

King City Town Center Staff Report



TO: King City – Planning Commission
FROM: Max Carter – King City Planner
CC: Michael Weston – King City - City Manager
Fulgence Buggingo – King City – City Engineer
SUBJECT: Kingston Terrace Town Center Development Proposal
Application
DATE: April 25th, 2024

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I. Application Information

File Number

LU-2024-01

Request

Seven combined applications are involved:

- Minor Land Partition
- Subdivision
- Development Plan Review
- Upland Wildlife HCA Review
- Kingston Terrace Goal 5 Safe Harbor Review
- Floodplain and Drainage Hazard Review
- Tree Removal Permit

Applicant and Owners

Pamela Verdadero

New Home Company (on behalf of property owners)

15455 Greenbrier Pkwy., Suite 240

Beaverton, OR 97006

503.313.7795

Applicant's Representative

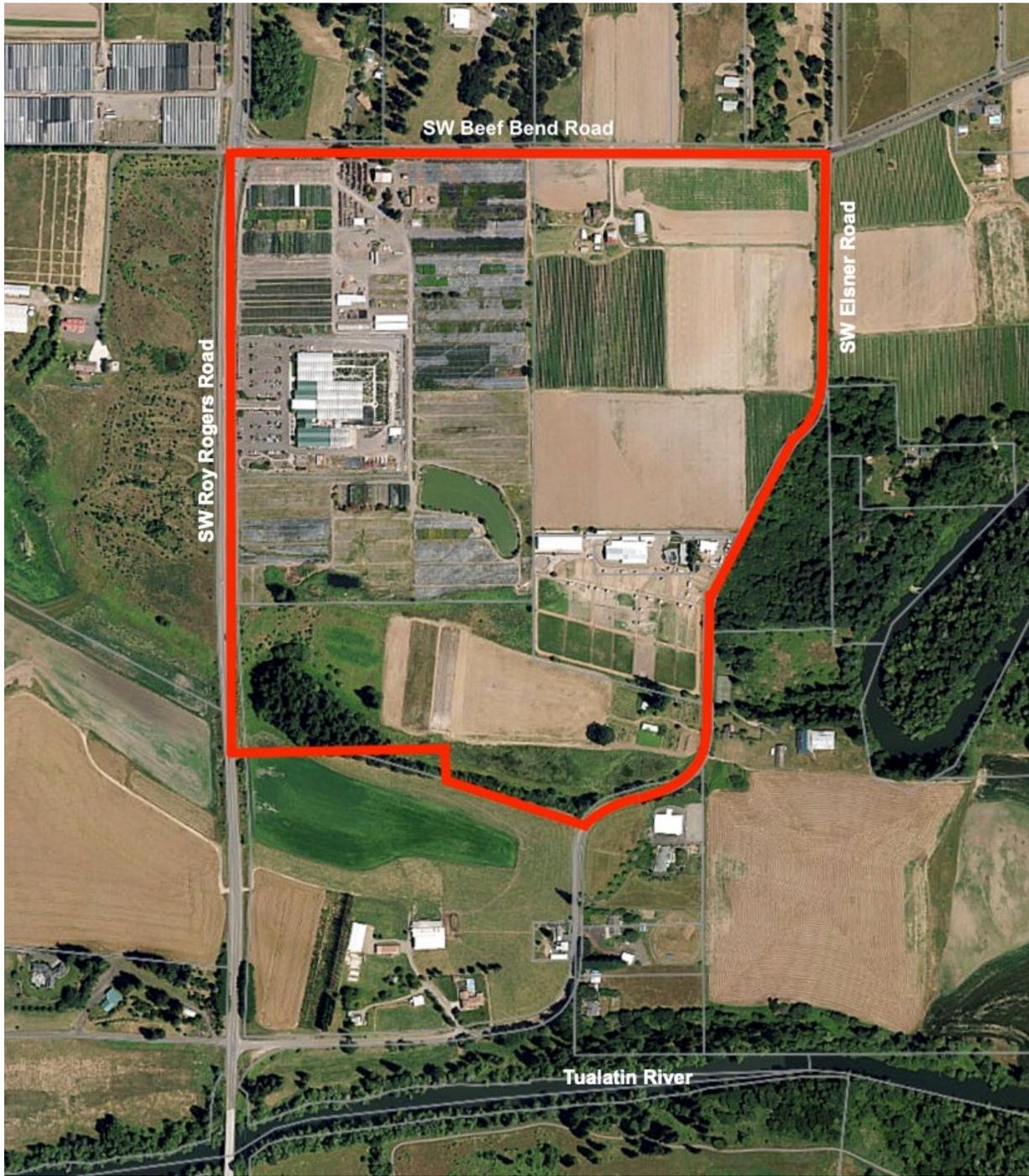
Maureen Jackson, AICP

Pacific Community Design

12564 SW Main Street

Tigard, OR 97223

503.941.9484



Aerial Image of Project Site

Site Description

The applicant is seeking approval of the applications that support the 136.43-acre Town Center development on behalf of the property owners identified in the table below. All properties are designated Kingston Terrace Town Center (KTTC):

| Map and Tax Lot: | Property Owners |
|------------------|--|
| 2S11700203 | Mark L. Crandall, Agent for CTH Investments, LLC |
| 2S11700204 | |
| 2S11700208 | Steve Hasuike, Betty Young, Arthur A. Hasuike, Daniel T. Hasuike, Steve Yukio Hasuike Living Trust, Betty H. Young, and Betty L. Young |
| 2S11700400 | Arthur A. Hasuike, Daniel T. Hasuike, Steve Y. Hasuike, Betty H. Young, and Betty L. Young |
| 2S11801501 | Sean Keys, Manager for MF Beef Bend, LLC |
| 2S11801502 | |

The current primary use of the properties is agricultural. Following are the existing uses and structures located on each property:

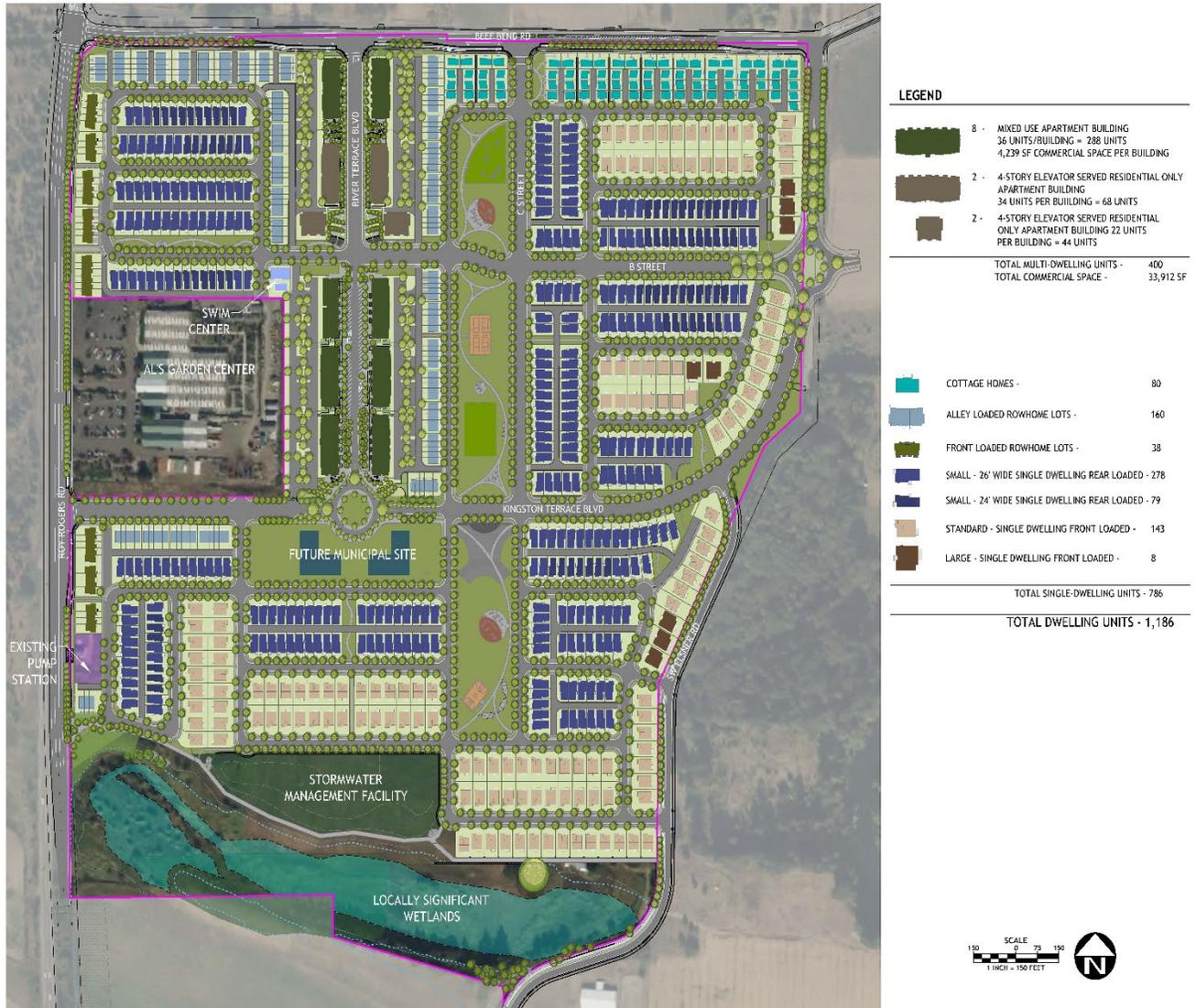
- Tax lots 2S11700203 and 204 contain a single-family residence and structures that support an equestrian boarding operation.
- Tax lot 2S11700208 contains a single-family residence and structures used to support agricultural operations.
- Tax lot 2S11700400 contains two structures used to support agricultural operations.
- Tax lot 2S11801501 contains a commercial building and agricultural pond that supports the nursery operation.
- Tax lot 2S11801502 contains Al's Garden Center, an active commercial nursery enterprise.

Location

South of SW Beef Bend Road, East of SW Roy Rogers Road, and West of SW Elsner Road (Tax Lots listed above).

Zoning

KTTC—Kingston Terrace Town Center



II. Executive Summary

A. Project Overview

The development proposal, which consists of the seven land use actions described below, is subject to the provisions of Title 16 of the King City Municipal Code. In some cases, the Title 16 Community Development Code (CDC) provisions apply to all or several of the seven land use actions, and in others the CDC requirements only apply to one. The applicability of the CDC sections to the seven actions is noted as part of the findings and conclusions for each CDC section.

The applicant is submitting seven land use actions to the City of King City (City). A Development Plan Review, Preliminary Subdivision, Upland Wildlife HCA Review, Kingston Terrace Goal 5 Safe Harbor Review, Floodplain Drainage Hazard Review, and Minor Land Partition applications to support development of a Town Center on tax lots 2S1180001501, 2S1170000203, 2S1170000204, 2S1170000208, and 2S1170000400. (Note: The Minor Land Partition will legally separate tax lot 2S1180001502 from the adjacent parent tax lot; tax lot 1502 is not included in the Development Plan Review or other associated applications).

The Town Center development will contain a total of 1,186 dwelling units. The Town Center will provide a variety of needed single detached and attached housing types including 151 traditional single-detached homes, 357 smaller rear-loaded single-detached homes, 80 unique single-detached small-lot cottage homes, and 198 rowhomes. Four-story elevator served, multi-dwelling and mixed-use buildings along SW River Terrace Boulevard, designed to function as the main street of the Town Center neighborhood, will provide 400 multi-dwelling units. Ground-floor commercial space in the 8 mixed-use buildings will provide 33,912 square feet of commercial space available for small retail sales and services, restaurants, and main street business.

The Town Center development is designed to incorporate a variety of parks and open spaces throughout the neighborhood. Approximately 6.5-acres of park blocks will provide active recreation use with sport courts, play areas, dog park, and passive recreation spaces with shelters, picnic tables and seating. A 1-acre urban park, located adjacent to the future site of the municipal building/ civic center. Over 20,000 square feet of urban plaza space, located adjacent to mixed-use buildings along SW River Terrace Boulevard. Approximately 20-acres of natural open space in the southern portion of the development will contain a regional stormwater facility and provide a natural resource amenity containing benches, natural play areas, and interpretive signage. Pocket parks will be dispersed throughout the development to provide easily accessible open space amenities. Linear greens, pedestrian accessways, and trails are integrated throughout the development to provide safe and convenient pedestrian and bicycle access from SW River Terrace Boulevard and through the Town Center to adjacent neighborhoods, natural areas, and developments.

The Town Center Development proposal is planned to occur in 5 construction phases, with phases 1 & 2 beginning in Summer of 2024. Each phase will occur subsequent of the previous phase and total buildout is projected to be completed by 2030. Further details

regarding the phasing schedule and plan can be found within the application materials in Exhibit C as well as the accompanying Development Agreement between the City and the Applicant. A conceptual Phase 6 is being considered for submittal in the future but is not part of this development proposal.

Extensive public utility infrastructure is proposed, not only to serve the Town Center development, but to provide adequate service extensions to serve future development within Tigard Water and Clean Water Services' service districts. Located in City of Tigard Water District's 410-elevation pressure zone, the project will include a 16-inch water transmission line from SW 150th Avenue along SW Beef Bend Road, 8-inch waterlines extended throughout the Town Center development that will provide a looped system and redundancy for fire suppression, and a 16-inch waterline main extended northward to serve future River Terrace 2.0 development. An 8-inch sanitary sewer line will be extended throughout the development, a 12-inch sewer trunk line will be extended from the existing pump station to serve future development in the Kingston Terrace District east of the Town Center, and a second 12-inch sewer trunk line will be extended northward from the existing pump station to serve future River Terrace 2.0 development. Purple-pipe, used to distribute recycled water, will be located to provide irrigation to public parks and the future municipal site. All public utilities will be extended to serve the site of Al's Garden Center, tax lot 2S11801502. On-site stormwater management will be designed to comply with Clean Water Services construction standards for hydromodification mitigation. All new impervious surfaces will be treated for stormwater quality. Proposed stormwater management facilities include vegetated swales and a regional stormwater dry-detention basin.

B. Development Proposal Exhibits

Exhibits provided in this Development Proposal have been submitted to and evaluated by the City of King City to process Land Use Application LU-2024-01 for the Kingston Terrace Town Center Development Proposal. Certain Exhibits are specifically required by the King City Title 16 Community Development Code (CDC) and are analyzed for compliance with the respective section. Some Exhibits submitted to the City are supplementary or provide supportive information for the Development Proposal. Information contained within these Exhibits has been determined to be sufficient to perform a complete review of all applications contained herein.

The City of King City reserves the right to request additional information from the Applicant or to require additional information be submitted as conditions of approval.

Exhibit A - Signed Application Form

Completed original application forms, signed by all persons required for initiating an application under Section 16.44.010. This is required to initiate development plan review (16.44.030 & 16.144.150). This Exhibit includes signed Land Use Action Application forms submitted by all property owners within the area site and applies to all Applications in this Development Proposal. In total 6 Tax Lots are included for Land Use Actions in these applications. 2S1170000203, 2S1170000204, 2S1170000208, 2S1170000400, 2S1180001501, & 2S1180001502.

2S1180001501 & 2S1180001502 are applying for a Minor Land Partition that will separate the land where Al's Garden & Home is located (1502) from the adjacent Tax Lot (1501).

Exhibit B - Preliminary Title Reports

Exhibit B contains legal descriptions and current Washington County or adjacent jurisdiction's tax map(s) showing the subject properties and all properties within two hundred fifty feet of the subject property as required by 16.44.030 (B.2). Deed restrictions included in this exhibit are required in 16.200.040.

Exhibit C - Site Plans

Exhibit C provides a comprehensive site plan of the Kingston Terrace Town Center Development Proposal. The site plan provides details that are relevant and necessary to a number of applications throughout the proposal. In some cases, the plans presented here are preliminary conceptual plans and subject to change slightly as needed. Plans presented in the exhibit will be further analyzed as development proceeds moving forward and permits are applied to subsequent to this development proposal. Information pertaining to plans within Exhibit C and the respective application can be found in the "Applications Summary" section of this report, as well as in the compliance findings throughout the report.

A detailed Sheet Index can be found on page 2 in Exhibit C which is summarized here:

- Concept Plans: 2.0 - 5.0
- Existing Conditions: 6.0 - 6.4
- Preliminary Plat: 7.0-7.13
- Preliminary Grading Plans: 8.0 - 8.4
- Preliminary Utility Plans: 9.1-10.0
- Circulation Plans: 11.1-11.11
- Preliminary Parking Plans: 12.1-12.4
- Natural Resource Plans: 13.0 - 14.0
- Construction Phasing Plans: 15.1 - 15.3
- Landscape:
 - Street Tree Plans: L1.00 - L1.11
 - Open Space Plans: L2.00 - 2.11
 - Park Blocks Plans: L3.00 - L3.06
 - River Terrace Boulevard Landscape Plans: L4.00 - L4.04
 - Stormwater Management Facility Plans: L5.00 - L5.01
 - Locally Significant Wetland Buffer and Mitigation Planting Plans: L6.00 - L6.01
 - Furnishing Schedules: L7.00 - L7.04
 - Fencing Details: L7.05 - L7.07

Exhibit D - Architectural Plans and Elevations

Drafted by Milbrandt Architects. Exhibit D contains designs for all residential and mixed-use building types proposed in the Kingston Terrace Town Center. Elevations are required for 16.114.150 Development Plan Review and 16.114.090 Upland Wildlife HCA Review. Additionally, comprehensive Development Standards Compliance Matrices are provided that indicate how these designs comply with King City development code requirements set forth in CDC 16.114.060.

