CA18300.



The applicant is requesting approval of a Type II Partition and a Type II Flood and Slope Hazard Review to construct the propose improvements.



II. RESPONSES TO APPLICABLE CODE SECTIONS

Note: Responses to all applicable sections of the Sandy Municipal Code are included below. Sections that are not applicable or do not require a response may be omitted from the narrative text.

Chapter 17.12: Procedures for Decision Making

Section 17.12.20: Type II

Type II decisions are made by the Planning Director or designee with public notice, and an opportunity for a public hearing if appealed. An appeal of a Type II decision is heard by the Planning Commission according to the provisions of Chapter 17.28. Notification of a Type II decision is sent according to the requirements of Chapter 17.22. If the Director contemplates persons other than the applicant can be expected to question the application's compliance with the Code, the Director may elevate an application to a Type III review.

Types of Applications:

- A. Design Review, except Type I Design Reviews under Subsection 17.12.10.B. and Type III Design Reviews under 17.12.30.*
- B. Historic Preservation Provisions Procedures for Alteration of an Historic Resource.*
- C. Adjustments and Variances of up to 20 percent of a Quantifiable Dimension which does not increase density.*
- D. Subdivisions in compliance with all standards of the Development Code.*
- E. Partitions and Minor Replats.*
- F. Flood, Slope and Hillside Development and Density Transfer-Uses listed in 17.60.40.*
- G. Request for Interpretation.*
- H. Tree Removal Permit (greater than 50 trees).*
- I. Minor Conditional Use Permit.*

Response: Partitions are reviewed under a Type II process under standard (E) above and Flood and Slope Hazard Reviews that include the construction or expansion of a street necessary to support development are reviewed under a Type II process under Section 17.60.40(B)(1) of the Sandy Development Code.

Chapter 17.18: Processing Applications

Section 17.18.20: Pre-Application Conference

A pre-application conference is required for all Type II, III, and IV applications unless the Director determines a conference is not needed. A request for a pre-application conference shall be made on the form provided by the city and will be scheduled following submittal of required materials and payment of fees. The purpose of the conference is to acquaint the applicant with the substantive and procedural requirements of the Code, provide for an exchange of information regarding applicable elements of the Comprehensive Plan and development requirements, arrange such technical and design assistance which will aid the applicant, and to otherwise identify policies and regulations that create opportunities or pose significant constraints for the proposed development. The Director will provide the applicant with notes from the conference within 10 days of the



conference. These notes may include confirmation of the procedures to be used to process the application, a list of materials to be submitted, and the applicable code sections and criteria that may apply to the application. Any opinion expressed by the Director or City staff during a pre-application conference regarding substantive provisions of the City's code is advisory and is subject to change upon official review of the application.

Response: The project complies with this standard. A pre-application conference was held with the City of Sandy on April 6, 2021. Please see Appendix E for the pre-application notes from the City of Sandy.

Section 17.18.30: Land Use Application Materials

Unless otherwise specified in this Code, an application shall consist of the materials specified in this section, plus any other materials required by this Code.

- A. *A completed application form and payment of fees.*
- B. *List and mailing labels of Affected Property Owners.*
- C. *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.*
- D. *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.*
- E. *Legal description of the property affected by the application.*
- F. *Written narrative addressing applicable code chapters and approval criteria.*
- G. *Vicinity Map showing site in relation to local and collector streets, plus any other significant features in the nearby area.*
- H. *Site plan of proposed development*
- I. *Number of Copies to be Submitted:*
 - 1. *One copy of items A through D listed above;*
 - 2. *Type I: Two copies of site plan and other materials required by the Code.*
 - 3. *Type II: Eight copies of site plan and other materials required by the Code*
 - 4. *Type III: 15 copies of site plan and other materials required by the Code*
 - 5. *Type IV: 20 copies of site plan and other materials required by the Code*

Response: The project complies with this standard. All of the above required information for the land use application are included with this narrative, plan set, and attachments.

Chapter 17.34.10: Single-Family Residential (SFR)

Section 17.34.10: Permitted Uses

- A. *Primary Uses Permitted Outright: [...]*
- B. *Accessory Uses Permitted Outright:*
 - 1. *Accessory dwelling unit subject to the provisions in Chapter 17.74;*
 - 2. *Accessory structure, detached or attached subject to the provisions in Chapter 17.74;*



3. *Family day care, as defined in Chapter 17.10 subject to any conditions imposed on the residential dwellings in the zone;*
4. *Home business subject to the provisions in Chapter 17.74;*
5. *Livestock and small animals, excluding carnivorous exotic animals: The keeping, but not the propagating, for solely domestic purposes on a lot having a minimum area of one acre. The structures for the housing of such livestock shall be located within the rear yard and at a minimum distance of 100 feet from an adjoining lot in any residential zoning district;*
6. *Minor utility facility;*
7. *Other development customarily incidental to the primary use.*

Response: The project complies with this standard. A portion of Tax Lot 03402 is zoned Single Family Residential (SFR), and a portion of the proposed street extension runs along the property's southern border. Streets are a development customarily incidental to the primary use and therefore an accessory use permitted outright in the SFR zoning district. The extension of Bell Street and 362nd Avenue is the only proposed development for this property with this application, therefore, meeting the above criterion.

Chapter 17.38: Medium Density Residential (R-2)

Section 17.38.10: Permitted Uses

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

Response: The project complies with this standard. A portion of Tax Lot 03400, 03401, and 03402 are zoned Medium Density Residential (R-2) and a portion of the proposed street extension runs along the properties southern border. Streets are a development customarily incidental to the primary use and therefore an accessory use permitted outright in the R-2 zoning district. The extension of Bell Street and 362nd Avenue is the only proposed development for these properties with this application, therefore, meeting the above criterion.