The Architectural Elevations illustrate exterior design specifications as well as interior floor plans for each residential dwelling type. Further review of these buildings will be performed upon application for construction permits and more detailed architectural schematics are provided to the City and City Consultants.

Exhibit E - Traffic Impact Analysis

A Traffic Impact Analysis (TIA) is required in 16.114.150 Development Plan Review. This TIA performed by Kittelson & Associates, Inc. provides recommendations for conditions of approval regarding road infrastructure improvements along County Arterials (SW Beef Bend Rd & SW Roy Rogers Rd) and Collectors (SW River Terrace Blvd, SW Elsner Rd, and SW Kingston Terrace Blvd) to accommodate development relative to each construction phase.

Additionally, the TIA provides details on the project site and the relativity of the analysis including scope of the report, analysis methodology, existing conditions, projected conditions, considerations, and recommendations. Ultimately, the TIA concludes that the new neighborhood can be constructed and occupied while maintaining acceptable operations at the study intersections (assuming provision of the recommendations included in the report).

Exhibit F - Traffic Flow Exhibit

Required by 16.114.120 (F.1). Exhibit F illustrates traffic flow (direction of traffic, projected capacity, size of street, street option within CDC chosen) within the Town Center Development.

Exhibit G - Geotechnical Report

A Geotechnical Report is required in 16.114.150 Development Plan Review. This report, performed by NV5, details comprehensive site conditions including geologic setting, surface conditions, subsurface conditions, and infiltration testing at the project site. Findings are documented and based upon the findings design recommendations and construction requirements are prescribed.

Exhibit H - Floodplain Analysis

Analysis completed to access the floodplain elevation at the Kingston Terrace Town Center site. This analysis was performed to determine feasibility of floodplain elevation alterations to accommodate the proposed development and is supplementary to 16.140 Floodplain Drainage Hazard Review.

Exhibit I - Arborist Report

An arborist report is required for tree removal permitting and 16.114.00 Upland Wildlife HCA Review. This report, performed by Todd Prager & Associates, identifies 230 trees total within the survey area, of which 211 are located on the development property. The requested number of trees for removal is 170, therefore 41 trees will be preserved with tree protection fencing during construction and integrated into the Town Center Development. The report details reasons for tree removal (proximity to development), tree protection methods and erosion control.

Exhibit J - Wetland Delineations

Exhibit J contains wetland delineation maps within the study area performed by SWCA Environmental Consultants. These are required in 16.114.080 Kingston Terrace Goal 5 Safe Harbor Review. A letter of Concurrence from the Oregon Department of State Lands to the Applicant confirming water delineations performed by SWCA on the project site.

Exhibit K - Joint Permit Application

A Joint Permit Application sent by the Applicant to the US Army Corps of Engineers, Oregon Department of State Lands, and Oregon Department of Environmental Quality detailing the development proposal, adjacent and affected natural resources (including wetlands), erosion and sediment control plans, environmental mitigation, construction methodology, building plans, infrastructure plans, etc. This is required in 16.114.080 Kingston Terrace Goal 5 Safe Harbor Review.

Exhibit L - Preliminary Stormwater Report

A report detailing analysis performed for the Kingston Terrace Town Center stormwater management facilities to demonstrate compliance with Clean Water Services standards.

Exhibit M - Clean Water Services Service Provider Letter

A Service Provider Letter issued from Clean Water Services to the Applicant. The SPL details pre-development and post-development site conditions, vegetated corridor enhancement square footage, and water quality protection requirements that must be complied with. Additionally, CWS-approved site plans are attached. This is required in 16.114.080 Kingston Terrace Goal 5 Safe Harbor Review and 16.114.150 Development Plan Review.

Exhibit N - Tualatin Fire & Rescue SPL

A Service Provider Permit issued from TVF&R to the Applicant approving the application for Land Use / Building review pending final site inspection.

Exhibit O - Pride Disposal Service Provider Letter

A Service Provider Letter issued from Pride Disposal to the Applicant confirming capability to service lots for single family residential homes. The letter also details access for the multi-family and mixed-use buildings, and outlines requirements for enclosures to be considered suitable.

Exhibit P - Tigard-Tualatin School District Service Provider Letter

A Service Provider Letter issued from TTSD to the Applicant confirming that service level is adequate to serve the proposed project.

Exhibit Q - Community Meeting Materials

Exhibit Q contains materials that were published and distributed in accordance with 16.46 Requirement for Community Meetings. A meeting is to be held prior to development applications being submitted to the City. Exhibit Q also contains affidavits confirming mailing of notices, requisite maps of the project site, physical meeting notices placed at project site, map of distribution of notices, concept plans, and community feedback.

Exhibit R - Photos of Site Conditions

Exhibit R has photos of the project site taken from the public right of way. This is required in 16.114.090 Upland Wildlife HCA Review.

Exhibit S - List of Property Owners (Mailing Labels) within 250-feet of Site

Exhibit S contains a list of adjacent property owners to the project site. These property owners are within the 250' buffer required for mail notice in the King City CDC. This is required in 16.44.030 Processing Development Applications.

Exhibit T - Subdivision Plat Name Reservation

A reservation submitted by Pacific Community Design to the Washington County Surveyor's Office reserving the subdivision name "Kingston Terrace town Center."

Exhibit U - Pre-Application Meeting Notes

A letter sent from City Planning Consultant, Keith Liden to the Applicant Representatives after the pre-application meeting between the Applicant and the City. This letter details the topics and concerns discussed during the meeting, and outlines approval criteria in CDC 16.114 for the application.

Exhibit V - Construction Management Plan

Exhibit V is submitted as supplementary plans to be paired with Exhibit I, Arborist Report. These plans include locations for construction access and storage throughout the project site, and reiterate HCA and Wetland protections, as well as Tree preservation. This is required in 16.114.090 Upland Wildlife HCA Review. A more comprehensive construction management plan will be required upon the time of site development permit submittal.

Exhibit W - Tigard Water District SPL & Preliminary Water Plan

A Service Provider Letter sent from Tigard Water District declaring service level is adequate to serve the proposed project. A Preliminary Water Plan is provided to indicate installation plans for proposed water lines and fire hydrants to service the Kingston Terrace Town Center. This is required in 16.114.150 Development Plan Review

C. Application Summaries

The Applicant is requesting approval of 6 applications and the City of King City has determined that it is appropriate to include a Tree Removal Permit as a 7th application in the Town Center Development Proposal and fees have been issued accordingly. Specific review criteria for each application is listed below, however all applications are subject to all relevant restrictions and processes outlined throughout the King City Community Development Code as they pertain to the Kingston Terrace District Code 16.114. A brief summary of each application as well as respective exhibits for application review follows:

Minor Land Partition

16.200.040

Supporting Exhibits:

Exhibit C, Exhibit T

Summary:

The Applicant is requesting approval of a minor land partition to create two legal lots, tax lot 2S1180001501 and 2S1180001502. The minor land partition is being requested as part of a consolidated development review application for the Town Center development. Minor Land Partition will legally separate tax lot 2S1180001502 from the adjacent parent tax lot; tax lot 1502 is not included in the Development Plan Review or other associated applications. Redevelopment of tax lot 1502, which currently contains Al's Garden Center, is not proposed at this time.

Development Plan Review

16.114.150

Supporting Exhibits:

Exhibits A-W

Summary:

The Applicant is requesting a comprehensive Development Plan Review. This involves City review of all applicable plans and information required in CDC 16.114 and the additional applicable CDC Chapters called for therein. This application includes all applicable required plans, reports, and information. This application was deemed complete on March 26th, 2024, after a review of submitted materials. The required application materials are provided in the application narrative and exhibits.

Preliminary Subdivision

16.196.050

Supporting Exhibits:

Exhibit A, Exhibit B, Exhibit C, Exhibit H, Exhibit I, Exhibit S, Exhibit T

The Applicant is requesting approval of a preliminary plat to be processed. The review of this application involves confirmation that proposed subdivision shall comply with local, state, and federal regulations regarding flood hazard area development, landform alteration within a floodplain, adequate provisions for public facilities and infrastructure, grading plans, comprehensive phasing plans (including public facility development), and confirmation that final plat submittals will reflect the preliminary plat.

Upland Wildlife HCA Review

16.114.090

Supporting Exhibits:

Exhibit A, Exhibit C, Exhibit D, Exhibit I, Exhibit J, Exhibit K, Exhibit M, Exhibit R, Exhibit V

The Applicant is requesting an Upland Wildlife HCA Review. The City will confirm that protection of Habitat Conservation Areas (HCA) is done in a manner that complies with Section 4 of Title 13 of Metro's UGB Functional Plan and CDC 16.114.090. HCA's regulated in 16.114.090 are limited to Class A and B Upland HCAs. Other requirements are enforced by Clean Water Services and the Oregon Department of State Lands.

Kingston Terrace Goal 5 Safe Harbor Review

16.114.080

Supporting Exhibits:

Exhibit C, Exhibit H, Exhibit I, Exhibit J, Exhibit K, Exhibit M, Exhibit R, Exhibit V

The Applicant is requesting a Kingston Terrace Goal 5 Safe Harbor Review. This is to ensure wetland protection for properties contained within the Kingston Terrace Town Center development. A Local Wetland Inventory containing wetland delineations has already been established for all property within the project site. Approvals from City of King City, Clean Water Services, Oregon Department of State Lands, U.S. Army Corps of Engineers, and other local, state, and federal agencies are required for wetland modifications and development.

Floodplain Drainage Hazard Review

16.140

Supporting Exhibits:

Exhibit A, Exhibit C, Exhibit H, Exhibit K, Exhibit M, Exhibit S

The Applicant is requesting a Floodplain Drainage Hazard Review. The subject property includes Flood Hazard Areas located along the southern portion of the project area; therefore, this project is subject to 16.140. This review will comply with local, regional, state, and federal agency standards and regulations as outlined in CDC 16.140.

Tree Removal Permit

16.128

Supporting Exhibits:

Exhibit C, Exhibit G, Exhibit I, Exhibit J, Exhibit K, Exhibit R, Exhibit V

The applicant is requesting a permit to remove 170 trees from the project site. Information regarding the revegetation of the project site with appropriate plants can be found in Exhibit C and measures for protection of remaining trees are described in Exhibits I and V.

III. Agency Comments

The following is a list of responses and comments submitted to the City by various agencies and consultants, along with a brief summary. The full documents can be found in the appendix at the end of this report.

City Engineer Memorandum (Attachment 1)

The City Engineer submitted a memorandum noting a number of applicable engineering requirements and coordination obligations as the applicant finalizes the design and applies for subsequent permits for the project.

Clair Company City Construction Consultant Comments (Attachment 2)

Clair Company identifies requirements outlined in the state building codes. Further comments will be provided upon the review of construction drawings prior to permit issuance.

Oregon Department of State Lands Wetland Land Use Notice Response (Attachment 3)

DSL identifies wetlands within the Project Site and a state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Oregon Department of Transportation Formal Response (Attachment 4)

ODOT recommends additional traffic impact studies be performed along the 99W corridor at the intersections of SW Beef Bend Rd, SW Royalty Pkwy, and SW Fischer Rd. If the study finds that mitigation is necessary, ODOT will require the applicant to construct traffic control devices with adherence to ODOT standards.

Washington County Comments and Conditions of Approval (Attachment 5)

Washington County has submitted conditions of approval for the street improvements along SW Beef Bend Rd, SW Roy Rogers Rd, and SW Elsner Rd.

IV. Findings and Conclusions

After careful review of the application the City Staff has determined that all relevant CDC requirements have been satisfied. It is important to note that many of these plans are considered preliminary only and will be subject to further review upon submittal of subsequent permit applications. Additional materials will include (but not be limited to) detailed construction plans, landscaping plan, grading plans, updated Traffic Impact Analysis, approval letters from Clean Water Services, Washington County, Oregon Department of Transportation and other respective State and Federal agencies. All additional materials will be analyzed and approved by the respective approval authority (City Engineer, City Construction Consultant, CWS, TVF&R, etc.) More details describing the subsequent requirements of the applicant are listed in section V of this report.

The applicant's narrative addresses purpose statements in the CDC, but because they are not application approval criteria, they are not all addressed in this report. In addition, application administration and submittal requirements are also addressed in the applicant's narrative, but not in this report in the interest of brevity. The city staff agrees with the responses in the application narrative regarding administration and submittal requirements, and there is no need to repeat them in this report. Additionally, the application was deemed complete on March 26th, 2024, because the required application materials are provided in the application narrative and exhibits. The seven land use applications are being processed together as provided in the CDC.

CHAPTER 16.46 REQUIREMENT FOR COMMUNITY MEETINGS

16.46.010 Community meeting required.

The following types of development applications inside the UGB shall be subject to a requirement for a community meeting:

- C. Development Plan in Kingston Terrace**
- E. Subdivision.**

Response: This Development Plan Review and Subdivision applications for the proposed Town Center development require a community meeting. This meeting was held on January 11th, 2024. Information about this meeting can be found in the Exhibit Q of the submittal.

16.46.020 Proof of meeting.

- A. Copy of notice of community meeting posted;**
- B. Copy of notice mailed to neighbors;**
- C. Affidavit, signed by applicant that notice was mailed and posted as required. The affidavit shall be notarized; and**
- D. Copy of meeting minutes and notes taken to provide a record, including names and addresses of people attending and all issues raised.**

Response: Exhibit Q of this submittal includes the requisite materials needed to satisfy this criterion. These materials include:

- Copy of the notice of community meeting
- Copy of notice mailed to neighbors within 250' of project site
- Affidavit of notice mailing provided by Washington County and notarized by the State of Oregon
- Affidavit of posting notice provided by Washington County and notarized by the State of Oregon, a mailing list to all addresses within a 250' buffer surrounding the project site
- Copy of presentation
- Copy of meeting minutes including attendees and notes taken

Staff finds these materials to sufficiently satisfy this criterion.

16.46.040 Notices.

The applicant shall post a notice of the community meeting on the site of the proposed development not less than twenty calendar days prior to the meeting. The notice shall state that the site may be subject to a proposed development, shall indicate the date, time and location of a community meeting, and shall indicate the name of the applicant and telephone number where applicant or its representative may be reached for more information. Not less

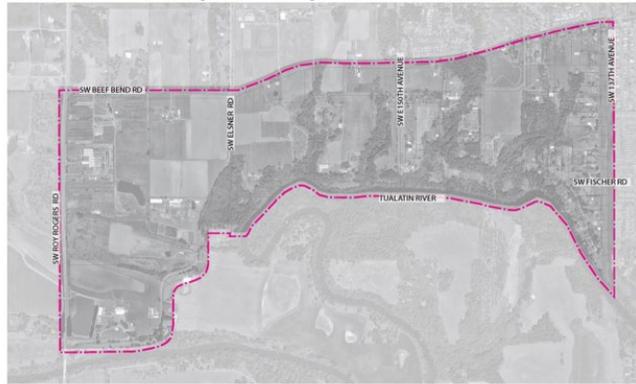
than twenty calendar days prior to the meeting, the applicant shall mail written notice of the meeting to the city manager and to all neighbors within two hundred and fifty feet of the property that is proposed to be developed. In addition to the information posted on the site, the notice shall also provide tax lot number(s) of the proposed site, site address, acreage, current land use designation, and a brief description of the nature of the proposed development.

Response: Exhibit Q Neighborhood Meeting Affidavit of Posting Notice indicates that the posting of the meeting took place on December 19th, 2023. All requisite information in this subsection is accounted for on the meeting notice. Exhibit Q Neighborhood Meeting Affidavit of Mailing indicates that the mailing notice took place on December 19th, 2023. All requisite information in this subsection is accounted for in the mail notice.

December 19th, 2023 is 23 days prior to the meeting date of January 11th, 2024 which falls within the 20 day minimum requirement in this subsection. The information contained within the notification documents in Exhibit Q are sufficient to satisfy this criterion.

CHAPTER 16.114 KINGSTON TERRACE DISTRICT CODE

Figure 16.114-1 Kingston Terrace Plan District



Kingston Terrace District code applies to all new development located within Kingston Terrace. The applicant is proposing new development within the Kingston Terrace District, specifically this proposal is located entirely within the Town Center Neighborhood zone and the relevant criteria for that neighborhood apply.

The purpose of this chapter is to create a district wide level of development and design standards that reflect the City's goals, policies, and implementation measures outlined in the Kingston Terrace Master Plan. These standards support development of a vibrant and dynamic residential community that includes opportunities for retail, neighborhood servicing commercial, and municipal uses. Provide a wide range of housing types that are attainable to a diversity of households. Facilitate connectivity for all modes of travel throughout the community. Integrate and connect open spaces and natural areas with built space while supporting environmental sustainability and climate resiliency approaches. Provide for orderly and efficient extension of public services, facilities, and utilities and ultimately provide a clear and objective permitting path for development to occur. Table 16.114-1 illustrates the applicability of criteria in separate community design code outlined in Title 16 of the King City Municipal Code. The applicable criteria are addressed throughout this report.

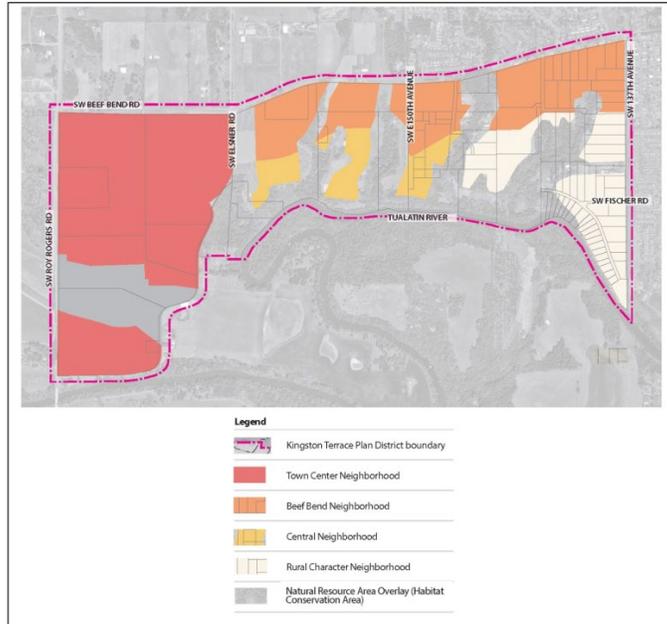
Table 16.114-1 Applicable Title 16 - Community Development & Zoning Code

| Standard | Code Section | |
|--|---------------------|---|
| Introduction and General Provisions | Article I. | Applies. |
| Procedures | Article II. | Modified by Section 16.114.150 |
| Land Use Districts | Article III. | Only Sections 16.80, 16.82, 16.84.060, and 16.114 apply. |
| Development Standards | Article IV. | |
| Solar Balance Point Standards | 16.116 | Exempt. |
| Manufactured/ Mobile Home Regulations | 16.120 | Applies. |
| Landscaping and Beautification | 16.124 | Applies. |
| Tree Removal | 16.128 | Applies. |
| Parking and Loading | 16.132 | Exempt. Superseded by Section 16.114.130 |
| Standard | Code Section | |
| Circulation and Access | 16.136 | Applies except for 16.136.030, 16.136.040, and 16.136.050.C.6 |
| Access standards – Residential | 16.136.030 | Exempt. Superseded by Section 16.114.120 |
| Access standards – Non-residential. | 16.136.040 | Exempt. Superseded by Section 16.114.120 |
| Design standards. | 16.136.050.C.6. | Exempt. Superseded by Section 16.114.060 |
| Floodplain and Drainage Hazard Area | 16.140 | Applies. |
| Goal 5 Safe Harbor Review | 16.142 | Exempt. Superseded by Section 16.114.080 |
| Vision Clearance | 16.144 | Applies. |
| Residential Density Calculation | 16.146 | Exempt. Superseded by Section 16.114.050 |
| Signs | 16.148 | Applies. |
| Planned Development | 16.150 | Exempt. Superseded by Section 16.114.150 |
| Development Review | Article V. | |
| Site Plan Review | 16.152 | Exempt. Superseded by Section 16.114.150 |
| Conditional Uses | 16.156 | Applies. |
| Nonconforming Situations | 16.160 | Applies. |
| Variance | 16.164 | Applies. |
| Temporary Uses | 16.168 | Applies. |
| Home Occupations | 16.172 | Applies. |
| Accessory Structures | 16.176 | Applies. |
| Accessory Dwelling Units | 16.178 | Applies. |
| Communication Facilities and Structures | 16.179 | Applies. |
| Fences and Walls | 16.180 | Applies. |
| Patio Covers and Patio Enclosures | 16.184 | Exempt. |
| Decks/ Spas and Hot Tubs | 16.188 | Exempt. |
| Annexation | 16.192 | Applies. |
| Land Division | Article VI. | |
| Subdivision | 16.196 | Applies. |
| Major and Minor Land Partitions and Lot | 16.200 | Applies. |
| Neighborhood Circulation | 16.212 | Applies as modified by Section 16.114.120 |
| Development | | |
| Public Facilities and Services | Article VII. | |
| Improvements | 16.208 | Exempt. Superseded by Section 16.114.140 |

16.114.030 Neighborhood Zones

A. Figure 16.114-2 illustrates the general boundaries of the Kingston Terrace Town Center (KTTC), Beef Bend Neighborhood (KTBB), Central Neighborhood (KTC) Rural Character Neighborhood (KTRC), and Natural Resource Area Overlay district boundaries.

Figure 16.114-2 Neighborhood Zones



Response: All properties included in this application package are located within the boundaries of the Kingston Terrace Town Center (KTTC) Neighborhood zone and the respective criteria for that zone.

16.114.040 Uses

A. Uses Allowed Outright (Y). Allowed uses in the Kingston Terrace District are shown in Table 16.114-2. A permitted use is a use which is allowed outright but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, as shown in Table 16.114-2, it may be held to a similar unlisted use under the provisions of Chapter 16.82.

Table 16.114-2 Uses in Kingston Terrace District

| Uses | Town Center Neighborhood | Beef Bend Neighborhood | Central Neighborhood | Rural Character Neighborhood |
|---|--------------------------|------------------------|----------------------|------------------------------|
| Dwelling, single-family detached ¹ | Y | Y | Y | Y |
| Dwelling unit, accessory ¹ | Y | Y | Y | Y |
| Dwelling, single-family attached ¹ | Y | Y | Y | Y |
| Duplex, Triplex, Fourplex ¹ | Y | Y | Y | Y |
| Cottage cluster ^{1, 2} | Y | Y | Y | Y |

¹ As defined by 16.24.030 (C)

² Cottage clusters are subject to the development and design standards in 16.84.060 - Cottage clusters.

| Uses | Town Center Neighborhood | Beef Bend Neighborhood | Central Neighborhood | Rural Character Neighborhood |
|--|--------------------------|------------------------|----------------------|------------------------------|
| Dwelling, multi ¹ | Y | Y | Y | CU |
| Manufactured home ¹ | Y | Y | Y | Y |
| Retail sales and service excluding drive-through facilities ³ | Y | Y | N | N |
| Office | Y | Y | N | N |
| Motel ⁴ | Y | CU | N | N |
| Quick vehicle servicing ⁵ | Y | N | N | N |
| Live-work unit ⁶ | Y | Y | Y | Y |
| Family care | Y | Y | Y | Y |
| Residential facility | Y | Y | Y | Y |
| Adult day care (family care) | Y | Y | Y | Y |
| Religious assembly ⁷ | Y | Y | CU | CU |
| Schools ⁸ | Y | CU | CU | CU |
| Community services ⁹ | CU | CU | CU | CU |
| Public safety facility ¹⁰ | Y | Y | CU | CU |
| Hospital ¹¹ | Y | Y | CU | CU |
| Utilities ¹² | CU | CU | CU | CU |
| Parks and open space ¹³ | Y | Y | Y | Y |

Response: All proposed uses in the Town Center development are allowed in the Town Center Neighborhood zone. Uses include 151 traditional single-detached homes, 357 smaller rear-loaded single-detached homes, 80 unique single-detached small-lot cottage-style homes, 198 rowhomes, 544 multi-dwellings in 4 residential-only and 8 mixed-use buildings, and 33,912 square feet of commercial area suitable for retail sales and service or office space on the ground floor of the 8 mixed-use buildings, and over 28-acres of public parks and open space.

No outdoor activities, storage, or displays are proposed in relation to the retail sales and services at this time. These proposals will be included in future subsequent applications provided by private businesses and stakeholders not connected to this specific application or applicant.

The proposed parks and open space comply with the standards of Section 16.114.110 as demonstrated later in this report.

³ Retail sales and service uses are subject to Additional Requirements of Section 16.114.040.D and liquor license review according to Chapter 5.05 of this Title.

⁴ Subject to approval standards of Section 16.156.060.E.

⁵ Subject to approval standards of Section 16.156.060.I.

⁶ Subject to Chapter 16.172 approval criteria and standards.

⁷ Subject to approval standards of Section 16.156.060.J.

⁸ Subject to approval standards of Section 16.156.060.L.

⁹ Subject to approval standards of Section 16.156.060.A.

¹⁰ Subject to approval standards of Section 16.156.060.H.

¹¹ Subject to approval standards of Section 16.156.060.C.

¹² Subject to approval standards of Section 16.156.060.N.

¹³ Subject to approval standards of Section 16.114.110.

16.114.050 Density and Dimensional Standards

- A. The minimum net density for development in the Kingston Terrace District is noted in Table 16.114-3.
- B. Net Density is defined as gross area less streets (public and private), parks, and open space, storm facilities, natural resources, and uses that are not residential (i.e. Clean Water Services (CWS) pump station and area designated for municipal uses). It is represented as numbers of dwelling units per net acre.

Table 16.114-3 Density Requirements Per Neighborhood

| | Town Center | Beef Bend Neighborhood | Central Neighborhood | Rural Character Neighborhood |
|--|--------------------|-------------------------------|-----------------------------|-------------------------------------|
| Minimum net density assigned to each development (dwelling units per net acre) | 22 | 18 | 10 | 8 |
| Minimum number of units that must be accommodated by each neighborhood | 1,870 | 1,260 | 350 | 320 |

Response: As illustrated on Density Calculations Maps & Tables, (Exhibit C, Sheet 3) the proposed Town Center development will provide in Phases 1-5:

- 1186 dwelling units
- 786 single attached and detached dwellings and
- 400 multi-dwelling unit

Resulting in 21.72 dwelling units per net acre.

The applicable code for density calculation and adherence to density requirements can be found in CDC 16.146 – Residential Density Calculation. 16.146.030 outlines the City calculation methods used when a new development is proposed. Sheet 3 illustrates that the development contains a gross acreage of 136.43. The acreage is subdivided by land use. The division is broken down as:

- Streets and Alleys – 43.22 Ac.
- Parks, Open Spaces, Natural Resource Areas – 35.03 Ac.
- Non-Residential Use Area (Municipal Site, Loading Zones, Garbage, Commercial Parking, CWS Pumpstation, etc.) – 3.58 Ac.

According to 16.146.030(B), these divisions are used for non-residential purposes and are exempt from applicability factored into the residential density calculations, which leaves the “Net Developable Area” at 54.60 acres. Phases 1-5 ultimately will net a density of 21.72 dwelling units per acre.

16.146.030(F) dictates that when calculating density for a development, the number of units shall be rounded to the next whole number when calculations result in a fraction of one-half or more. As such, the minimum density of 22, required in the Town Center Zone is met by this development proposal. Staff finds this criterion satisfied.

C. The dimensional standards for residential use type development in the Kingston Terrace District is noted in Table 16.114.-4.

Table 16.114-4 Dimensional Standards¹⁴

| Dimensional Standards | Town Center | Beef Bend Neighborhood | Central Neighborhood | Rural Character Neighborhood |
|--|---------------------|-------------------------------|-----------------------------|-------------------------------------|
| Residential Use Types | | | | |
| Minimum lot size, in square feet ¹⁵ | 1,500 ¹⁶ | 1,500 ¹⁶ | 2,400 | 2,400 |
| Minimum lot width, in feet | 20 ¹⁷ | 20 ¹⁷ | 20 ¹⁷ | 20 ¹⁷ |
| Minimum lot depth, in feet | 45 | 45 | 60 | 60 |
| Front yard setback, front yard to residential building, minimum/maximum, in feet | 10/26 | 10/26 | 10/26 | 10/26 |
| Front yard setback, to porch, minimum/maximum, in feet | 5/15 | 5/15 | 6/15 | 6/15 |
| Front yard setback, to garage, minimum, in feet | 18 | 18 | 18 | 18 |
| Corner lot setback—front yard/side yard, minimum, in feet | 8 | 8 | 8 | 8 |
| Corner lot setback—garage, minimum, in feet | 18 | 18 | 18 | 18 |
| Side yard, interior—minimum, in feet ¹⁸ | 0 or 3 | 0 or 3 | 0 or 3 | 5 ¹⁹ |
| Side yard – to public street, minimum, in feet | 5 | 5 | 5 | 5 |
| Rear yard—to residential building, minimum, in feet ²⁰ | 10 | 10 | 10 | 10 |
| Rear yard—to garage entry on alley, minimum, in feet ²¹ | 0-6 | 0-6 | 0-6 | 0-6 |
| Rear yard – to residential building or covered patio on | 3 | 3 | 3 | 3 |

¹⁴ In addition to the setback standards of Table 16.114-4, building setbacks for each type of structure must comply with the current Oregon Building Code.

¹⁵ Minimum lot size for residential land use types.

¹⁶ The minimum lot size for “Dwelling, single-family attached, Duplex, Triplex, and Fourplex” land use types may be reduced to 1,000 square feet.

¹⁷ The minimum lot width for “Dwelling, single-family attached, Duplex, Triplex, and Fourplex” land use types may be reduced to 15 feet.

¹⁸ There is no minimum setback for zero foot setback buildings. In all cases, zero foot setback buildings shall either: (1) be attached at the property line; or (2) have a total minimum separation of 6 feet between buildings.

¹⁹ Side yard of 5 feet for a single-story structure, and 10 feet for two-story structures.

²⁰ Zero feet for a detached accessory dwelling unit or building less than or equal to 18 feet in height.

²¹ Zero to 6 feet or greater than 18 feet to a garage entrance to an alley.

| Dimensional Standards | Town Center | Beef Bend Neighborhood | Central Neighborhood | Rural Character Neighborhood |
|--|-----------------|------------------------|----------------------|------------------------------|
| alley, minimum in feet | | | | |
| Dwelling, multi, Mixed-Use, and Commercial Use Types | | | | |
| Minimum lot size, in square feet | None | None | N/A | N/A |
| Minimum lot width, in feet | None | None | N/A | N/A |
| Minimum lot depth, in feet | None | None | N/A | N/A |
| Front setback, minimum/ maximum, in feet | 0/20 | 0/20 | 0/20 ²² | N/A |
| Side yard, interior – minimum, in feet | 0 ²³ | 0 ²³ | 0 ^{22, 23} | N/A |
| Rear setback, minimum, in feet | 0 ²³ | 0 ²³ | 0 ^{22, 23} | N/A |
| All Use Types | | | | |
| Maximum building height, in feet | N/A | 45 | 35 | 35 |
| Maximum height, accessory structures and detached accessory dwellings, in feet | 25 | 25 | 25 | 25 |
| Maximum coverage of buildings and impervious surfaces ²⁴ | 90% | 90% | 90% | 80% |
| | | | | |

Response: The dimensional standards of the buildings proposed in the Town Center area will be further evaluated as development permit, and construction permit applications are submitted to the City in the future. Those applications will contain more detailed schematics and architectural drawing which will be heavily assessed by City Staff, City Engineers, and City Building Consultants.

Preliminary Plat, Sheets 7.0 through 7.13 in Exhibit C illustrates that single detached dwelling lots are at least 1,500 square feet in size, measuring at least 20 feet in width and 45 feet in depth. The preliminary plat also illustrates that single attached dwelling lots are at least 1,000 square feet in size, and measure at least 15-feet in width and 45-feet in depth. The smallest lot, which measures 1,097 square feet contains an attached single dwelling with a footprint of approximately 675 square feet, resulting in a buildings coverage of 62 percent. The narrowest lots contain the Alley Loaded Rowhomes (attached dwelling units) which do not fall below the 15' minimum width required. The shallowest lots in terms of depth contain the Cottage Homes

²² Applicable to Dwelling, multi in Central Neighborhood. Mixed-use and commercial not permitted in Central Neighborhood.

²³ Minimum 20 foot setback when abuts residential use.

²⁴ Maximum coverage dimensional standards do not apply to Cottage Clusters.

and do not fall below the 45' minimum depth required. All other land use types contained within the proposal fall well within the lot size parameters outlined in this section.

The proposed development includes 4-story mixed-use and multi-dwelling buildings and attached and detached single-family dwellings. All of the proposed homes and buildings are less than 65-feet tall as noted in Architectural Plans & Elevations (Exhibit D).

Lot Setback Plans, (Exhibit C, Sheets 2.21-2.23) illustrate how the proposed residential, mixed-use, and multi-dwelling buildings proposed in the Town Center development comply with the setback standards of Table 16.114-4. The City finds these sheets sufficiently show compliance with setback parameters as outlined in this section. A summary of the setbacks illustrated on the typical lot plans is provided in Table 6 below:

| Setback Product | Front Yard | | | Corner Lot | | Side Yard | | Rear Yard | | |
|--|----------------------------|-------------------------|------------------------|----------------------------------|------------------|--------------------|----------------------------------|--------------------------|---------------------------------------|--|
| | to Building (Min./Max.) | to Porch (Min./Max.) | to Garage (Min.) | Front/ Side Yard (Min.) | Garage (Min.) | Interior (Min.) | to Public Street (Min.) | to Building (Min.) | to Garage on Alley (Min.) | to Building or Covered Patio on Alley (Min.) |
| Small Single Dwelling Rear Loaded | 10-ft./ 26-ft. | 5-ft./ 15-ft. | n/a | 8-ft. | n/a | 3-ft. | 8-ft. | n/a | 6-ft. | 3-ft. |
| Std. or Large Single Dwelling Front Loaded | 10-ft./ 26-ft. | 5-ft./ 15-ft. | 18-ft. | 8-ft. | n/a | 3-ft. | 8-ft. | 10-ft. | n/a | n/a |
| Single-Attached Dwelling Rear Loaded - No Parking | 10-ft./ 26-ft. | 5-ft./ 15-ft. | n/a | 8-ft. | n/a | 0 or 3-ft. | 8-ft. | n/a | 6-ft. | 3-ft. |
| Single-Attached Dwelling Front Loaded - With Parking | 10-ft./ 26-ft. | 5-ft./ 15-ft. | 18-ft. | 8-ft. | n/a | 0 or 3-ft. | 5-ft. | 10-ft. | n/a | n/a |
| Single-Attached Dwelling Rear Loaded - With Parking | 10-ft./ 26-ft. | 5-ft./ 15-ft. | n/a | 8-ft. | n/a | 0 or 3-ft. | 5-ft. | n/a | 18-ft. | 3-ft. |

| | | | | | | | | | | |
|-------------------------------------|---------------|--------------|-----|-------|-----|------------|-------|-------|-------|-----|
| Small Detached Dwelling (Cottage) | 10-ft./26-ft. | 5-ft./15-ft. | n/a | n/a | n/a | 0 or 3-ft. | 5-ft. | n/a | 6-ft. | n/a |
| Multi Dwelling/ Mixed Use Buildings | 0/ 20-ft. | n/a | n/a | 0-ft. | n/a | 0-ft. | 0-ft. | 0-ft. | n/a | n/a |

Table 1. Setback Standards Provided for Proposed Town Center Development

Staff finds that the criteria for setback dimensions are satisfied.