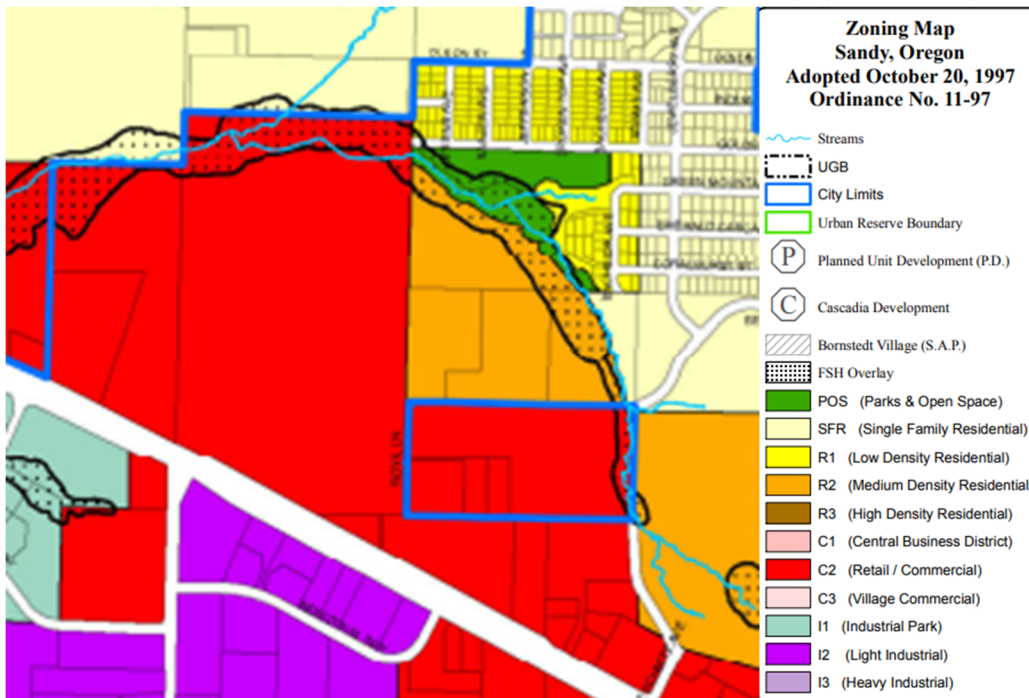


Chapter 17.44: General Commercial (C-2)

Section 17.44.10: Permitted Uses

- A. Primary Uses Permitted Outright – Residential: [...]
- B. Primary Uses Permitted Outright in buildings with less than 60,000 square feet of gross floor area: {...}
- C. Accessory Uses Permitted Outright:
 - 1. A use customarily incidental and subordinate to a use permitted outright;
 - 2. Outdoor product display or storage of merchandise covering no more than 20 percent of the total lot area;
 - 3. Parking lot or garage (when associated with development).

Response: The project complies with this standard. Tax Lots 03200 and 03500 are zoned General Commercial (C-2) and a portion of the proposed street extension runs through these properties. Streets are a development customarily incidental to the primary use and therefore an accessory use permitted outright in the C-2 zoning district. The extension of Bell Street and 362nd Avenue is the only proposed development for these properties with this application, therefore, meeting the above criterion.



Section 17.44.30: Development Requirements

Response: With the exception of the new street extension proposed with this application, no new development is proposed on the lots affected by this request. However, tax Lot 3200 is proposed to be partitioned into two new parcels. Parcel 1 would be approximately ± 27 acres and Parcel 2 would be approximately ± 36 acres if the partition is approved. Since there are no minimum lot dimensions within the General Commercial zone, both parcels would continue to comply with the applicable dimensional standards. All existing development of any



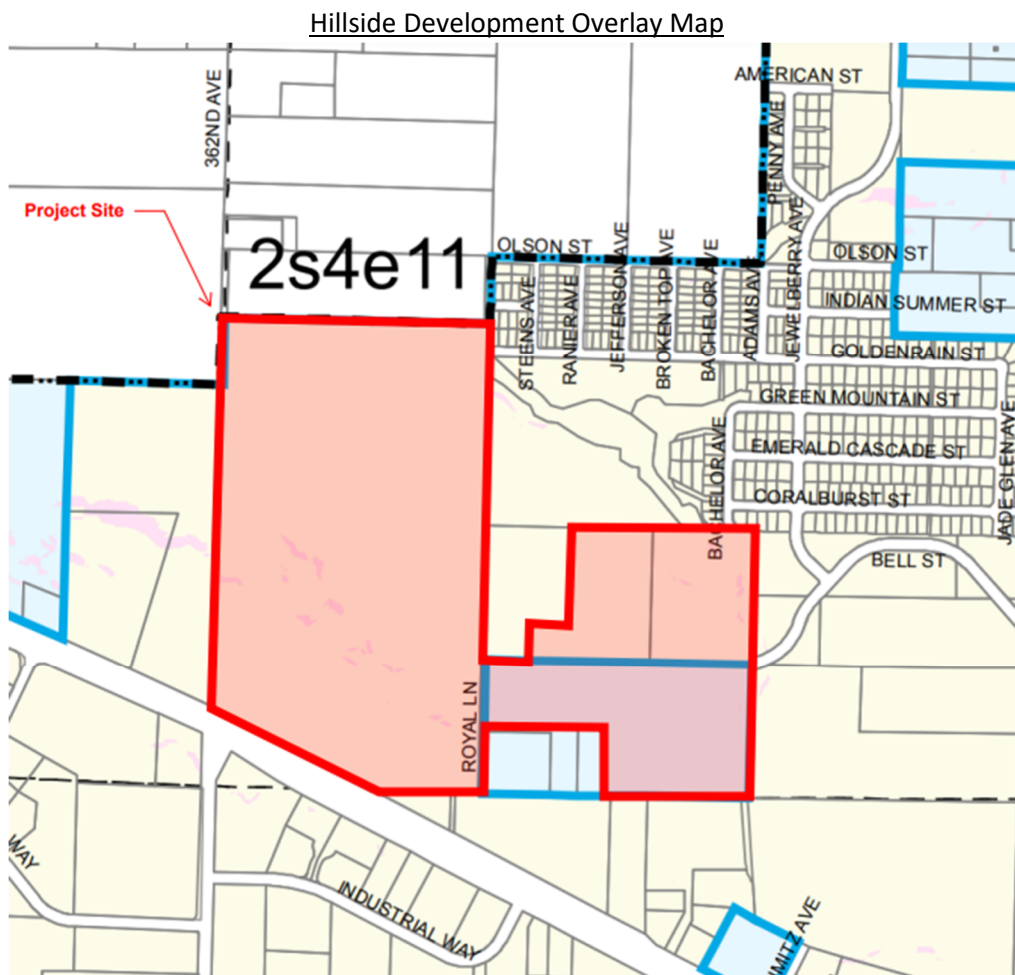
structures on site were presumably constructed and approved under the codes that were in affect at the time they were constructed. No new buildings are proposed to be constructed with this application.