16.114.060 Design Purpose, Applicability, and Standards

A. Design purpose. Site design standards are intended to facilitate the development of attractive buildings that encourage multimodal transportation. They encourage good site design, which contributes to livability, safety, and sustainability; helps create a stronger community; and fosters a quality environment for residents and neighbors. Site design shall meet the following objectives:

1. Livability
2. Safety and Functionality
3. Sustainability

B. Development in the Kingston Terrace District requires a minimum level of design. These design standards are intended to promote attention to detail, human-scale design, street visibility, and privacy of adjacent properties, while affording flexibility to use a variety of architectural styles. Development in Kingston Terrace District should integrate the following design objectives:

1. Articulation.
2. Eyes on the street/transparency.
3. Main entrance.
4. Detailed design.
5. Transitional Space.
6. Private and common open space.

C. Applicability.

1. The following set of “fundamental” design standards are applicable to development within the Kingston Terrace District:

- a. Articulation,
- b. Eyes on the street or transparency,
- c. Main entrance,
- d. Detailed design,
- e. Transitional space,
- f. Private open space, and
- g. Common open space.

2. **Applicability concept.** The design standards apply to building types as noted in Table 16.114-5. Buildings that meet the applicability provisions in Table 16.114-5 shall

incorporate the following design standards. The graphics provided are intended to illustrate how development could comply with these standards and should not be interpreted as requiring a specific architectural style. An architectural feature may be used to comply with more than one standard.

3. Table 16.114-5 identifies where building design standards apply to development in the Kingston Terrace District. These design standards shall be considered in addition to the dimensional requirements in Section 16.114.050.

[1] Applicable to the entire site.

[2] Applicable to building elevations facing public rights-of-way. Development with multiple street frontages must comply with the design standard requirements along the higher street classification; except for, the main entrance design standards may apply to the elevation fronting a lower street classification if on-street parking is not available on the higher classification street. In this case, one additional detailed design element will be provided on the building elevation fronting the higher street classification.

- i. Dwelling, multi, mixed-use and commercial developments shall comply with the on-site bicycle and pedestrian neighborhood circulation standards of section 16.114.120.H.

[3] Applicable to building elevations containing a primary entrance.

[4] Applicable to building elevations facing public parks and open spaces.

[5] Applicable to dwellings in a cluster or grouping, either facing a shared open space (e.g. a common courtyard) or a pedestrian path.

[6] Applicable to ground floor dwellings with a primary entrance with access from the street or shared open space (e.g. a common courtyard), is located:

- i. Within 10 feet of the street-facing property line, or
- ii. Within the front yard setback, or
- iii. Within 10 feet of a shared open space common tract or easement.

2. Table 16.114-5 Applicable Building Design Standards

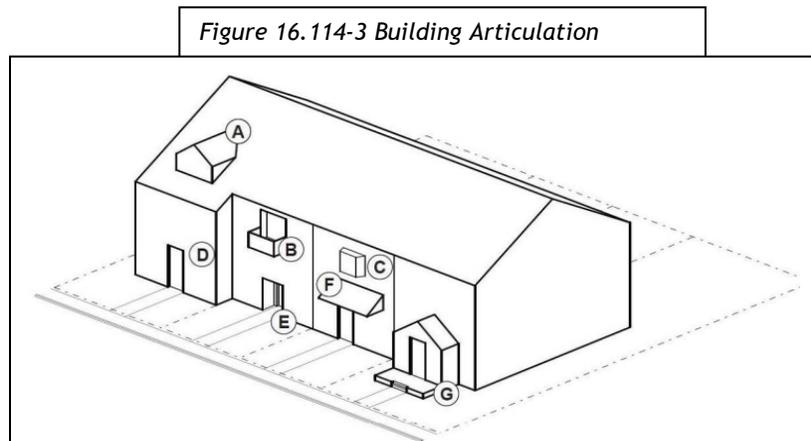
| Design Standard | Applicability | | | | | |
|----------------------------------|----------------------------------|----------------------------------|-----------------|-----------------------------------|------------------------------------|-----------------------------------|
| | Dwelling, single-family detached | Dwelling, single-family attached | Dwelling, multi | Mixed-use Building or Development | Commercial Building or Development | Municipal Building or Development |
| Articulation | [2][3][4] | [2][3][4] | [2][3][4] | [2][3][4] | [2][3][4] | [2][3][4] |
| Eyes on the street/ Transparency | [2][3][4] | [2][3][4] | [2][3][4] | [2][3][4] | [2][3][4] | [2][3][4] |
| Main entrance | [2][3][4] | [2][3][4] | [2][3] | [2][3] | [2][3] | [2][3] |
| Detailed design | [2][3][4] | [2][3][4] | [2][3] | [2][3] | [2][3] | [2][3] |
| Transitional space | [2][3][4][5][6] | [2][3][4][5][6] | [2][3][4][5][6] | NA | NA | NA |
| Private open space | NA | NA | [1] | [1] | NA | NA |
| Common open space | NA | NA | [1] | [1] | NA | NA |

Response: This code section explains where design standards apply to individual building types within the Kingston Terrace District. As noted, design standards may apply to the entire site or a

specific elevation. The proposed Town Center development's compliance with the applicable design standards is demonstrated in response to Section 16.114.060.D.

D. Design Standards:

- 1. Articulation. Buildings shall incorporate design elements that break up façades into smaller planes. See Figure 16.114-3 for illustration of articulation elements:**



- (A) A gabled dormer.
 - (B) Balcony that is at least 2 feet deep and accessible from an interior room.
 - (C) Bay window that extends at least 2 feet from façade.
 - (D) A façade offset that is recessed by at least 2 ft deep and 6 ft long.
 - (E) Recessed entryway that is a minimum of 4 feet deep.
 - (F) A covered entryway that is a minimum of 4 feet deep.
 - (G) A porch that is at least 5 ft deep.
- a. For buildings with 60 feet of street frontage or less, a minimum of 1 design element shall be provided along the street-facing façades.
 - b. For buildings with over 60 feet of street frontage, at least 1 design element shall be provided for every 30 feet of street frontage.
 - c. Design elements shall be distributed along the length of the façade so that there are no more than 30 feet between 2 elements.
 - d. For buildings with less than 30 feet of street frontage, the building articulation standard is not applicable.

Response: Architectural Plans & Elevations (Exhibit D), contains illustrations and compliance matrices which indicate compliance with this section. Further analysis of architectural standards will be performed in the future upon submittal of construction permits to the City.

The articulation design standards apply to building types proposed in the Town Center development, except for the 24-foot and 26-foot-wide alley loaded single-detached dwellings and the 1,000-square foot cottages, which are located on lots with less than 30-feet of frontage. The articulation standards apply to elevations that front public rights-of-way, contain a primary entrance, or front public parks and open spaces. The development standards compliance matrices (Exhibit D, Sheets A-2 - A-5) identify the architectural design elements used to comply with the articulation standards.

Staff finds that the compliance matrices provided in Exhibit D sufficiently indicate compliance

with design standards in this section. In most cases architectural elements incorporated to the designs of these plans exceed minimum standards required by this section.

The mixed-use and 34-unit multi-dwelling buildings are designed with balconies, façade offsets, recessed entryways, and covered entryways on the elevations that front a public right-of-way with on-street parking and containing a primary entrance. The 22-unit multi-dwelling buildings are designed with balconies, façade offsets, and covered entryways on elevations that front a public right-of-way with on-street parking and containing a primary entrance. The design elements are distributed along the length of the façade and at least 1 design element is provided for every 30-feet of street frontage. Illustrative renderings of the exterior elevations for these buildings are provided on Sheets MF-2 - MF-10, and development standards compliance matrices are provided on Sheet A-5 in Exhibit D.

The front elevations of all single-attached dwellings are designed with façade offsets, covered entryways, and porches. The alley-loaded single-attached dwellings include balconies on the rear and side elevations, which front public rights-of-way. The front loaded single-attached dwellings are designed to include balconies on the rear elevations and façade offsets on side elevations. Illustrative renderings of the exterior elevations of the single-attached dwellings are provided on Sheets RH-2 - RH-7 and the development standards compliance matrix is provided on Sheet A-4 in Exhibit D.

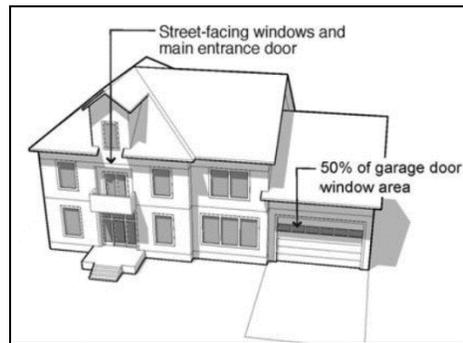
The 1,000 square foot cottages are designed with façade offsets, covered entryways, and porches on the front elevations. The 1,200 square foot cottages are designed with façade offsets and covered entryways. The 1,350 square foot cottages are designed with facade offsets, covered entryways, and porches on the front elevations. Illustrative renderings of the exterior elevations of the cottages are provided on Sheets SF-21 - SF-25, and the development standards compliance matrix is provided on Sheet A-3 in Exhibit D.

The front elevations of the 40-foot-wide single-detached dwellings are designed with façade offsets, recessed entryways, covered entryways, and porches. Porches are also provided on side and rear elevations of homes that front a public right-of-way, public park, or open space. Gabled dormers are provided in place of porches on side elevations without primary entrances that front a public right-of-way, public park, or open space. Illustrative renderings of the exterior elevations of the 40-foot-wide single-detached dwellings are provided on Sheets SF-6 - SF-12, and the development standards compliance matrix is provided on Sheet A-2 in Exhibit D.

At a minimum, the front elevations of the 50-foot-wide single-detached dwellings are designed with façade offsets, covered entryways, and porches. The 50-foot-wide dwellings that contain 2-bedrooms and a den are designed to also include a recessed entryway on the front elevation. The side elevations of these homes are designed with a gabled dormer and the rear elevation includes a porch. Illustrative renderings of the exterior elevations of the 50-foot-wide single-detached dwellings are provided on Sheets SF-14 - SF-19, and the development standards compliance matrix is provided on Sheet A-2 in Exhibit D. Further analysis of design parameters will be performed upon submittal of building permits and more detailed architectural schematics.

2. **Eyes on the street.** At least 20 square feet of facades fronting a public street, or public park or open space shall include windows or entrance doors on dwellings, single-family detached or attached, Duplex, Triplex, Fourplex and Dwelling, multi. See Figure 16.114-4 for illustration of eyes on the street.

Figure 16.114-4 Eyes on the Street



- a. **Windows used to meet this standard shall have a minimum windowsill height of 4 feet above finished floor elevation.**
- b. **Windows used to meet this standard shall be transparent and allow views from the building to the street or open space. Glass blocks and privacy windows in bathrooms do not meet this standard.**
- c. **Window area is considered the entire area within the outer window grid, including any interior window grid.**
- d. **Doors used to meet this standard shall face the street or be at an angle of no greater than 45 degrees from the street.**
- e. **Door area is considered the portion of the door that moves. Door frames do not count toward this standard.**

Response: The 'eyes on the street' design standards apply to all building types proposed in the Town Center development. The standards apply to elevations that front public rights-of-way, contain a primary entrance, or front public parks and open spaces. All dwellings proposed in the Town Center development meet the 'eyes on the street' design standard by providing at least 20 square feet of windows or entrance doors.

The proposed 24-foot-wide and 26-foot-wide alley loaded single detached homes have a minimum of 100 square feet of doors and windows openings on their façade facing the public street. Some 26-foot-wide alley load dwellings have as much as 124 square feet of door and window openings on the façade. Additionally, the side and rear elevations of the 24-foot-wide and 26-foot-wide alley loaded detached homes meet the 'eyes on the street' requirement with doors or window openings of at least 20 square feet of area on these facades. The development compliance matrix on Sheet A-2 in Exhibit D notes the area of façade that meets the 'eyes on the street' design standard for each architectural style of alley loaded single detached dwellings. Elevation renderings for the 24-foot-wide and 26-foot-wide alley loaded dwellings are provided on Sheet SF-2 and Sheet SF-4 respectively in Exhibit D.

All the 40-foot-wide single detached dwellings proposed in varying architectural styles have a minimum of 125 square feet of door or window openings on their front façade facing a public street or an open space. The range of openings for the 40-foot-wide single detached dwelling varies between 125 square feet to 133 square feet on their front façade. Additionally, the side

and rear elevations of 40-foot-wide single detached homes will also meet the ‘eyes on the street’ requirement and will have door and window openings greater than 20 square feet on each of these facades. The development standards compliance matrix on Sheet A-2 in Exhibit D lists out the door and window opening area on the front façade for each architectural style dwelling. Front, side, and rear elevation renderings for 40-foot-wide dwellings are provided on Sheets SF-6 - SF-11 (Exhibit D).

The façades of all the 50-foot-wide single detached dwellings proposed in varying architectural styles have total door and window opening areas that range between 72 square feet to 162 square feet. Additionally, the side and rear elevations of 50-foot-wide single detached homes will also meet the ‘eyes on the street’ requirement and will have door and window openings greater than 20 square feet on each of these facades. The development standards compliance matrix on Sheet A-2 in Exhibit D lists out the front elevation door and window opening area of all the different architectural styles for the 50-foot-wide detached dwellings. Front, side, and rear elevation renderings for 50-foot-wide single detached dwellings are provided on Sheets SF-14 -SF-19 (Exhibit D).

The front facades of all the proposed cottages in various architectural styles exceed the ‘eyes on the street’ requirement of 20 square feet. The total door and window opening area of cottage facades fronting public street range between 96 square feet to 164 square feet. Additionally, the side and rear elevations of cottage homes will also meet the ‘eyes on the street’ requirement and will have door and window openings greater than 20 sq. ft. on each of these facades. Design Compliance matrix on Sheet A-3 lists out the door and window opening areas for the front elevation of the cottages. Proposed cottage elevations are provided in Sheets SF-21 - SF-25 (Exhibit D).

Proposed alley loaded single attached dwellings in three architectural styles provide door and window opening area ranging from 62 square feet to 128 square feet. Both end and middle units of alley loaded rowhomes exceed the ‘eyes on the street’ requirement. Proposed front loaded single attached dwellings proposed in two architectural styles provide door and window opening area ranging from 72 square feet to 102 square feet.

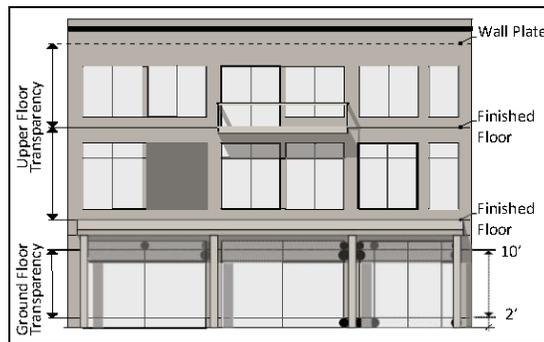
Additionally, the side and rear elevations of alley loaded, and front loaded single attached homes will also meet the ‘eyes on the street’ requirement and will have door and window openings greater than 20 square feet on each of these facades. The development standards compliance matrix on Sheet A-4 lists out the total provided door and window opening area for rowhome front elevations. Sheets RH-2 - RH-6 (Exhibit D) illustrate rowhome elevations proposed within the development.

The Staff confirms these requirements are met. Further analysis of design parameters will be performed upon submittal of building permits and more detailed architectural schematics.

3. Transparency.

- a. On mixed-use, commercial, and municipal buildings with ground floor commercial, at least 35 percent of the ground floor elevation must be permanently treated with windows, display areas, or glass doorway openings. See Figure 16.114-5 for illustration of transparency.**

Figure 16.114-5 Transparency



- i. **For the purpose of this standard, window(s) necessary to meet this standard shall be measured from the minimum sill height above finished first floor elevation which is 2 feet for non-residential uses and 4 feet for residential uses.**

Response: This development proposal contains eight mixed-use buildings proposed within the development, all of which contain ground floor commercial and are designed to exceed the 35-percent transparency requirement for the ground floor. More specifically, Style A mixed use building provides 51-percent (51%), Style B provides 44-percent (44%), and Style C provides 43-percent (43%) ground floor transparency. The development standards compliance matrix for Mixed-Use buildings on Sheet A-5 in Exhibit D shows compliance with the requirement of this section. Exhibit D sheets MF-8 – MF-10 illustrate sufficient transparency on the ground floor elevation of these buildings. No standalone commercial or municipal buildings are proposed in this development. The Staff confirms these requirements are met.

- b. **Design of Dwelling, multi, mixed use, and commercial buildings shall comply with the building frontage, ground floor height and weather protection standards of Table 16.114-6 to support a pedestrian-friendly environment.**

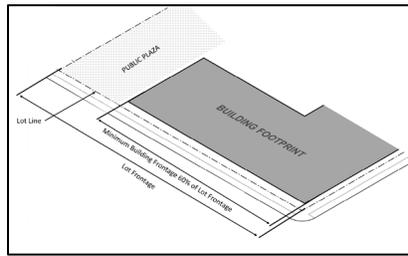
Table 16.114-6 Dwelling-multi, Mixed-use, and Commercial Building Design Standards

| Design Standard | Primary Entrance Location | | |
|---|--|------------------------|-----------------------------------|
| | River Terrace Boulevard Extension | Fischer Road Extension | New East/ West Neighborhood Route |
| Building Frontage Minimum | 60% | 60% | 40% |
| Minimum Ground Floor Height ²⁵ | 14 ft. | 14 ft. | 14 ft. |
| Weather Protection | 20 sf. Minimum Protected Area Min. 4 ft. Horizontal Dimension and Min. 9 ft. Vertical Clearance | No requirement | No requirement |

- i. **Lot frontages that contain dwelling, multi, mixed-use, and commercial development shall locate the buildings so that at least 60 percent is occupied by the building as illustrated in Figure 16.114-6.**
- ii. **Weather protection shall be provided with a recessed entryway, an awning or other projected element, or a combination of those methods.**

²⁵ Minimum ground floor height standard shall be limited to commercial uses on the ground floor.

Figure 16.114-6 Building Frontage Minimum



Response: The development standards compliance matrix for multi-unit residential and mixed-use buildings are found in Sheet A-5 (Exhibit D) and elevations of mixed-use and multi-unit buildings on Sheets MF-2 - MF-10 (Exhibit D). Additionally, Sheets 7.1 and 7.5 (Exhibit C) illustrate lot size for these buildings.

The average length of the lots that contain mixed-use and multi-dwelling buildings along the extension of SW River Terrace Boulevard is 215.5-feet and the buildings are 188-feet long; therefore, the building frontages exceed the 60-percent requirement.

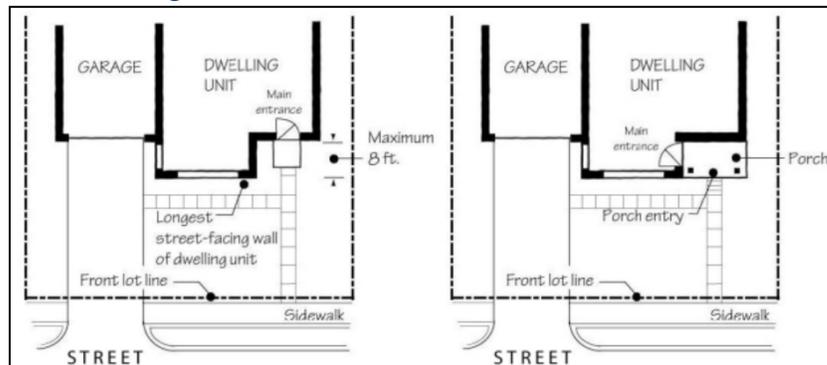
Minimum ground floor height for commercial uses in mixed use buildings will be 14-foot high. A minimum of 20 square feet of weather protection at the entrance area that is at least 4-foot wide and 9-foot high is provided in the proposed mixed-use and multi dwelling buildings.

Elevations indicate prefabricated metal canopies above all entrances, which is additionally indicated in the compliance matrix. Staff finds these criteria to be sufficiently addressed to meet this criterion. Further analysis of design parameters will be performed upon submittal of building permits and more detailed architectural schematics.

4. Main entrance.

- a. Elevation(s) of dwelling, multi, mixed-use, or commercial buildings that contain a primary building entrance or multiple tenant entrance shall be designed to comply with the standards of Table 16.114-6.
- b. Residential dwellings shall have at least 1 primary entrance that meets both of the following standards. See Figure 16.114-7 for illustration of main entrances.

Figure 16.114-7 Main Entrances



- c. Be no further than 8 feet behind the longest street-facing wall of the building.
- d. Face the street, be at an angle of up to 45 degrees from the street, or open onto a porch. If the entrance opens onto a porch, the porch shall meet all of the following additional standards:
 - i. Be at least 25 square feet in area with a minimum 4-foot depth,

- ii. Have at least 1 porch entry facing the street,
- iii. Have a roof that is no more than 12 feet above the floor of the porch, and
- iv. Have a roof that covers at least 30 percent of the porch area.

Response: The main entrance design standards apply to all homes and buildings proposed in the Town Center. The main entrances of mixed use and multi-unit buildings for the Town Center comply with the requirement of Table 16.114-6 for building frontage minimum, minimum ground floor height. The 34-unit, 22-unit multi-unit buildings, and the 36-unit Mixed-use building contain entrances no further than 8 feet behind the longest street-facing wall and face the street. See Sheet A-5 (Exhibit D) for the compliance matrix and Sheets MF-1 - MF-10 for illustrative and dimensional details.

Main entrances for the detached and attached dwellings comply with the above Main Entrance standards. The 24 and 26-foot-wide single detached dwellings have entrances behind the longest street-facing wall, open onto porches ranging in size from 54ft² to 115ft², exceed the 4' minimum depth, and have an entrance facing the street. See Sheet A-2 (Exhibit D) for the compliance matrix, and Sheets SF-1 - SF-3 for illustrative and dimensional details.

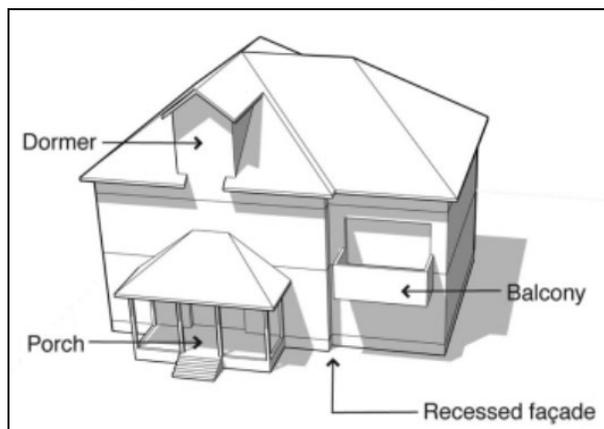
The 40-foot-wide single detached dwellings have entrances that are along the longest street-facing wall, and open onto covered porches that have an entrance facing the street that measure from 85 ft² to 95ft² and meet the 4ft minimum depth. See Sheets SF-5 - SF-12 (Exhibit D) for compliance details. The 50-foot-wide single detached dwellings have entrances that open onto covered porches that face the street which measure from 57ft² to 64ft² and meet the minimum 4ft depth. See the compliance matrix on Sheet A-2, and Sheets SF-13 through SF-19 for illustrative and dimensional details (Exhibit D).

The cottage dwellings have entrances along the longest street-facing wall, open onto covered porches which measure from 88ft² to 120 ft², meet the 4ft minimum depth and have an entrance facing the street. See Sheets SF-20 - SF-25 (Exhibit D) for compliance details.

Both the alley and front-loaded single-attached dwellings units have covered porches with entrances along the longest street-facing wall. See Sheet A-4, and Sheets RH-1 - RH-7 (Exhibit D) for illustrative and dimensional details. Staff finds the criterion is met.

5. Detailed design. Buildings shall include at least 5 of the following features. See Figure 16.114-8 for illustration of detailed design elements.

Figure 16.114-8 Detailed Design



- a. Covered porch at least 25 square feet with a minimum dimension of 4 feet.
- b. Recessed entry area at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 ft wide.
- c. Offset on the building face of at least 16 inches from 1 exterior wall surface to the other.
- d. Dormer that is at least 4 feet wide and integrated into the roof form.
- e. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls.
- f. Gable roof, hip roof, or gambrel roof design
- g. One roof pitch of at least 500 square feet in area that is sloped to face the southern sky and has its eave line oriented within 30 degrees of the true north/south axis.
- h. Roof line offsets of at least 2 feet from the top surface of 1 roof to the top surface of the other.
- i. Tile or wood shingle roofs.
- j. Horizontal lap siding between 3 to 7 inches wide (the visible portion once installed). The siding material may be wood, fiber-cement, or vinyl.
- k. Brick, cedar shingles, stucco, or other similar decorative materials covering at least 40 percent of the street-facing façade.
- l. Window trim around all windows at least 3 inches wide and 5/8 inches deep.
- m. Window recesses, in all windows, of at least 3 inches as measured horizontally from the face of the building façade.
- n. Balcony that is at least 3 feet deep, 5 feet wide, and accessible from an interior room.
- o. Bay window at least 2 feet deep and 5 feet long.
- p. Attached garage width, as measured between the inside of the garage door frame, of 35 percent or less of the length of the street-facing façade.

Response: The 22-unit multi-dwelling buildings contain 5 design details including: covered porches, walls offset on the front facade, accent siding material on at least 40 percent of the street facing façade, window trim around all windows, and balconies that are accessible from an interior room. See Sheet A-5 (Exhibit D) for the compliance matrix, and Sheets MF-1 and MF-2 (Exhibit D) for illustrative elevations and dimensional details.

The 34 and 36-unit 'Style B' mixed-use and multi-dwelling buildings contain 5 design details including: recessed entries on the front façade, walls offset on the building face, accent siding material and window trim on the street facing façade, and balconies that are accessible from an interior room. 'Style A' and 'Style C' of these buildings include the details of 'Style B' and roof offsets on the front facades. See Sheet A-5 for the compliance matrix, and Sheets MF-3 - MF-6 (Exhibit D) for illustrative elevations and dimensional details.

The alley-loaded single attached dwellings are designed with at least 5 details including: covered porches on both the front and rear facades, walls on the front façade that are offset on the building face, roof eaves, gable roof design, horizontal lap siding, and window trim around all windows. See Sheet A-4 (Exhibit D) for the compliance matrix, and Sheets Rh-1 - RH-4 (Exhibit D) for the illustrative and dimensional details. The front-loaded 'Modern Farmhouse' style of the single attached dwellings have covered porches on both the front and rear facades, walls on all façades that are offset on the building face, have roof eaves, gable roof design,

horizontal lap siding on all facades, and window trim around all windows. See Sheets Rh-5 and Rh-6 (Exhibit D) for compliance details. The front-loaded 'Contemporary Tudor' style of the single attached dwellings have covered porches on both the front and rear facades, recessed entry areas on the front façade, walls on all façades that are offset on the building face, have roof eaves, gable roof design, horizontal lap siding on all facades, and window trim around all windows. See, Sheet A-4 for the compliance matrix, and Sheets Rh-5 and RH-7 (Exhibit D) for illustrative and dimensional details.

At least 5 design details are incorporated into the single detached dwellings. The 24- and 26-foot-wide single detached dwellings have covered porches, recessed entries, walls offset on the facade, roof eaves, gable roof design, horizontal lap siding on all facades, and window trim around all windows. See A-2 for the compliance matrix, and Sheets SF-1 through SF-4 (Exhibit D) for illustrative elevations and dimensional details. The 40-foot-wide single detached dwellings have covered porches on at least the front façade, with the 'Contemporary Tudor' and 'Contemporary French' 4-bedroom style homes have additional porches on the rear elevation. The 40-foot-wide single detached dwellings also have recessed entries on the front elevation, walls offset on the façade, roof eaves, gable roof design, horizontal lap siding, and window trim around all windows. All styles have roof offsets on the side and rear elevations, while the 3-bedroom styles have an additional roof offset on the front elevation. See Sheet A-2 for the compliance matrix, and Sheets SF-5 - SF-12 (Exhibit D) for illustrative elevations and dimensional details.

The 50-foot single detached dwellings comply with the above Detailed design standards. All styles include covered porches, walls offset on the building face, roof eaves, gable roof design, horizontal lap siding, and window trim around all windows. The 2-bedroom styles also include recessed entries. See Sheet A-2 for the compliance matrix, and Sheets SF-13 - SF-19 (Exhibit D) for illustrative elevations and dimensional details.

The cottages are designed with at least 5 details including: covered porches, walls offset on the front façade, roof eaves, gable roof design, horizontal lap siding, and trim around all front façade windows. See Sheet A-3 for the compliance matrix, and Sheets SF-20 - SF-25 (Exhibit D) for illustrative elevations and dimensional details.

Except for the cottages located near the intersection of SW 161st Avenue and SW Beef Bend Road, homes are located on double frontage lots. In addition to the 2-way-cycle track, the pedestrian and bicycle realm along these street sections has been enhanced by incorporating an additional design element into the elevation of the homes that front the rights-of-way as permitted by Section 16.114.060.C.3.2. The elevations include covered porches, roof eaves, gable hip or gambrel roof design, roof off-set, horizontal lap siding, and window trim design elements. Development standard matrices identifying the design details are provided on Sheets A-2 and A-3 and illustrative elevations of the homes are provided on Sheets SF-6 - SF-25 (Exhibit D). Staff finds the preliminary design elements meet this criterion. Further analysis of design parameters will be performed upon submittal of building permits and more detailed architectural schematics.

6. **Transitional space.** Ground floor dwellings shall include an area of transition between the public realm of the right-of-way (or tract or easement) and the front door or porch. The transitional space design standard may be met either vertically, in accordance with Section 16.114.060.C.6.a, or horizontally, in accordance with Section 16.114.060.C.6.b.
 - a. A vertical transition shall be an uncovered flight of stairs that leads to the front door or front porch of the dwelling. The stairs shall rise at least 3 feet, and not more than 8 feet, from grade. The flight of stairs may encroach into the required front yard, and the bottom step shall be at least 4 feet from the front lot line.
 - b. A horizontal transition shall be a covered porch with a depth of at least 6 feet. The porch may encroach into the required front yard, but it shall be at least 4 feet from the front lot line.

Response: The multi-dwelling buildings are designed with covered porches to provide horizontal transition. Illustrative renderings of the exterior elevations for these buildings are provided on Sheets MF-2 through MF-6, and development standards compliance matrix is provided on Sheet A-5 (Exhibit D).

The single-attached dwellings are designed with both horizontal and vertical transitions. The front elevations of the homes are designed with uncovered stairs and a covered porch. Illustrative renderings of the exterior elevations for these buildings are provided on Sheets RH-2 through RH-7, and development standards compliance matrix is provided on Sheet A-4 (Exhibit D). Single-detached dwellings are designed to comply with the horizontal transitional space standard with the inclusion of covered porches. Illustrative renderings of the exterior elevations for these buildings are provided on Sheets SF-2 through SF-25 and development standards compliance matrixes are provided on Sheets A-2 and A-3 (Exhibit D). Staff finds the preliminary design elements meet this criterion. Further analysis of design parameters will be performed upon submittal of building permits and more detailed architectural schematics.

7. **Private open space.** All dwelling, multi and mixed-use buildings shall provide private open space for each residential dwelling, such as a balcony or patio, that meets the following standards:
 - a. Each space shall be attached to and directly accessible from an individual residential unit; and
 - b. Each private open space must be a minimum of 48 square feet in area and a minimum of five feet in width and depth; and
 - c. Additional common open space above the required minimum may substitute for some or all of the required private open space at a 1:1 ratio.

Response: Each residential dwelling in the proposed buildings includes private open space through balconies or patios (or both) that are privately and directly accessible from the attached unit. Balconies have a minimum area of 48 square feet and no dimension is less than 5-feet in width and depth. The architectural plans of multi dwelling and mixed-use buildings on Sheets MF-1, MF-3 and MF-7 in Exhibit D illustrate private open space for each dwelling unit. The development standards compliance matrix on Sheet A-5 in Exhibit D lists compliance with the requirement of this section. Staff finds the preliminary design elements meet this criterion. Further analysis of design parameters will be performed upon submittal of building permits and more detailed architectural schematics.

8. **Common open space.** All dwelling, multi and mixed-use buildings shall provide common open space area as follows:
 - a. Buildings shall provide at least 200 square feet of common open space per residential dwelling unit; and
 - b. Common open space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet.
 - c. The area is open and available to the public or for the common use of residents and/or building tenants;
 - d. The area contains seating and/or recreation facilities;
 - e. Landscaping is provided consistent with the character and function of the space.
 - f. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared courtyard, shall not be considered common open space.
 - g. Units located within ¼-mile from a public park or linear green open space are exempt from this requirement.
 - h. Common open space standards do not apply to dwelling, single-family attached or detached, duplex, triplex, fourplex, or cottage clusters.

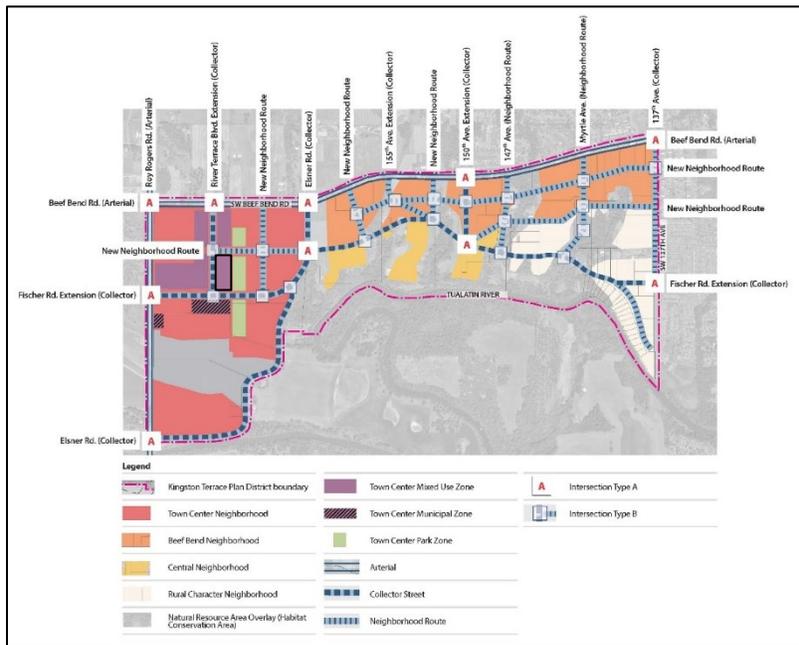
Response: All mixed-use and multi-dwelling buildings proposed within the Town Center development are located within a ¼-mile distance from the proposed park blocks, urban plazas, urban park, and linear greens; therefore, the buildings are exempt from the common open space requirement. Buildings on the west side of SW River Terrace Boulevard will be approximately 500-feet from the proposed park blocks. Building on the east side of the SW River Terrace Boulevard will be approximately 350-feet from the park blocks. The Park Blocks are designed to provide active recreation use with sport fields, play areas, dog park, and passive recreation spaces. Urban plazas located adjacent to the multi-dwelling and mixed-use buildings along SW River Terrace Boulevard provide residents vibrant and active gathering spaces right outside their door and conveniently located near retail and restaurants. The park blocks, urban park, and linear green will have both sheltered and unsheltered seating facilities. Staff finds the preliminary design elements meet this criterion.