Chapter 17.56: Hillside Development

Section 17.56.10: Applicability

These regulations shall apply to any parcel with slopes greater than 25 percent as shown on the Hillside Development Overlay District Map or with slope hazards mapped by the Department of Geology and Mineral Industries (DOGAMI). This chapter shall apply only to activities and uses that require a building, grading, tree removal and/or land use permit.

Response: Acknowledged by the applicant. Portions of the project site have slopes that are greater than 25%, as shown on the below portion of the Hillside Development Overlay Map in light pink. Therefore, the standards of this chapter apply to this project.



- A. General. No person shall develop property in areas designated by SDC 17.56.10, without first demonstrating compliance with this chapter.



1. *As a condition of permit issuance or land use approval, the applicant shall agree to implement the recommendations of approved studies and to allow all inspections to be conducted.*
2. *Where a bond, letter of credit or another guarantee is required, the permit shall not be issued until the bond or guarantee has been obtained and approved.*

Response: The applicant agrees to implement the recommendations of approved studies and allow for inspections. This project is for a partition and construction of a City of Sandy infrastructure project. A geotechnical analysis of the project area was conducted by NV5 (see attachment A), stamped by George Saunders, a professional and licensed engineer and is provided with this application. The report included design recommendations that have been considered in the overall design of the proposed street extension, including retaining walls, and pavement materials. The report also provided infiltration testing to inform the stormwater quality facilities associated with the street extension. These recommendations will be followed during construction of the facility that is funded with the capital improvement funds. Financial surety should not be required in this instance.

Section 17.56.20: Approval Procedures

- A. *Land Use Reviews. All applications for land use approval under the Sandy Development Code shall be reviewed under the highest numbered procedure required for the development proposal. For example, a Type II design review combined with hillside development review would be considered under Type II procedure; similarly, a Type III conditional use permit combined with hillside development review would be considered under Type III procedure.*
- B. *Building Permits. The Building Official will process requests for building or grading permit applications that do not require land use review under the Sandy Development Code.*

Response: This application includes a Type II Partition and a Type II FSH Review. Therefore, with the hillside development review, the applicant understands that the application will be reviewed under the City of Sandy Type II procedures.

Section 17.56.30: Required Map and Studies

- A. *Topographic Map Required. To determine the location of potentially hazardous areas, the applicant shall submit a scaled topographic map at two-foot contour intervals for the subject property (site) and for land within 25 feet of the site perimeter. In addition to DOGAMI slide hazard areas and slopes of 25 percent or greater, potentially hazardous "analysis areas" include land within 25 feet of the top or toe of slopes of 25 percent or greater and the area 25 feet on either side of drainageways that drain 20 acres or more. This map shall be prepared by a registered engineer or land surveyor and shall show:*
 1. *Slopes of 25—34 percent;*
 2. *Slopes of 35 percent and greater;*
 3. *The analysis that is within 25 feet of slopes that are 25 percent or greater parallel to and within 25 feet of the top of the 25 percent slope break;*
 4. *Mapped DOGAMI slide hazard areas;*
 5. *The analysis area within 25 feet of the centerline of drainageways that drain at least 20 acres; and*



6. *The area (in square feet) for each category listed above for the subject property.*

Response: The project complies with this standard. A topographic map prepared by a registered engineer is included in the civil plan set for the street extension project area.

B. Types of Required Studies. There are three types of geological and engineering studies that may be required by this chapter. See Table 1 under Section 17.56.40, below.

- 1. Geological Assessments are prepared and stamped by a Certified Engineering Geologist and describe the surface and subsurface conditions of a site, delineate areas of a property that may be subject to specific geologic hazards, and assess the suitability of the site for development. Geotechnical Reports shall be conducted according to the requirements of Appendix A (Geological Assessments), shall make recommendations as to whether further studies are required, and may be incorporated into or included as an appendix to the geotechnical report.*
- 2. Engineering Geology Reports are prepared and stamped by a Certified Engineering Geologist and provide detailed descriptions of the geology of the site, professional conclusions and recommendations regarding the effect of geological conditions on the proposed development, and opinions and recommendations covering the adequacy of the site to be developed. Engineering Geology Reports shall be prepared in accordance with the requirements of Appendix B (Guidelines for Preparing Engineering Geology Reports in Oregon adopted by the Oregon State Board of Geologist Examiners) and may be incorporated into or included as an appendix to the geotechnical report.*
- 3. Geotechnical Reports are prepared and stamped by a Geotechnical Engineer, evaluate site conditions, and recommend design measures necessary to reduce the development risks and facilitate safe and stable development. Geotechnical Reports shall be conducted according to the requirements of Appendix C (Geotechnical Reports) and may be incorporated into or included as an appendix to the Engineering Geology Report.*

Response: The project complies with this standard. An Engineering Geology Report is included with this application as Attachment A. The report was prepared and stamped by George Saunders, P.E., G.E. and includes professional analysis and recommendations for the proposed improvements.

Section 17.56.40: Where Studies Required

Additional geological or engineering studies shall be required or not required under the following circumstances;

Table 1: Where Studies are Required or Not Required

<i>Situation</i>	<i>Type I Development Applications; Single Family Homes, Duplexes and Accessory Uses</i>	<i>NON-EXEMPT Grading; Type II or III Development Applications</i>
<i>A. Proposed development avoids slopes of 25 percent or greater, drainageways, DOGAMI slope hazard areas and all analysis areas:</i>	<i>1. No further requirements</i>	<i>2. No further requirements</i>



<p><i>B. Development proposed on slopes of 25-35 percent or analysis areas, but avoid drainageways, DOGAMI hazard areas and slopes of 35 percent or greater:</i></p>	<p><i>1. Geological Assessment required; Engineering Geology or Geotechnical Reports may be required</i></p>	<p><i>2. Engineering Geology Report required; Geotechnical Report may be required</i></p>
<p><i>C. Development proposed on DOGAMI hazard areas, slopes of 35% or greater, or drainageway areas:</i></p>	<p><i>1. Engineering Geology Report required; Geotechnical Report may be required</i></p>	<p><i>2. Engineering Geology Report and Geotechnical Report require</i></p>

Response: The project complies with this standard. As a Type II Development Application that proposes development on slopes of 25%, an Engineering Geology Report is required. That report and recommendations are provided with this application. Please refer to Attachment A.