16.114.070 The Regulating Plan

A. Purpose and description

1. The Regulating Plan ensures consistency with goals and requirements of the Kingston Terrace Master Plan and King City's Transportation System Plan.
2. The Regulating Plan, Figure 16.114-9, directs development in Kingston Terrace providing an illustrative bridge between King City's Transportation System Plan, the Kingston Terrace Master Plan, and applicable regulations of the Community Development and Zoning Code (CDC). The Regulating Plan identifies:
 - a. Location of Natural Resource Area Overlay (Habitat Conservation Area)
 - b. The location of Neighborhood Zones, and
 - c. Location of all Backbone Streets, identification of street classifications, and type of intersections.

Figure 16.114-9 Kingston Terrace Regulating Plan



Response: The proposed Town Center development is subject to the regulation criteria for the Town Center Neighborhood as shown in the Regulating Plan in figure 16.114-9. The area of the proposed development is identified as Town Center Neighborhood, Town Center Mixed Use Zone, Town Center Municipal Zone, Town Center Park Zone, and Natural Resource Area Overlay.

Park blocks and an urban plaza will be provided within the Town Center Park Zone. Accessible open space will be provided within the Natural Resource Area Overlay, one major feature of the natural resource area overlay will be an aesthetically designed water treatment facility. The future municipal site will be reserved within the Town Center Municipal Zone. The Town Center Mixed Use Zone, located along SW River Terrace Boulevard, will have multi-dwelling buildings and mixed-use buildings with ground floor commercial area.

The proposed development aligns with the location of the collector and neighborhood routes as shown in the Regulating Plan figure 16.114-9. Improvements and design details for the proposed and existing arterial, collector, and neighborhood routes are shown in Preliminary Circulation Plans Sheet 11.1 through Sheet 11.8 (Exhibit C).

Staff finds that the development proposal aligns with the spatial design parameters illustrated in the regulating plan.

B. Table 16.114-7 identifies the applicable sections of this title that implement each of the 4 planning frameworks identified through the Kingston Terrace master planning process.

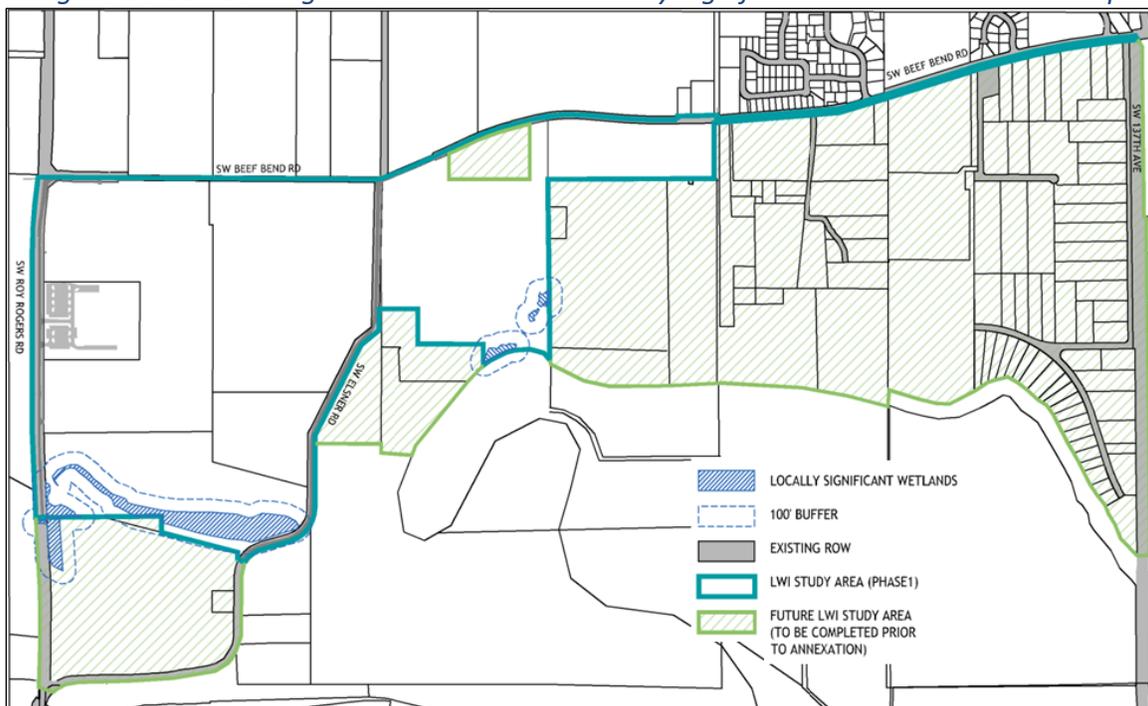
Table 16.114-7 Implementation of Kingston Terrace Master Plan Frameworks

| Planning Framework | Applicable Section of CDC |
|-------------------------------|--|
| Natural Systems | 16.114.080 Kingston Terrace District Goal 5 Safe Harbor Review 16.114.090 - Habitat Conservation Areas 16.140 - Floodplain and Drainage Hazard Areas |
| Land Use | 16.114.030 – Neighborhood Zones 16.114.050 – Density and Dimensional Standards 16.114.060 – Design Standards 16.114.100 – Neighborhood Locations and Primary Land Uses 16.114.110 – Parks, Open Space and Trails |
| Mobility | 16.114.120 – Neighborhood Circulation |
| Public Utilities and Services | 16.114.130 – Provision of Adequate Public Facilities |

Response: Each of the above frameworks and their applicable code sections are addressed within this report and code compliance has been assessed by staff as detailed in the respective sections of this report.

16.114.080 Kingston Terrace District Goal 5 Safe Harbor Review

Figure 16.114-10 Kingston Terrace District Locally Significant Wetland Resource Map



E. Locally Significant Wetlands. The areas identified on Figure 16.114-10 have been designated as “locally significant wetlands” pursuant to OAR 141-086-0350 and are subject to the Kingston Terrace Wetland Safe Harbor provisions in Section 16.114.080(D). The provisions of this section shall be used to determine whether applications for development permits may be approved, approved with conditions or denied. The map entitled Kingston Terrace Wetland Inventory (Figure 16.114-10) shall be consulted to determine site locations of locally significant wetlands. When development is proposed in

close proximity to a wetland, including wetlands that are not identified as locally significant, a delineation is required in accordance with Section 16.114.080.F.f.

Response: The southern portion of the project site includes significant wetlands identified on the City's Local Wetlands Inventory (LWI) and shown in Figure 16.114-10. The applicant's narrative and Exhibits C, J, and K demonstrate compliance with the Kingston Terrace District Goal 5 Safe Harbor Review requirements. Wetland delineations approved by DSL are provided in Exhibit J of the application. The locally significant wetlands (LSW) within the project area are identified as Wetlands C and D on the supporting exhibits. The other wetlands shown were not determined to be locally significant, but they are regulated by Oregon Department of State Lands (DSL) or U.S. Army Corps of Engineers.

In addition to a Goal 5 Safe Harbor approval from the city, the applicant must obtain applicable approvals and permits from Clean Water Services (CWS) and DSL for modifications and impacts to non-locally significant wetlands as required. A copy of the Service Provider Letter received from CWS is provided in Exhibit M. A copy of the Joint Permit Application submitted to U.S. Army Corps of Engineers and DSL requesting fill of wetlands, agricultural ponds, and tributary/ditches is provided in Exhibit K.

G. Determination of Locally Significant Wetlands. King City has identified locally significant wetlands in accordance with rules adopted by Oregon Department of State Lands (OAR 141-086-0210). Locally significant wetlands are identified on the map entitled Kingston Terrace Locally Significant Wetland Inventory, Figure 16.114-10.

Response: Locally significant wetlands are identified on the City's Local Wetlands Inventory and identified as Wetlands C and D on the supporting exhibits. They are shown on the Existing Condition plans (Exhibit C, Sheets 6.0 - 6.4) along the southern edge of the proposed development. Locally Significant Wetlands have been identified and approved by DSL and the City.

I. Permitted uses and activities. The following uses and activities are permitted within the wetland protection areas identified in Figure 16.114-10:

- 1. Any use, sign, or structure, and the maintenance thereof, that was lawfully existing on the date of adoption of this ordinance [insert date], is allowed to continue within a wetland protection area. Such use, sign, or structure may continue at a similar level and manner as existed on the date of adoption of this ordinance. The maintenance and alteration of pre-existing ornamental landscaping is permitted within a wetland protection area so long as no additional native vegetation is disturbed. The provisions of this section shall not be affected by any change in ownership of properties containing a wetland protection area.**

Response: The applicant does not propose use, maintenance, or alteration of any existing sign, structure, or ornamental landscaping within the locally significant wetland protection areas as demonstrated in the application materials.

- 2. The following activities and maintenance thereof are allowed within a wetland protection area, provided that any applicable local, state, or federal permits are secured:**

Response: The applicant will obtain applicable approvals and permits from CWS and DSL for modifications and impacts wetland protection areas as required. A copy of the CWS Service Provider Letter is provided in Exhibit M and a copy of the Joint Permit Application (JPA) submitted to DSL and US Corp of Engineers is provided in Exhibit K.

The locally significant wetlands (LSW) within the project area are identified as Wetlands C and D on the supporting exhibits. As noted in the JPA, *“Wetlands C and D are proposed for enhancement, with the upland area between the two proposed for wetland creation”* (Page 3 of Exhibit K).

a. Wetland restoration and rehabilitation activities;

Response: The project includes the following mitigation activities as noted in the JPA: *“Permanent direct impacts to Wetland C and D are due to proposed on-site mitigation, which include long-term preservation, enhancement of wetland vegetation, expansion, and enhancement and preservation of surrounding buffers.” “Wetland creation is proposed on the north side of Wetland C and between Wetland C and D, creating a contiguous larger wetland. This larger wetland area ... will create a self-sustaining, corridor of enhanced wetland habitat”* (Pages 21 - 22 in Exhibit K). *“Once the project site has been graded to match the finished grade of the design, work on the wetland mitigation site will begin. Prior to grading activities within the mitigation site, sediment fencing and straw wattles will be installed at the limits of grading. The topsoil within the grading limits located inside of the existing wetlands, and buffers will be removed and stockpiled for future use. Excavation equipment will be used to excavate and regrade the areas within the wetland and buffer to provide additional area suitable for wetland creation and to widen the north edge of the floodplain surrounding Wetlands C and D”* (Page 3 of Exhibit K).

b. Restoration and enhancement of native vegetation;

Response: The project includes the following restoration and enhancement of native vegetation as noted in the JPA *“Once the grading is completed, the topsoil will be placed back within the graded area to provide suitable material for future vegetation. Once the topsoil is in place and the grading activities are completed, invasive plants will be removed by hand from the existing wetlands and surrounding buffers. Native plants will be installed within the wetland areas and buffer. The plant species and quantity within the buffers will be planted to meet Clean Water Services Standards for good buffer conditions”* (Page 3 of Exhibit K).

c. Cutting and removal of trees which pose a hazard to life or property due to threat of falling;

Response: Hazardous and dead trees are proposed to be removed as identified in the Tree Inventory (Attachment 4 in the arborist report in Exhibit I).

d. Removal of non-native vegetation, if replaced with native plant species at similar coverage or density, so that native species are dominant; and

Response: The project includes the removal of non-native vegetation as noted in the JPA *“Once the grading is completed, the topsoil will be placed back within the graded area to provide suitable material for future vegetation. Once the topsoil is in place and the grading activities are completed, invasive plants will be removed by hand from the existing wetlands and surrounding buffers. Native plants will be installed within the wetland areas and buffer. The plant species and quantity within the buffers will be planted to meet Clean Water Services Standards for good buffer conditions”* (Page 3 of Exhibit K).

- e. **Normal farm practices such as grazing, plowing, planting, cultivating and harvesting, that meet the following criteria and limitations:**
 - i. **The farm practices were in existence or occurring on the property on the date of adoption of the provisions herein.**
 - ii. **The farm practices are of no greater scope or intensity than the operations that were in existence on the date of adoption of the provisions herein.**
 - iii. **Normal farm practices do not include new or expanded structures, roads, or other facilities involving placement of fill material, excavation, or new drainage measures.**

Response: Not applicable. The continuation of normal farm practices is not proposed.

- f. **Maintenance of existing drainage ways, ditches, or other structures, to maintain flow at original design capacity and mitigate upstream flooding, provided that management practices avoid sedimentation and impact to native vegetation, and any spoils are placed in uplands.**

Response: This application does not propose maintenance of existing drainage ways, ditches, or other structures.

- g. **Replacement of a permanent, legal, nonconforming structure in existence on the date of adoption of this ordinance with a structure on the same building footprint, if it does not disturb additional area, and in accordance with the provisions of Chapter 16.160 – Nonconforming Situations.**

Response: Not applicable. Replacement of a permanent, legal, nonconforming structure is not proposed.

- h. **Expansion of a permanent, legal, nonconforming structure in existence on the date of adoption of this ordinance, if the expansion area is not within and does not disturb the wetland protection area, and in accordance with the provisions of Chapter 16.160 – Nonconforming Situations.**

Response: Not applicable. Expansion of a permanent, legal, nonconforming structure is not proposed.

- i. **Emergency stream bank stabilization to remedy immediate threats to life or property.**

Response: No stream bank stabilization is proposed with this project.

- j. **Maintenance and repair of existing roads and streets, including repaving and repair of existing bridges, and culverts, provided that such practices avoid sedimentation and other discharges into the wetland or waterway.**

Response: This project proposes improvements to SW Elsner Road adjacent to Wetland C (WD # 2022-0513, Exhibit J). SW Elsner Road, an existing collector, is identified as a Major

Pedestrian Route and a Major Bicycle Route in the City's Transportation System Plan (TSP). Improvements to SW Elsner Road proposed in this application are designed for the constrained conditions while still supporting bicycle and pedestrian connectivity as required by the TSP and the Kingston Terrace Master Plan. The proposed street design is illustrated on the Preliminary Circulation Plan – Elsner Road (Exhibit C, Sheet 11.4). The street cross section adjacent to the wetland is proposed to feature a right-of-way reduction from 77 feet to 61.5 feet, and a reduced total paved width from 64 feet to 45 feet. Enhancements to Wetland C are proposed as described in this report, the JPA Wetland and Water Mitigation Plan (Sheet 6 in Exhibit K), and the CWS SPL Mitigation Plan (Sheets 7.1 – 7.4 in Exhibit M).

k. New fencing in compliance with Clean Water Services Design and Construction Standards

Response: No fencing is proposed within the wetland protection area. Split rail fencing is proposed between the north side of Wetlands C and D and the trail adjacent to the vegetated corridor (Exhibit C, Sheet L7.01). Additional fencing that may be required as a condition of approval will comply with Clean Water Services Design and Construction Standards.

J. Except as allowed in Section 16.114.080 G., the following activities are prohibited within a wetland protection area:

1. Placement of new structures or impervious surfaces;
2. Excavation, drainage, grading, fill or removal of vegetation;
3. Expansion of area of landscaping with non-native species, such as a lawn or garden, into the wetland protection area;
4. Disposal or temporary storage of refuse, yard debris, or other material;
5. Discharge or direct runoff of untreated stormwater;
6. Uses not allowed in the list of permitted uses of the underlying zone; and
7. Any use not specifically allowed in Section 16.114.080.G;
8. Streets, roads and paths; and
9. Drainage facilities, utilities and irrigation pumps.
10. Other wetlands within the Kingston Terrace District determined to not be locally significant may still be regulated by local, state, or federal agencies which require local, state, or federal permits before such alterations occur.

Response: The proposed development will not result in the prohibited activities identified in Section 16.114.080.H within locally significant wetland protection areas. The applicant will obtain applicable approvals and permits from CWS and DSL for modifications and impacts to wetlands not identified as locally significant. A copy of the CWS Service Provider Letter is provided in Exhibit M and a copy of the Joint Permit Application (JPA) submitted to DSL and US Corp of Engineers is provided in Exhibit K. This Criterion is satisfied.

K. Approval criteria. The approving authority shall base its decision on the following criteria in addition to the required criteria for any other permit or approval that is being sought. Approvals shall be based on compliance with all of the following criteria:

1. The proposed project complies with the provisions of this section.

Response: The proposed development complies with the provision of Section 16.114.080 as demonstrated in this report and supporting exhibits.

2. **Except as otherwise allowed in this section, the proposed project will not result in excavation or filling of a wetland or reduction of wetland area on a parcel that has been identified as containing a wetland.**

Response: Excavation and grading activities for the purposes of wetland restoration and rehabilitation activities are proposed as permitted per Section 16.114.080.G.2. to improve the quality of the existing locally significant wetlands. Non-significant wetlands are proposed for development subject to DSL and/or U.S. Army Corps of Engineers approval.

3. **Except as otherwise allowed in this section, the proposed project will not result in development or filling of land within 25 feet of the boundary of wetland that has been identified only on the Kingston Terrace District Locally Significant Wetland Resource Map or by a determination, but not an approved delineation; and**

Response: The project proposes development and fill of land within 25 feet of delineated wetlands as permitted in Section 16.114.080.G.