Chapter 17.60: Flood & Slope Hazard Overlay District

Section 17.60.20: Permitted Uses and Activities

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

- A. *Restricted Development Areas. Restricted development areas within the FSH overlay district as shown on the City of Sandy Zoning Map include:*
 - 1. *Slopes of 25 percent or greater that (a) encompass at least 1,000 square feet and (b) have an elevation differential of at least ten feet.*
 - 2. *Protected water features, including locally significant wetlands, wetland mitigation areas approved by the Division of State Lands, and perennial streams.*
 - 3. *Required setback areas as defined in Section 17.60.30.*
- B. *Permitted Uses. Permitted uses within restricted development areas are limited to the following:*
 - 1. *Open space and trails provided they are constructed consistent with standards on file in the Planning Department.*
 - 2. *Removal of refuse and permitted fill.*
 - 3. *Planting of native vegetation species included on a list maintained by the Director.*
 - 4. *Removal of non-native/invasive vegetation, dead or dying trees or vegetation that is hazardous to the public.*
 - 5. *Removal of up to two trees of six inches or greater dbh in a calendar year, provided that each tree removed is replaced with two native trees, each of which must be one and one-half inches or greater caliper and placed within the restricted development area of the site.*
 - 6. *Construction or expansion of public facilities or private roads necessary to support permitted development.*
 - 7. *Construction or expansion of a single-family residence on a lot-of-record, under the following prescribed conditions: {...]*
 - 8. *Replacement of a single-family dwelling constructed over substantially the same footprint as the original dwelling.*
 - 9. *Repair or stabilization of unstable slopes.*



10. *Stream bank restoration, subject to a stream bank restoration plan. This plan must:*
 - a. *Be prepared by a team of specialists in the fields of stream morphology, water quality and riparian vegetation approved by the Planning Director.*
 - b. *Remove invasive vegetation and replace it with multi-layered native vegetation that provides for stream shading within the entire stream bank.*
 - c. *Reduce the steepness of the bank along reaches that have been highly eroded.*
 - d. *Reduce the velocity of water carried by the stream.*
 - e. *Include guarantees and funding to assure at least a 90 percent survival rate of native plants over a three-year period.*
11. *Maintenance of existing landscaping on existing lots of record is permitted and is exempt from the requirements of the FSH Overlay District.*
12. *Appurtenant structures as permitted under Section 17.60.70.J.*

Response: The project complies with this standard. The expansion of Bell Street and 362nd Avenue are considered construction or expansion of public facilities necessary to support permitted development under standard (B)(6) above. The street expansion will allow for future development of the area and provide pedestrian and vehicular access to permitted uses on the surrounding properties.

- C. *Platting of New Lots. No new lot shall be platted or approved for development that is exclusively in restricted development areas as defined in subsection 17.60.20.A.*

Response: The project complies with this standard. A partition of Tax Lot 03200 is proposed with the resulting parcels exceeding 25 acres in size. The new parcels are actively farmed today, and neither will result in an exclusively restricted development area.

Section 17.60.30: Required Setback Areas

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

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

Response: There are two mapped locally significant wetlands on the project site, both of which will require a 25 foot setback. As mentioned, the only proposed development is the construction of public facilities necessary to support permitted development which is a permitted use within the restricted area (wetlands). Those impacts are required to mitigate for those impacts consistent with the Division of State Lands mitigation requirements. Mitigation is proposed to occur within the Sandy Bluff Park north of the project. The Sandy Parks Board has



approved the mitigation location adjacent to the pond within the park. Any future development of the site will be proposed by the property owners and is expected to meet the City's requirements.

Section 17.60.40: Review Procedures

- A. *Type I Procedures [...]*
- B. *Type II Procedures. The following uses shall be reviewed under a Type II review procedure:*
 - 1. *Construction or expansion of major public facilities identified in sanitary, storm, water, or street or parks master plans or of minor public facilities necessary to support development, where no other practical alternative exists.*
- C. *Type II Procedures [...]*

Response: This project includes the construction of two street extensions identified on the City of Sandy's TSP. Therefore, the project will be reviewed under Type II procedures.

Section 17.60.50: Special Reports

Where development is proposed on restricted development areas within the FSH overlay district as defined in Section 17.60.20.A., the Director shall require submission of the following special reports. These reports shall be in addition to other information required for specific types of development and shall be prepared by professionals in their respective fields. The Director may require one or more of these reports where necessary to address potential adverse impacts from development on buildable land within the FSH overlay district. The Director may exempt Type II permit applications from one or more of these reports where impacts are minimal, and the exemption is consistent with the purpose of the FSH overlay zone as stated in Section 17.60.00.

- A. *Hydrology and Soils Report. This report shall include information on the hydrological conditions on the site, the effect of hydrologic conditions on the proposed development, the proposed development's impact on surface and groundwater flows to wetlands and streams, and any hydrological or erosion hazards. This report shall also include soils characteristics of the site, their suitability for development, carrying capacity, and erosion or slumping characteristics that might present a hazard to life and property, or adversely affect the use or stability of a public facility or utility. Finally, this report shall include information on the nature, distribution and strength of existing soils; the adequacy of the site for development purposes; and an assessment of grading procedures required to impose the minimum disturbance to the natural state. A licensed professional engineer registered in Oregon shall prepare the hydrology and soils report.*
- B. *Grading Plan. The grading plan shall be specific to a proposed physical structure or use and shall include information on terrain (two-foot intervals of property), drainage, direction of drainage flow, location of proposed structures and existing structures which may be affected by the proposed grading operations, water quality facilities, finished contours or elevations, including all cut and fill slopes and proposed drainage channels. Project designs including but not limited to locations of surface and subsurface devices, walls, dams, sediment basins, storage reservoirs, and other protective devices shall form part of the submission. The grading plan shall also include: 1) construction phase erosion control plan consistent with the provisions of Chapter 15.44; and 2) schedule of operations. A licensed professional engineer registered in Oregon shall prepare the grading and erosion control plan.*



- C. *Native Vegetation Report. This report shall consist of a survey of existing vegetative cover, whether it is native or introduced, and how it will be altered by the proposed development. Measures for re-vegetation with native plant species will be clearly stated, as well as methods for immediate and long-term stabilization of slopes and control of soil erosion. A landscape architect, landscape designer, botanist or arborist with specific knowledge of native plant species, planting and maintenance methods, survival rates, and their ability to control erosion and sedimentation shall prepare the vegetation report. The applicant shall be responsible for replacing any native plant species that do not survive the first two years after planting, and for ensuring the survival of any replacement plants for an additional two years after their replacement.*

Response: The project complies with this standard. The application includes a geotechnical report that speaks to site hydrology, soils, and vegetation (Appendix A), an existing conditions and grading plan (included in the Civil plan set), a natural resources report (Appendix D), and a preliminary stormwater report (Appendix C) that includes the information requested within this section.

Section 17.60.60: Approval Standards and Conditions

The approval authority may approve, approve with conditions, or deny an application based on the provisions of this chapter. The approval authority may require conditions necessary to comply with the intent and provisions of this chapter.

- A. *Approval Standards. The following approval standards apply to development proposed within restricted development areas of the FSH overlay district.*
1. *Cumulative Impacts. Limited development within the FSH overlay district, including planned vegetation removal, grading, construction, utilities, roads and the proposed use(s) of the site will not measurably decrease water quantity or quality in affected streams or wetlands below conditions existing at the time the development application was submitted.*

Response: The project complies with this standard. The extension of Bell Street will cross an unnamed tributary designated Tributary A in the natural resources report. As proposed a culvert will span more than seven times the average active channel width of the stream and avoid impacts below the Ordinary High Water Mark (OHWM). In-water work will be avoided at this crossing however, approximately 760 square feet of wetland located along both sides of Tributary A will be impacted via roadway fill, culvert footings, retaining walls, and shading of vegetation inside of the culvert. An additional 280 square feet of temporary impacts are anticipated during construction.

The extension of 362nd Drive will cross a second unnamed tributary (designated Tributary B) and a 36-inch diameter culvert will be installed at the tributary crossing. This portion of the project will impact approximately 790 square feet along 100 linear feet of the stream channel. Both crossings impact as little area as possible within the FSH overlay district while still allowing the road to be constructed to City standards and safety requirements.



2. *Impervious Surface Area. Impervious surface area within restricted development areas shall be the minimum necessary to achieve development objectives consistent with the purposes of this chapter.*

Response: Alternatives have been considered for the proposed crossings. The selected design results in the minimum impacts to the resource while still allowing the road to be constructed. Any impervious surface area within the FSH overlay district is necessary to construct the culverts and tributary crossings. This includes the roadway fill, culvert fittings, and retaining walls.

3. *Construction Materials and Methods. Construction materials and methods shall be consistent with the recommendations of special reports, or third-party review of special reports.*

Response: All construction material and methods are consistent with the recommendations of the Geotechnical Report (Appendix A) and the Wetland and Stream Mitigation Technical Memo (Appendix D). This includes design recommendations for foundation, retaining walls, pavement, and infiltration systems. Please see the attached reports for details on proposed and recommended construction materials and methods.

4. *Cuts and Fills. Cuts and fills shall be the minimum necessary to ensure slope stability, consistent with the recommendations of special reports, or third-party review of special reports.*

Response: Proposed cut and fill is minimized to the extent possible that still ensures slope stability and safety requirements. The attached Geotechnical Report (Appendix A) outlines design recommendations and proposed construction, including excavation, trenches and shoring, and structural fill on the project site. Please see the attached report for details on proposed and recommended construction materials and methods.

5. *Minimize Wetland and Stream Impacts. Development on the site shall maintain the quantity and quality of surface and groundwater flows to locally significant wetlands or streams regulated by the FSH Overlay District.*

Response: The project complies with the above criteria. The proposed crossings on the project site are designed to minimize the impacts to the wetlands and tributaries with work avoided within the OHWM that would negatively impact any waterbody on the site.

6. *Minimize Loss of Native Vegetation. Development on the site shall minimize the loss of native vegetation. Where such vegetation is lost as a result of development within restricted development areas, it shall be replaced on-site on a two:one basis according to type and area. Two native trees of at least one and one-half-inch caliper shall replace each tree removed. Disturbed understory and groundcover shall be replaced by native understory and groundcover species that effectively covers the disturbed area.*

Response: The proposed roadway has been designed to minimize the loss of native vegetation. To the extent possible, the design avoids impacting the resource itself and provides wetland and stream mitigation within the



same corridor. Proposed mitigation has been planned to meet the standards of both the City of Sandy and the Department of State Lands.

Section 17.60.70: Floodplain Regulations

This section regulates development within the Area of Special Flood Hazard. [...]

Response: All of the properties within the project area are within Zone X on the Flood Insurance Rate Map (FIRM). The only zones within the floodplain are Zones A, AO, AH, A1-30, AE, A99, and AR. These are not present within the project area. Therefore, this section does not apply to this project.

Chapter 17.84: Improvements Required with Development

Section 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 feet 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 feet 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 four feet in width.*
 - c. *Eliminate landscape strips.*
 - d. *Narrow on-street improvements by eliminating on-street parking.*
 - e. *Eliminate sidewalks.*

Response: Bell Street and 362nd Avenue are both classified as minor arterials in the Sandy TSP, requiring a six foot sidewalk separated from the curb with a planting area and a five foot bike lane. The proposed design of 362nd Avenue and Bell Street include six foot bike lanes on both sides of the street, and a five and a half foot planter strip and six foot sidewalk on one side of the street. The sidewalk and planter strip will be along the southern side of Bell Street and the eastern side of 362nd Avenue. In the future, when development occurs along the Bell Street and 362nd Avenue extension, sidewalks and planter strips will be installed on the opposite side of the proposed street extension.

- 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-way connecting cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 feet wide with eight feet of pavement.*
- 3. Twelve feet wide pathways shall be provided in areas with high bicycle volumes or 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: [...]*

Response: The project complies with this standard. Sidewalks and bike lanes are proposed with the street extensions to allow for safe and convenient pedestrian and bicyclist travel along Bell Street and 362nd Avenue. The bike lanes and sidewalks are six feet in width, meeting the City's dimensional standards for an arterial, and are free from any hazard or interference for travel. Please see the attached civil plan set for details on pedestrian and bicycle facilities on the project 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 17.84.90.D.*
- 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: The project complies with this standard. A proposed multi-use trail is identified on the Transportation System Plan that traverses a portion of the project site. However, none of the individual properties within the project area are proposed to be developed at this time. Therefore, trail linkages are not proposed to occur with the proposed street extensions. The sidewalk proposed with the street improvements will allow for effective pedestrian access and connect with existing sidewalks on Bell Street and the existing signalized pedestrian crossing at Highway 26 (Mt. Hood Highway). These improvements will allow for increased pedestrian, bicycle and vehicular travel within the area.