4. **The applicable provisions of Chapter 16.140 – Floodplain and Drainage Hazard Areas are satisfied.**

Response: The proposed development complies with the provisions of Chapter 16.140 as demonstrated later in this report.

- L. **Conservation and maintenance of wetland protection areas. When approving applications for Land Divisions, Conditional Use Permits, or for Development Plan Review for properties containing a wetland protection area or portion thereof, the approving authority shall assure long term conservation and maintenance of the wetland protection be provided to comply with Clean Water Services Design and Construction Standards.**

Response: The applicant will work with the City and CWS to provide conservation and maintenance of the on-site locally significant wetlands in accordance with conditions of approval for this development plan review application as well as CWS Design and Construction Standards.

M. Notification and coordination with state agencies.

- 1. King City shall notify the Oregon Department of State Lands (DSL) of all applications to King City for development activities – including development applications, building permits, and other development proposals - that may affect wetlands or waters identified in the Kingston Terrace District Locally Significant Wetland Resource Map. This applies for both significant and non-significant wetlands. DSL provides a Wetland Land Use Notification form for this purpose. [See OAR 660-23-100(7); ORS 227.350 for cities].**
- 2. King City shall notify the Oregon Department of Fish and Wildlife regarding OAR 635-415 "Fish and Wildlife Habitat Mitigation Policy." [Note: Recommendations from ODFW are advisory only].**

Response: The City notified DSL and ODFW of the development proposal and this application package to comply with these requirements. A response form from DSL is included in the appendix of this report.

N. Variances. The Planning Commission shall be the approving authority for variance applications to the Wetland Protection Area provisions. The procedures of Chapter 16.164 shall be followed for approval of a variance except that the variance criteria of this section shall apply.

- 1. Hardship Variances. If through application of this ordinance, the property has been rendered not buildable, the applicant may request Hardship Variance. A Hardship Variance may be granted only when the applicant has shown that all of the following conditions exist:**
 - a. The applicant has exhausted all other options available under this chapter to relieve the hardship;**
 - b. The variance is the minimum necessary to afford relief;**
 - c. No significant adverse impacts on water quality, erosion, or slope stability will result from approval of this hardship variance, or these impacts have been mitigated to the greatest extent possible; and**
 - d. Loss of vegetative cover shall be minimized.**

Response: Not applicable. No variances to the wetland protection area provisions are requested.

2. **Mapping Error Variances and Corrections.** The city manager may correct the location of the wetland protection overlay zone when the applicant has shown that a mapping error has occurred, and the error has been verified by the Department of State Land (DSL). Delineations approved by DSL shall be used to automatically update the wetland protection overlay zone. No formal variance application or plan amendment is needed for map corrections where approved delineations are provided.

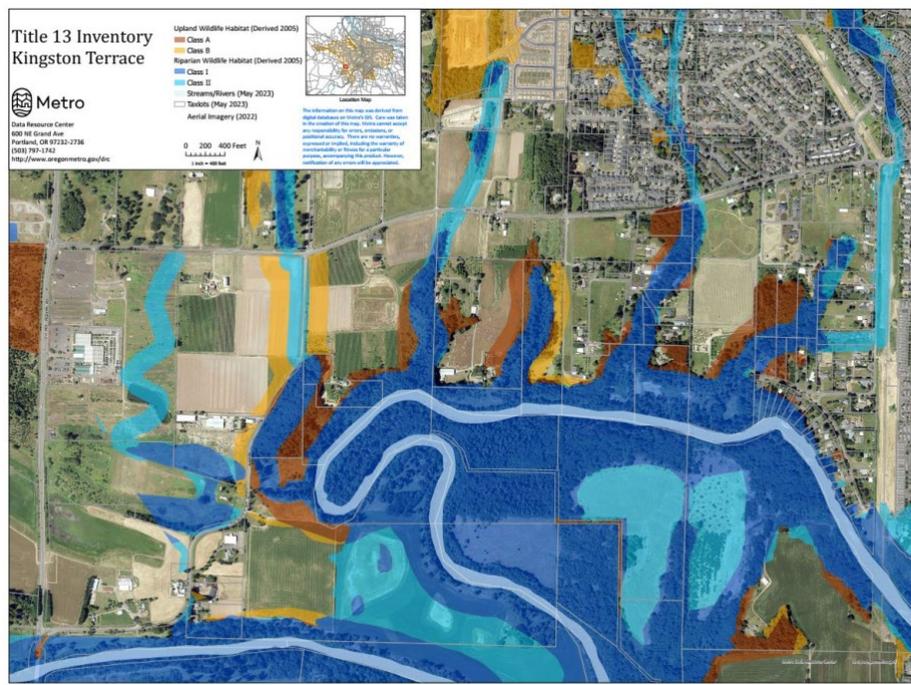
Response: Not applicable. Wetland delineations approved by DSL (Exhibit J) correspond with King City’s mapped wetland protection overlay zone.

16.114.090 Upland Wildlife and Habitat Conservation Area

B. Metro upland resource areas. The provisions of this section shall be used to determine whether applications for development permits may be approved, approved with conditions, or denied. The Metro Upland HCAs within the Kingston Terrace District are shown in Figure 16.114-11. A more detailed map entitled Kingston Terrace Class A and B Upland HCAs, which is available at City Hall, shall be consulted to determine site locations of these upland wildlife habitat resources and buffers, which lie outside the purview of CWS, state, and/or federal agencies.

1. **Class A Upland HCA.** These areas are adjacent to Class I Riparian Corridors as shown in Figure 16.114-11.
2. **Class B Upland HCA.** These areas are generally adjacent to Class II Riparian Corridors as shown in Figure 16.114-11.

Figure 16.114-11 Class A and B Upland HCAs



Response: As illustrated on the HCA Mapping & Tree Preservation plans (Sheets 13.0 - 13.4, Exhibit C), the site includes mapped Class A and Class B Upland Wildlife Habitat Conservation Areas.

C. Applicability of provisions. All development that exceeds the extent and scope of activities and improvements identified in Section 16.114.090.C.1. shall be regulated by this section (Section 16.114.090).

1. Development on properties that contain a mapped Upland HCA identified in the Metro Title 13 Inventory as described in Section 16.114.090.B, must comply with these regulations, except that shall not apply to:

- a. HCA Class I and II Riparian Corridors that are subject to CWS regulatory authority.**
- b. Metro HCA Class III Riparian Corridors and Metro Class C Upland Wildlife Habitat areas, which are not regulated by this title. In addition, if an on-site assessment results in riparian corridors (i.e. CWS Vegetated Corridor) being mapped within Metro Title 13 Upland HCA, these areas will be regulated per CWS authority.**
- c. Development that is proposed to be greater than 100 feet from an Upland HCA boundary.**
- d. Change of ownership.**
- e. Where a property has received previous approval according to this title, which has not expired, and the development proposed was part of, or contemplated by, the original development application approval, such as a phase development project or subdivision.**
- f. Limited types of development, redevelopment, operations, improvements, and maintenance that are otherwise permitted by this title including the following:**

Response: The scope of the proposed development exceeds the activities and improvements listed in Section 16.114.090.C.1, and the provisions of Section 16.114.090 are applicable.

The applicant shall be required to obtain the required permits for impacts to natural resources areas that are regulated by CWS and DSL as described in the conditions of approval.

2. Where the provisions of this chapter conflict with any other provision of this title, CWS standards, or state and federal requirements, the more restrictive requirements shall apply.

Response: The applicant understands more restrictive requirements apply to the proposed development where applicable. Conditions of approval address this provision.

3. Development within an Upland HCA in accordance with the provisions of this title shall not result in removal of such developed areas from the Upland HCA and shall not change the applicable Upland HCA category.

Response: No alteration of the mapped Upland HCA boundary is proposed.

D. Prohibitions.

1. The planting of any nuisance or prohibited vegetation identified in the Metro Native Plant List is prohibited within an Upland HCA. New plantings shall either be from the Metro Native Plant List or selected by a qualified professional, including, but not limited to an arborist, landscape architect, or biologist.

Response: No nuisance or prohibited vegetation identified in the Metro Native Plant List is proposed within the Town Center development. The landscape and planting plans (Exhibit C, Sheets L1.00 - L7.07) have been prepared by a qualified professional landscape architect.

2. **Outside storage of materials exceeding 1,000 square feet is prohibited within an Upland HCA, unless such storage began before the effective date of this ordinance; or, unless such storage is approved during development review in accordance with this title.**

Response: Outside storage of materials exceeding 1,000 square feet within an Upland HCA is not proposed.

H. Approval standards.

1. **As part of the development permit for any use or activity, which is located on a lot that includes an Upland HCA, or area within 100 feet of one, an application for an HCA review must be prepared and submitted in compliance with Section 16.114.090.F. The applicant shall demonstrate how the proposed development will satisfy the applicable criteria in Subsections 16.114.090.H.2. through 4.**

Response: The applicant proposes a Town Center development on properties that includes a mapped Upland HCA. Compliance with Subsections 16.114.090.H.2. through 4 is demonstrated below.

2. **For development on a lot that is proposed to only occur within 100 feet of a Class A or B Upland HCA, the following requirements apply:**

Response: Development of the Town Center is proposed to occur within 100 feet of a Class A and B Upland HCA, and it complies with the requirements in Subsections a. and b. below:

- a. **The proposed development shall avoid any intrusion into the Upland HCA where native trees, as identified in the Metro Native Plant list are present. For land divisions, this will include a building footprint area for each developable lot in addition to grading, streets, and utilities.**

Response: Of the 11 trees in the Upland HCA proposed for removal, none of them are native species (Exhibit C, Sheets 13.3 and 13.4, and Exhibit I, Attachment 4).

- b. **Appropriate protection for the Upland HCA shall be provided during construction to avoid any encroachment into the Upland HCA where native trees, as identified in the Metro Native Plant List are present, by providing protective fencing along the Upland HCA boundary and other methods approved by the city manager.**

Response: No native trees are located within the Upland HCA; therefore, no protective measures are required.

3. **For development on a lot that is proposed to occur within a Class A or B Upland HCA, the following requirements apply:**

Response: The Town Center development is proposed to occur within the mapped Class A and B Upland HCA, and the following apply.

- a. **Development shall avoid slopes of 25 percent or greater.**

Response: No slopes greater than 25 percent are present within the Class A or B Upland HCA on site.

- b. **Unless precluded by physical constraints, including but not limited to, location of existing or planned vehicular access, existing improvements and intervening**

natural barriers, development shall first utilize any portions of the lot where native trees as identified in the Metro Native Plant List, are not present.

Response: No native trees are located within the Class A or B Upland HCA; therefore, this criterion is not applicable.

- c. Native trees, which are 6 inches dbh or greater and have a drip line that is contiguous to the drip line of a tree canopy on the lot or an adjoining Upland HCA or Class I or II Riparian Corridor, shall be retained unless the applicant can provide evidence from a qualified arborist that the tree is diseased or poses a safety risk.

Response: No native trees are located within the Class A or B Upland HCA; therefore, this criterion is not applicable.

- d. Singular, isolated native or non-native trees of any size and without contiguous drip lines may be removed subject to compliance with the mitigation requirements in Section 16.114.090.J.

Response: The Tree Inventory (Exhibit C, Sheets 13.1 - 13.4) and the arborist's report (Exhibit I), identify the non-native trees proposed to be removed within the Class A and B Upland HCA. Compliance with mitigation requirements is demonstrated in response to Subsection 16.114.090.I.

- e. All nuisance or prohibited plants identified in the Metro Native Plant List shall be removed in any areas being developed or disturbed.

Response: The Tree Inventory (Exhibit C, Sheets 13.1 - 13.4) and in the arborist's report (Exhibit I), identify the 11 non-native trees proposed to be removed within the Class A and B Upland HCA. Development of the Town Center will result in removal of existing vegetation, including all nuisance and prohibited plants identified in the Metro Native Plant List throughout the remainder of the site. This will include the removal of native and non-native trees as shown in Exhibit C and arborist report (Exhibit I).

- f. To the extent practicable, when development within an Upland HCA is permitted, the proposed development shall be located, designed, and constructed to employ the techniques described in Part (c) of Table 16.114-8 to further minimize the impact of development in the Upland HCA.

Response:

Part (a): Design and Construction Practices to Minimize Hydrologic Impacts

1. Amend disturbed soils to original or higher level of porosity to regain infiltration and stormwater storage capacity.

Response: Within the existing wetland and floodplain areas of disturbance, native top soils will be temporarily removed and stockpiled for placement into the new vegetated corridor and areas of wetland creation to restore existing soils to original level of porosity.

2. Use pervious paving materials for residential driveways, parking lots, walkways, and within centers of cul-de-sacs.

Response: Regular maintenance required to clean pervious paving surfaces of debris and sediments make the use of pervious paving materials for residential driveways, parking lots, and walkways cost prohibitive for the property owner; therefore, it is not proposed.

3. Incorporate stormwater management in road rights-of-way.

Response: Curb inlets and stormwater pipes located in the rights-of-way direct stormwater to the water quality swale and detention facility located in the southern portion of the site as illustrated on the Preliminary Stormwater Plan, Sheet 9.1 in Exhibit C. The vegetated swale is

a LIDA facility that will provide some hydromodification mitigation for downstream water bodies. The detention pond is designed to detain runoff to a level that meets Clean Water Services standards for hydromodification mitigation and meets the national SLOPES V standards.

4. Landscape with rain gardens to provide on-lot detention, filtering of rainwater, and groundwater recharge.

Response: A regional stormwater management facility will be utilized to manage all of the stormwater runoff from the site. By utilizing a single facility for stormwater management, opportunities for habitat enhancement and public seating areas and trails around the facility can be added to promote the facility's functionality and impact to the watershed.

5. Use green roofs for runoff reduction, energy savings, improved air quality, and enhanced aesthetics.

Response: Incorporation of green roofs into the design of the buildings and homes would increase the cost of homes in the Town Center; therefore, it is not proposed.

6. Disconnect downspouts from roofs and direct the flow to vegetated infiltration/filtration areas such as rain gardens.

Response: Per the geotechnical report: due to the potential for shallow groundwater and low tested infiltration rates, stormwater infiltration is not considered feasible as the primary means for managing stormwater from the site. Based on this report roof runoff is being collected by a formal conveyance system and directed to the regional facility for treatment.

7. Retain rooftop runoff in a rain barrel for later on-lot use in lawn and garden watering.

Response: The design of building lots and homes in the Town Center does not preclude future residents from retaining rooftop runoff in rain barrels.

8. Use multi-functional open drainage systems in lieu of more conventional curb-and-gutter systems.

Response: The town center area is intended to be a high-density urbanized development that promotes high levels of bicycle and pedestrian transportation and connectivity. Utilizing conventional curb-and-gutter systems to collect street runoff provides the greatest amount of pedestrian accessibility while continuing to manage the street runoff. Additionally, the use of sumped catch basins in the street provides the opportunities to separate oil and water and provides the opportunity to capture suspended solids. -

9. Use bioretention cells as rain gardens in landscaped parking lot islands to reduce runoff volume and filter pollutants.

Response: A regional stormwater management facility will be utilized to manage all of the stormwater runoff from the site. By utilizing a single facility for stormwater management, opportunities for habitat enhancement and public seating areas and trails around the facility can be added to promote the facility's functionality and impact to the watershed.

10. Apply a treatment train approach to provide multiple opportunities for storm water treatment and reduce the possibility of system failure.

Response: Sumped catch basins will capture street runoff and provide pre-treatment through the separation of oil and water and the capture of suspended solids. A water quality manhole will be located upstream of each regional water quality swale to provide additional pre-treatment as required by CWS. Each vegetated swale will be sized to provide primary treatment of the site runoff. The main swale will be constructed within a concrete planter with an underdrain system which will allow low flows to filter through the amended soil to provide additional treatment. The primary swale will outfall into the detention pond bottom which will be landscaped to provide additional treatment opportunities prior to being captured and metered out into the existing floodplain. The secondary swale along Elsner Road will be sized to treat runoff from the southeast corner of the site as well as treat runoff from the existing impervious area upstream of the project site. This swale will outfall into the

existing wetlands and floodplain at the upstream end of the wetlands to ensure that the wetlands have adequate hydrology for the vegetation to flourish and sustain.

11. Reduce sidewalk width and grade them such that they drain to the front yard of a residential lot or retention area

Response: Local streets in the Town Center are designed with 5-foot-wide sidewalks and planter strips more than 5-feet wide as illustrated on the Preliminary Circulation Plan, Sheet 11.6 in Exhibit C. Grading of sidewalks within the rights-of-way is designed to direct stormwater into the water quality swale adequately sized to treat the entire Town Center development.

12. Reduce impervious impacts of residential driveways by narrowing widths and moving access to the rear of the site.

Response: 64% (46 of the 72) home sites located in the mapped Class B HCA area of the Town Center are served by a shared accessway or rear-loaded and served by an alleyway reducing the impacts of impervious pavement from residential driveways.

13. Use shared driveways.

Response: The applicant is utilizing shared accessways, "Alley - B" with a sidewalk, as illustrated on the Preliminary Circulation Plan, Sheet 11.6 in Exhibit C.

14. Reduce width of residential streets, depending on traffic and parking needs.

Response: Supported by the Traffic Flow Exhibit, provided in Exhibit F, the applicant is utilizing the "Narrow Street - B" section for local roads as illustrated on the Preliminary Circulation Plan, Sheet 11.6 in Exhibit C.

15. Reduce street length, primarily in residential areas, by encouraging clustering and using curvilinear designs.

Response: Length of streets located in the mapped Class B HCA area of the Town Center have been reduced by incorporating shared vehicle access via narrow "Alley - B" to residential lots located within the mapped Class B Upland HCA.