Section 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.*

Response: The project site does not include any existing or planned public transit routes. Future development of the private properties along the proposed street extension would be required to meet the development standards when and if transit becomes available within the area.

Section 17.84.50: Street Requirements

- A. *Transportation Impact Study (No Dwellings). For development applications that do not propose any dwelling units, the City may require a transportation impact study that evaluates the impact of the proposed development on the transportation system. Unless the City does not require a transportation impact study, the applicant shall prepare the study in accordance with the following:*
 - 1. *A proposal establishing the scope of the study shall be submitted for review to the City Traffic Engineer. The scope shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. Large projects shall assess intersections and street segments where the development causes increase of more than 20 vehicles in either the AM or PM peak hours. Once the City Traffic Engineer has approved the scope of the study, the applicant shall submit the results of the study as part of its development application. Failure to submit a required study will result in an incomplete application. A traffic impact study shall bear the seal of a Professional Engineer licensed in the State of Oregon and qualified in traffic or civil engineering.*
 - 2. *If the study identifies level-of-service conditions less than the minimum standard established in the development code or the Sandy Transportation System Plan or fails to demonstrate that average daily traffic on existing or proposed streets will meet the ADT standards established in the development code, the applicant shall propose improvements and funding strategies for mitigating identified problems or deficiencies that will be implemented concurrent with the proposed development.*
- B. *Transportation Impact Study (Dwellings). [...]*
- C. *Transportation Impact Study (Dwellings)—Discretionary Track. [...]*

Response: The project complies with this standard. A Transportation Impact Study is included with this application as Attachment B. The Study was completed by Brian Copeland, P.E. and Matt Egeler, E.I. from DKS Associates and includes an analysis of the project site under both a no-build scenario and build-out scenario.

- D. *Location of new arterial streets shall conform to the Transportation System Plan in accordance with the following:*
 - 1. *Arterial streets should generally be spaced in one-mile intervals.*



2. *Traffic signals should generally not be spaced closer than 1,500 feet for reasonable traffic progression.*

Response: The project complies with this standard. Both 362nd Avenue and Bell Street are arterials and proposed to be built approximately where they are located as future streets on the City of Sandy's TSP. The street extension does not propose new traffic signalization beyond what is already present at its intersection with Highway 26 (Mt. Hood Highway) .

- E. *Local streets shall be designed to discourage through traffic. [...]*

Response: There are no local streets within the project area. Therefore, this standard does not apply.

- F. *Development sites shall be provided with access from a public street improved to City standards in accordance with the following: [...]*
- G. *As necessary to provide for orderly development of adjacent properties, public streets installed concurrent with development of a site shall be extended through the site to the edge of the adjacent property(ies) in accordance with the following: [...]*
- H. *Where required by the Planning Commission or Director, public street improvements may be required through a development site to provide for the logical extension of an existing street network or to connect a site with a nearby neighborhood activity center, such as a school or park. Where this creates a land division incidental to the development, a land partition shall be completed concurrent with the development.*

Response: As mentioned, none of the individual lots in the project area are proposed to be developed at this time. However, all of the lots will have access from the extension of Bell Street and/or 362nd Avenue which is being constructed as a public street with a modified section to satisfy the project budget. Any development in the future will be required to address the standards of the development code to ensure access and circulation is continued within the area.

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

Response: The project complies with this standard. The proposed street is an extension of two existing streets and will maintain the appropriate street name.

- J. *Location, grades, alignment, and widths for all public streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided the safety and capacity of the street network are 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 six percent on arterial streets, ten 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 feet between the nearest edges of the two rights-of-way.*
4. *Centerline radii of curves shall not be less than 500 feet on arterial streets, 300 feet on collector streets, and 100 feet 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 feet of straight (tangent) alignment perpendicular to the intersection.*
 - b. *The intersection of a local street with another street shall have a minimum of 50 feet 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 feet 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 feet All other intersections shall have a minimum curb corner radius of ten feet.*

Response: Both intersections proposed with this project – SE 362nd Avenue and Highway 26 and SE 362nd Avenue and SE Bell Street – have been designed to be as near right angles as possible while avoiding impacts to wetlands, steep slopes, and private property to the greatest extent possible. Both intersections have over 100 feet of straight alignment perpendicular to the intersection and have a curb corner radius of over 20 feet. Please refer to the attached civil plan set for details on street and intersection alignment.

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.*

Response: The City of Sandy’s Transportation System Plan (TSP) requires minor arterials to have a right-of-way width of 62 to 82 feet. The extension of SE Bell Street has a proposed right-of-way of 68 feet and the extension of SE 362nd Avenue has a proposed right-of-way of 72.3 feet, meeting the TSP requirements for right-of-way dedication. The TSP requires 5-foot-wide bike lanes provided on both sides, 5-foot-wide planter strips, and 6-foot-wide sidewalks. The modified street section only includes sidewalks on one side but includes adequate right-of-way to allow for the ultimate construction of street improvements in line with the TSP as properties are developed along the street extension. For additional details on right-of-way and improvement widths, please see the civil plan set.



Section 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.

Response: The project complies with this standard. A new 12-inch diameter water line will be constructed with the project between the existing 12-inch water line at the east end of Bell Street and an existing 12 inch water line in Royal Lane. A dry sewer will be extended east from the intersection of Bell Street and Royal Lane to the limit of gravity service. When development of the adjacent properties is proposed, it is expected that public utilities will be extended to fully serve the adjacent sites. All public facilities proposed with this project conform to the City's facilities master plan. Please refer to the attached civil plan set for additional details on public utility extensions and location and Appendix C for the Stormwater Management Report.

Chapter 17.92: Landscaping and Screening

Section 17.92.30: Required Tree Plantings

Planting of trees is required for all parking lots with four 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.

<i>Area/Type of Planting</i>	<i>Canopy</i>	<i>Spacing</i>
<i>Street Tree</i>	<i>Medium</i>	<i>30 feet on center</i>
<i>Street Tree</i>	<i>Large</i>	<i>50 feet on center</i>

Trees may not be planted:

- *Within five feet of permanent hard surface paving or walkways, unless specific species, special planting techniques and specifications approved by the Director are used.*
- *Unless approved otherwise by the City Engineer:*
- *Within ten feet of fire hydrants and utility poles*



- *Within 20 feet of street light standards*
- *Within five feet from an existing curb face*
- *Within ten feet of a public sanitary sewer, storm drainage or water line*
- *Where the Director determines the trees may be a hazard to the public interest or general welfare.*
- *Trees shall be pruned to provide a minimum clearance of eight feet above sidewalks and 12 feet above street and roadway surfaces.*

Response: Acknowledged by the applicant. When the individual properties are proposed for development in the project area, street trees and all other applicable landscaping standards of this chapter are expected to be complied with by the developer.

Chapter 17.100: Land Division

Section 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, 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 plat and conditions, the Director shall have the authority to approve final plats and maps for land divisions through a Type I procedure.*

Response: The land will only be divided after the approval of the Type II Major Partition requested with this application. The proposed partition does not leave a structure on a new parcel with less than a minimum lot, yard, or setback requirement of the zoning district. The proposed partition will be processed by approval of a tentative plan prior to the approval of the final land division plat.

Section 17.100.20: Land Division Classification – Type I, II, or III Procedures

- A. *Type I Land Division (Property Line Adjustment). [...]*
- B. *Type I Land Division (Minor Partition). [...]*
- 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:*
 - 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 Replat). [...]*
- E. *Type III Land Division (Major Partition or Subdivision). [...]*
- F. *Type III Land Division (Major Replat). [...]*

Response: The proposed partition of Tax Lot 3200 is considered a Type II Land Division. The extension of Bell Street will bisect the lot and divide the land. The proposed street layout of both 362nd Avenue and Bell Street are consistent with the street pattern adopted as part of the Comprehensive Plan and City TSP, and the resulting lots are large enough that they will comply with the standards of the zoning district.

Section 17.100.30: Property Line Adjustment

Response: There are no property line adjustments proposed with this application. Therefore, this section does not apply, and the code language has been omitted.

Section 17.100.40: Minor and Major Partitions

Approval of a partition is required for a land division of three 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, are classified as Type II, major partitions.

- A. *Preapplication Conference. The applicant for a minor or major partition shall participate in a preapplication conference with City staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. A preapplication conference is required.*

Response: The project complies with this standard. A pre-application conference was held with the City of Sandy on April 6, 2021 to discuss the proposed partition.

- 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.*

Response: The project complies with this standard. All application requirements above are included with this application. Please see the attached civil plan set for a tentative plan for the major partition, information in this narrative to explain the application, and the attached list of property owners.

- C. *Tentative Partition Plan. The tentative plan shall be a minimum of eight and one-half by 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;*
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 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.*

Response: The tentative partition plan with all of the above information is included on the attached site plan.

- 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.*

Response: The proposed partition complies with this standard. The lot proposed to be partitioned is located in the General Commercial (C-2) zoning district. There is no minimum or maximum lot dimensions, therefore both proposed new parcels will satisfy these standards. All other development requirements will be complied with and addressed when development of the lots is proposed in the future.

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

Response: The proposed partition complies with this standard. All applicable design standards set forth in this chapter are met. Please see the responses in this narrative for details on compliance.

3. *Adequate public facilities are available or can be provided to serve the proposed partition.*

Response: The project complies with this standard. Tax Lot 3200 is served by an existing 12 inch sanitary sewer in an easement north of the proposed Bell Street alignment and an existing 12 inch water line in an easement along the east property line.

4. *All proposed improvements meet City standards.*

Response: The project complies with this standard. All City standards, including development standards, utility standards, and roadway standards, are met with this proposed partition. Please see the attached civil plan set and responses to sections of this narrative for details on compliance with City standards.



5. *Traffic volumes shall not exceed average daily traffic (ADT) standards for local streets as detailed in Chapter 17.10, Definitions.*

Response: The proposed extensions of SE Bell Street and SE 362nd Avenue are not expected to increase the average daily traffic (ADT) of the area. However, the proposed street extension and street improvements on SE Bell, SE 362nd, and Highway 26 will allow for the streets to accommodate future development of the properties in the project area. Any future development of the properties will comply with any traffic volume requirements at the time of approval.

6. *The plan preserves the potential for future redivision of the parcels, if applicable.*

Response: The project complies with this standard. Future development and redivision of the parcels are possible.

Section 17.100.50: Nonresidential Partitions and 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 with respect to street, curb, gutter and sidewalk design and construction.*
 4. *Special requirements may be imposed by the 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.*
 7. *Traffic volumes shall not exceed average daily traffic (ADT) standards for local streets as detailed in Chapter 17.10, Definitions.*

Response: The project complies with this standard. The property proposed to be partitioned is zoned General Commercial (C-2). The proposed street pattern of Bell Street running down the middle of the two proposed parcels and 362nd Avenue running along the west side of the southern proposed parcel will allow for a range of



commercial uses to be developed in the future. The right-of-way and pavement width meet City standards and will be able to accommodate a range of vehicle types and traffic volumes anticipated.

Section 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.

Response: The project complies with this standard. The lot proposed to be partitioned is zoned General Commercial (C-2) and the newly created lots comply with all required lot dimensions. There is no development proposed at this time, but any future development would address the design and development standards of the C-2 zoning district. All applicable street standards included in the City of Sandy TSP and any public improvement standards adopted in the Sandy Municipal Code are complied with and addressed in this narrative.

Section 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.*

Response: The project complies with this standard. The extension of 362nd Avenue and Bell Street will include one vehicular lane each way, bike lanes on both sides of the street, and a paved pedestrian sidewalk on one side of the street separated with a planter strip to allow for safe and convenient options for all modes of traffic. The proposed street extension follows the future roadway location within the City of Sandy TSP and logically connect existing streets to better serve future development and spread traffic over more streets and away from Highway 26. Please see the attached civil plan set for details on road connectivity proposed on the project site.

- B. *Transportation Impact Studies. An applicant is required to prepare and submit a transportation impact study in accordance with the standards of Chapter 17.84 unless those standards exempt the application from the requirement.*

Response: The project complies with this standard. A Traffic Impact Analysis in accordance with the standards of Chapter 17.84 is included with this application as Attachment B.



- 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.*

Response: The property is currently farmed, but the proposed street pattern will allow for a wide range of uses permitted in the C-2 zone.

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

Response: The extension of 362nd runs north-south from Highway 26, following a similar pattern in the area. The extension of Bell Street runs approximately east-west with a slight deviation in order to minimize the size of tributary crossings at two different locations. While the proposed layout does not from a grid pattern, it does not preclude future formation of the system and is consistent with the City of Sandy TSP.

- 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.*

Response: The partition of Tax Lot 03200 is proposed because this project is proposing to bisect the current property with a street planned for in the City's TSP. The street extensions are complying with the future street design of the area and promote both a logical and connected pattern of vehicle, pedestrian, and bicycle circulation. The streets that run through the proposed partition connect to the existing portion of Bell Street to the east and Highway 26 to the south. The project complies with this standard.

- 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 that have no future street plan. Streets shall terminate at other streets or at parks, schools or other public land within a neighborhood. 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.*

Response: The Bell Street extension will connect the existing Bell Street to the 362nd Avenue extension. The 362nd Avenue connection will connect the Bell Street extension with Highway 26 and the existing 362nd Drive. Both of the proposed street extensions are planned streets in the Sandy TSP. All of the proposed streets terminate at existing streets.



Section 17.100.130: Easements

A minimum eight 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.

Response: The project complies with this standard. The lots proposed to be partitioned have dedicated an eight foot public utility easement along the property line abutting Bell Street and 362nd Avenue.

Section 17.180: 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.*

Response: The project complies with this standard. The intersection of 362nd Avenue with both Bell Street and Highway 26 are as close to right angles as possible and are not less than 75 degrees. 362nd Avenue is proposed to align with 362nd Drive where they intersect Highway 26 to provide for safer and more convenient vehicular traffic.

Section 17.100.200: Street Surfacing

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

Response: At this time there is not any development proposed with the exception of the street extension. As proposed both the extension of Bell Street and 362nd Avenue will be improved in accordance with City requirements. Both streets will be paved with asphaltic concrete pavement (ACP) and meet all ODOT design standards. Any street proposed with development in the future will address required city development standards.

Section 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.

Response: The project complies with this standard. Street lighting is proposed along both the extension of 362nd Avenue and Bell Street. The proposed street lighting will comply with all applicable standards and specifications on roadway illumination and streetlighting guidelines. Please see the attached civil plan set for details on streetlight location.

Section 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 that is of a size to warrant division into not more than two parcels.*
- D. *Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography or orientation.*
- E. *Lots shall not take access from major arterials, minor arterials or collector streets if access to a local street exists. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Director or the Planning Commission may require that such lots be served by a common access drive in order to limit traffic conflicts on such streets. Where possible, driveways shall be designed and arranged to avoid requiring vehicles to back into traffic on minor or major arterials.*

Response: The project complies with this standard. The proposed partition would create two large lots that have access onto Bell Street. Because of their size and the dimensional requirements of the underlying C-2 zoning, there should be no reason that the resulting lots would not be able to secure building permits easily and meet all dimensional standards of the C-2 zoning district.

Section 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 American Water Works Association and the Oregon Standard Specifications standards of the Fire District, the City, and the 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.

Response: The project complies with this standard. Tax Lot 3200 is served by an existing 12 inch sanitary sewer in an easement north of the proposed Bell Street alignment and an existing 12 inch water line in an easement along the east property line.

Section 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.

Response: The project complies with this standard. As mentioned previously, Tax Lot 3200 is served by existing sanitary sewer and water lines via easements to the north and east of the property.

Section 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.*

Response: The project complies with this standard. Low impact development approach (LIDA) facilities are proposed to treat the impervious surface runoff within several sub-basins. Where open space is limited on the project site (near the proposed intersection of 362nd Avenue and Bell Street) mechanical treatment is proposed. Project detention compliance will be met via two proposed ponds: one located southwest of the new 362nd Avenue and Bell Street intersection and the other northeast of the new culvert crossing at the east project limit. The project also includes the construction of water quality planters, water quality basins, vegetated swales, mechanical treatment facilities, and detention ponds. Drainage facilities within the individual properties will be installed and connected when those properties are developed. Please refer to Sheets C12.0 and C12.1 and the Stormwater Management Report (Appendix C) for details on the proposed storm and drainage improvements.



Section 17.100.260: Underground Utilities

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

Response: When future development of the individual properties is proposed, all utilities could readily be installed underground to serve the sites to the requirements of the utility company.

Section 17.100.270: Sidewalks

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

Response: Sidewalks are proposed on the south side of Bell Street and the east side of 362nd Avenue. Additional sidewalks and planter strips will be installed with future development. On both SE Bell Street and SE 362nd Avenue the proposed sidewalk is six feet in width and the planter strip is 5.5 feet in width. Please refer to Sheet C2.0 of the civil plan set for additional details on sidewalk construction and location along the public streets.

Section 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.

Response: The project complies with this standard. Bicycle lanes are proposed to be constructed on both sides of Bell Street and 362nd Avenue. Please refer to Sheet C2.0 for details on street sections and bicycle lane location.

Section 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 feet on center for all lots.

Response: A planting strip is proposed on Bell Street and 362nd Avenue, requiring the planting of street trees. Please see the response to Section 17.92.30 for details on street trees within the project area.

Section 17.100.310: Required Improvements

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

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



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

Response: The project complies with this standard. All of the applicable required improvements listed above will be installed at no expense to the City and be consistent with the standards of Chapter 17.84 of the Sandy Municipal Code. Any improvements not proposed to be installed with the street extensions will be installed at no cost to the City when development of the properties is proposed.

Chapter 17.102: Urban Forestry

Section 17.102.20: Applicability

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

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

Response: Acknowledge by the applicant. The property site is within the Sandy UGB, is greater than one acre in size, and there are trees proposed to be removed that are greater than 11 inches in DBH. However, all proposed tree removal is required to accommodate the proposed extension of 362nd Avenue and Bell Street. Therefore, this project falls under exception (B)(1) above and is exempt from the requirements of this chapter. All tree retention requirements will still be required at the time of future development of the subject properties. The code language of this chapter has been removed from this application narrative.



III. CONCLUSION

This summary of request and supplemental attachments demonstrates compliance with applicable approval criteria and code standards of a Type II Partition and Flood and Slope Hazard Review. The applicant respectfully requests that the City of Sandy approve the land use application.