16. Reduce cul-de-sac radii and use pervious vegetated islands in center to minimize impervious effects, and allow them to be utilized for truck maneuvering/loading to reduce need for wide loading areas on-site.

Response: No cul-de-sacs are proposed in the Town Center development. Vegetated islands may be provided at the roundabouts; however, final design is dependent on compliance with site vision clearance standards and enhance pedestrian safety measures.

17. Eliminate redundant non-ADA sidewalks within a site (i.e., sidewalk to all entryways and/or to truck loading areas may be unnecessary for industrial developments).

Response: A key element of the Town Center, as envisioned in the Kingston Terrace Master Plan, is the provision of an extensive and complete pedestrian system throughout the Town Center. Pedestrian accessways in the mapped Class B HCA area of the Town Center are located to provide convenient access from the Town Center eastward to the future Beef Bend and Central neighborhoods.

18. Minimize car spaces and stall dimensions, reduce parking ratios, and use shared parking facilities and structured parking.

Response: On-street parking has been eliminated from SW Elsner Road to reduce impacts to natural resources. Surface parking areas that serve the multi-dwelling and mixed-use buildings in the Town Center provide 468 parking spaces, less than half of the 926 maximum parking spaces permitted. Dimensions of parking stalls in the surface parking and on-street spaces meet the minimum stall dimensions as illustrated on the Parking Plans, Sheets 12.1 and 12.2 in Exhibit C.

19. Minimize the number of stream crossings and place crossing perpendicular to stream channel if possible.

Response: No stream crossings are proposed in the Town Center development.

20. Allow narrow street rights-of-way through stream corridors whenever possible to reduce adverse impacts of transportation corridors.

Response: Improvements to SW Elsner Road south of Kingston Terrace Boulevard are designed to account for the natural resources, riparian areas, wetlands, and floodplain, located directly adjacent to the right-of-way. To reduce impact to these resources on-street parking has been eliminated along the street section design.

Part (b): Design and Construction Practices to Minimize Impacts on Wildlife Corridors and Fish Passage

1. Carefully integrate fencing into the landscape to guide animals toward animal crossings under, over, or around transportation corridors.

Response: A split rail fencing is proposed along the trail adjacent to the natural resource area in the southern portion of the Town Center development. The fence will allow animal crossings while deterring people from entering into the resource area. The location and design of the fence are detailed on the Fencing Plans, Sheets L7.05 through L7.07 in Exhibit C.

2. Use bridge crossings rather than culverts wherever possible.

Response: No new culverts are proposed in the Town Center development.

3. If culverts are utilized, install slab, arch or box type culverts, preferably using bottomless designs that more closely mimic stream bottom habitat.

Response: No new culverts are proposed in the Town Center development.

4. Design stream crossings for fish passage with shelves and other design features to facilitate terrestrial wildlife passage.

Response: No stream crossings are proposed in the Town Center development.

5. Extend vegetative cover through the wildlife crossing in the migratory route, along with sheltering areas.

Response: The Stormwater Management Facility Landscape Plan and the Locally Significant Wetland Buffer and Mitigation Planting Plan, Sheets L5.00 through L6.01 in Exhibit C, detail the preservation, mitigation, and enhancement of the natural resource area located in the southern portion of the site. Planting of this natural open space will support wildlife migration through the wetland corridor.

Part (c): Miscellaneous Other Habitat-Friendly Design and Construction Practices

1. Use native plants throughout the development (not just in HCA).

Response: Native plants are typically well suited for pre-development conditions and are healthiest in the local climate and surrounding natural environment. Once the urban development is constructed, they generally aren't well-adapted to these new conditions, such as a backyard or a shopping center. Between alkaline pH from lime leaching of concrete, increased heat load from reflecting surfaces, air pollution, soil compaction, and inconsistent layers of soil with poor aeration and drainage, the urban landscape does not provide the same growing opportunities for native plants when compared to the surrounding native landscapes. Non-native plants are able to thrive in these more adverse conditions in our urban environments and are therefore planted more frequently and are able to succeed in these locations. Native plants are still able to survive in urban environments but can struggle to adapt to the altered growing conditions.

Efforts will be made to balance the use of native and non-native plants throughout the Town Center development. The project's landscape architecture team will look at individual micro-climates throughout the site in order to determine the best places to locate plant material to ensure that plants are selected based on the use their ability to thrive in the location they

are planted. In the areas such as stormwater facilities and transition areas between the site and wetlands, native habitat, and vegetated corridors native plants will be the only type used.

2. Locate landscaping (required by other sections of the code) adjacent to HCA

Response: The mapped Class A and Class B HCA areas of the Town Center development, which include the right-of-way for SW Elsner Road and cultivated agricultural land, do not contain native trees. Landscaping required by other sections of this code and mitigation for the impacts to the mapped HCA will be provided in open space areas as illustrated on the landscape plans, Sheets L2.00 through L2.11, in the Park Blocks as illustrated on the landscape plans, Sheets L3.00 through L3.06, in the public plazas along main street as illustrated on Sheets L4.01 through L4.04, and the stormwater management facility and natural open space located in the south of the site as illustrated on the landscape plans, Sheets L5.00 through L6.01.

3. Reduce light spill-off into HCAs from development.

Response: The mapped Class A and Class B HCA areas of the Town Center development include the right-of-way for SW Elsner Road and cultivated agricultural land. These areas, which do not contain native trees, will be developed with improvements to Elsner Road as envisioned in King City's Transportation System Plan, and with streets, open spaces, and residential lots. Streetlights in these areas will be selected from PGE's approved street lighting equipment list. Shielding may be installed to direct lighting and prevent spill over.

4. Preserve and maintain existing trees and tree canopy coverage, and plant trees, where appropriate, to maximize future tree canopy coverage.

Response: No existing native trees are located within the Class A Upland HCA mapped in the Elsner right-of-way or the B Upland HCA mapped on the subject property. Preservation and maintenance of existing trees and tree canopy coverage outside of the HCA is proposed as noted on the arborist's report in Exhibit I and as illustrated on the HCA Mapping, Tree Preservation & Locally Significant Wetland plans, Sheets 13.0 through 13.4 in Exhibit C. Street tree planting proposed is detailed in the landscape plans, Sheets L1.00 through L1.11 in Exhibit C. Tree planting proposed in open spaces throughout the Town Center are detailed in the landscape plans, Sheets L2.00 through L6.01 in Exhibit C.

Notwithstanding the requirements in Section 16.114.090.1.3.a. through f., a minimum development disturbance area shall be permitted within a Class A or B Upland Habitat Conservation Area on a lot according to Table 16.114-9.

Response: Development of the Town Center within the Class A and B Upland HCA does not impact any native trees. As illustrated on the HCA Mapping & Tree Preservation Plans, Sheets 13.0 - 13.4 (Exhibit C), 100 percent of the Class A and B Upland HCA on the site will be disturbed for the purpose of grading and construction of underground utilities and development of permanent improvements including streets and driveways, lots for residential building development. The proposed development exceeds the minimum disturbance area permitted in Table 16.114-9; therefore, complies with this requirement.

4. For linear development where the project is within a public easement or right-of-way, the following requirements apply:

Response: Development within the Class A and B Upland HCA on the site includes linear improvements for streets, sidewalks, pathways, and utilities within existing and future public easements and rights-of-way, and these provisions apply.

- a. **The linear improvements, including but not limited to, streets, sidewalks, pathways, and utilities, shall be designed to minimize grading, removal of native vegetation, removal of trees with a 6-inch dbh or greater, and disturbance or removal of native soils by using the approaches described in Table 16.114-8;**

Response: No native trees are located within the Class A and B Upland HCA on the site. Development of the linear improvements within the Class A and B Upland HCA is proposed to incorporate the following design and construction practices:

- Incorporate stormwater management in road rights-of-way per city and CWS standards,
- Reduce sidewalk width and grade them such that they drain to the front yard of a residential lot or retention area,
- Reduce impervious impacts of residential driveways by narrowing widths and moving access to the rear of the site,
- Use shared driveways,
- Reduce width of residential streets, depending on traffic and parking needs,
- Reduce street length, primarily in residential areas, by encouraging clustering and using curvilinear designs, and
- Minimize car spaces and stall dimensions, reduce parking ratios, and use shared parking facilities.

- b. **All nuisance or prohibited vegetation identified in the Metro Native Plant List within the easement or right-of-way shall be removed;**

Response: Development of the Town Center will require removal of existing vegetation, including all nuisance, and prohibited plants identified in the Metro Native Plant List.

- c. **Portions of the easement or right-of-way that is not permanently developed with impervious surfaces shall be restored using the approaches described in Table 16.114-8; and**

Response: All portions of public easement and right-of-way within the Class A and B Upland HCA on the site are proposed to be permanently developed and the majority will be paved with impervious surface for streets, sidewalks, and bike facilities. However, the street cross sections will include planter strips of 4 to 6 feet that will be improved with grass, plants, and street trees.

- d. **Removed trees shall be mitigated with new plantings as provided in Table 16.114-10 except for the allowance of street trees approved by the city manager.**

Response: No native trees are proposed to be impacted or removed for linear development within the Class A or B HCA on site. As illustrated on the HCA Mapping & Tree Preservation plans and Tree Inventory (Exhibit C, Sheets 13.0 - 13.4) the project requires removal of 5 non-native trees in the Class A and B HCA for the purpose of linear development. The applicant will provide 13 trees and 24 shrubs as mitigation for these trees in accordance with Table 16.114-10 as calculated in the following table. Mitigation for the blue spruce trees will be made with native conifers.

Table 2. Mitigation for Linear Development

| Tree No. | Common Name | Single Stem DBH (in) | Location of Linear Improvement | Mitigation Requirements (per Table 16.114-10) | |
|----------|-------------|----------------------|--------------------------------|---|--------|
| | | | | Trees | Shrubs |
| | | | | | |

| | | | | | |
|-------------------------------------|----------------------|----|-------------|-----------|-----------|
| 70598 | blue spruce | 11 | Elsner Road | 2 | 3 |
| 70599 | blue spruce | 6 | Elsner Road | 2 | 3 |
| 70600 | blue spruce | 6 | Elsner Road | 2 | 3 |
| 70601 | blue spruce | 7 | Elsner Road | 2 | 3 |
| 70603 | European white birch | 24 | Local ROW | 5 | 12 |
| Total Mitigation Requirement | | | | 13 | 24 |

5. The following dimensional standards in Table 16.114-4 may be modified to reduce the land area converted to impervious surfaces:

- a. Minimum lot size may be reduced up to 1,000 square feet.
- b. Except for the garage, required yard building setbacks may be reduced by up to 50 percent.
 - i. Building height may be increased by 10 feet in exchange for reducing building footprints by at least 500 square feet.

Response: The applicant is not requesting to modify or reduce any dimensional standards.

Table 16.114-9 Minimum Development or Disturbance Area in an Upland HCA

| Minimum Development or Disturbance Area Permitted within the Upland HCA portion of a Lot ²⁶ | HCA Class | |
|--|-----------|-----|
| | A | B |
| Area developed with permanent improvements including, but not limited to, streets and driveways, parking, buildings, and other impervious areas that will not be revegetated. | 20% | 35% |
| Area that is temporarily disturbed for improvements such as grading and underground utilities and will be revegetated according to mitigation requirements Section 16.114.080.J. | 30% | 50% |
| Total combined area of permanent improvements and temporary disturbance. | 50% | 85% |

6. A construction management plan as specified in Section 16.114.090.G.

Response: A preliminary construction management plan is provided (Exhibit V), and a detailed plan shall be required for the Grading and Erosion Control permit application. The construction management plan will account for the tree protection recommendations provided by the project's arborist (Exhibit I) and the geotechnical engineer's site preparation recommendations (Exhibit G).

7. Development permits shall comply with the applicable requirements of this title in addition to Section 16.114.150.

Response: Development of the Town Center complies with the applicable requirements of the Development Plan Review Process, Section 16.114.150, as demonstrated in the applicant's narrative.

8. Partition and subdivision applications shall demonstrate how the land division improvements and the subsequent development on the proposed lots will comply with the provisions of this title. Provided that development following the recording of the final plat is consistent with what was approved as part of the land division, a subsequent Upland HCA review will not be required.

²⁶ For land divisions, the total development or disturbance area calculation shall include footprints for future building construction and related improvements such as driveways and patios. Minimums do not apply to linear development per Section 16.114.090.H.4.

Response: This consolidated development plan review includes a minor land partition and preliminary subdivision. The applicant's narrative and exhibits demonstrate compliance with applicable provisions of this title.

I. Mitigation requirement for disturbance in Upland HCAs.

- 1. When intrusion into an Upland HCA satisfies the approval criteria in Section 16.114.090.H., mitigation shall be provided. Mitigation plans shall satisfy the following:**

Response: No native trees are proposed to be impacted or removed within the Class A or B HCA on site. The HCA Mapping & Tree Preservation and Tree Inventory plans (Exhibit C, Sheets 13.0 - 13.4) identify the non-native trees proposed to be removed within the Class A and B Upland HCA. The applicant proposes to mitigate for removal of the non-native trees located in the Class A and B HCA as explained in the response to Subsection 4. d. above.

- a. Mitigation shall occur on the site of the disturbance, to the extent practicable. Off-site mitigation shall be approved if the applicant has demonstrated that it is not practicable to complete the mitigation on-site and has provided documented the ability to ensure the success of off-site mitigation. Mitigation shall occur within the Kingston Terrace District. When an alternative location and/or watershed is proposed, the applicant shall demonstrate why mitigation in the same watershed is not practicable.**

Response: The applicant proposes to provide the required mitigation for the removal of non-native trees on-site as illustrated on the landscape and planting plans, Sheets L1.00 through L6.01 in Exhibit C.

- b. Nuisance or prohibited vegetation itemized in the Metro Native Plant List shall be removed within the mitigation area.**

Response: The proposed landscape and planting plans for the Town Center development (Exhibit C, Sheets L1.00 - L6.01) do not include any nuisance or prohibited vegetation identified in the Metro Native Plant List. Existing nuisance and prohibited vegetation identified on the Metro Native Plan List will be removed from the mitigation area.

- c. Selection of all revegetation plantings shall be from the Metro Native Plant List.**

Response: The planting plans for the Town Center Development Exhibit C, Sheets L1.00 through L6.01) identify all areas to be planted with both native and ornamental plant pallets. Due to the urban nature of the development along with higher density construction, native trees are not a viable solution for street trees. Trees identified on the Metro Native Plant List must be used within the HCA area. The applicant proposes to plant trees from the Metro list in resource buffer locations, storm water facilities, parks, and in some appropriate open space tract locations where their viability and provide for a vibrant community experience can be assured. The applicant indicates that priority will be given to native and drought tolerant plants throughout the site.

- 2. An applicant must meet Mitigation Option 1 or 2, whichever results in more tree plantings; except that where the disturbance area is one acre or more, the applicant shall comply with Mitigation Option 2:**

Response: Mitigation for removal of non-native trees to accommodate linear development will be provided as described in the response to Subsection 16.114.090.H.4.d.

Mitigation for disturbance of the 5.62 acres of Class A and Class B HCA for the purpose of residential development will comply with Option 2.

- a. **Mitigation Option 1.** In this option, the mitigation requirement is calculated based on the number and size of trees that are removed from the site. Trees that are removed from the site must be replaced as shown in Table 16-114.10. Conifers must be replaced with conifers. Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

Table 16.114-10 Mitigation Option 1- Tree Replacement

| Size of tree to be removed (inches in diameter) | Number of trees and shrubs to be planted |
|--|--|
| 6 to 12 | 2 trees and 3 shrubs |
| 13 to 18 | 3 trees and 6 shrubs |
| 19 to 24 | 5 trees and 12 shrubs |
| 25 to 30 | 7 trees and 18 shrubs |
| Over 30 | 10 trees and 30 shrubs |

Response: The proposed development results in a disturbance of more than 1 acre of Class A and Class B HCA; therefore, Mitigation Option 2 is required to be met.

- b. **Mitigation Option 2.** In this option, the mitigation requirement is based on the size of the disturbance area within an HCA. Native trees and shrubs are required to be planted at a rate of 5 trees and 25 shrubs for every 500 square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by 500, then multiplying that result times 5 trees and 25 shrubs and rounding all fractions to the nearest whole number of trees and shrubs). Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

Response: The proposed project results in a disturbance area of 244,762-square feet (5.62-acres) of Class A and Class B HCA for the purpose of residential development; therefore, 2,446 native trees and 12,238 native shrubs will be provided to comply with Mitigation Option 2.

The Native & Non-Native Planting Area exhibit, Sheet EX1, illustrates where the applicant proposes to provide native trees and native shrubs to mitigate the disturbance in the HCAs. The table below identifies the number and location of native trees and native shrubs proposed to be planted within the development that exceed the mitigation requirements of this section.

Table 3. HCA Tree and Shrub Mitigation Planting

| | | |
|---|----------------------------------|--------------|
| | Required Native Trees | 2,446 |
| Native Trees to be Planted | | |
| Open Space East of Elsner | | 155 |
| Stormwater Management Facility & Natural Open Space | | 4,275 |
| | Total Trees to be Planted | 4,430 |

| | |
|---|---------------|
| Required Native Shrubs | 12,238 |
| Native Shrubs to be Planted | |
| Open Space East of Elsner | 774 |
| Stormwater Management Facility & Natural Open Space | 21,378 |
| Total Shrubs to be Planted | 22,152 |

Native trees proposed to be planted to mitigate impact to the HCA include Oregon White Oak, Pacific Crabapple, Pacific Dogwood, Douglas Fir, Incense Cedar, Western White Pine, and Ponderosa Pine. Native shrubs proposed to be planted to mitigate impact to the HCA include Tall Oregon Grape, Oceanspray, Clustered Rose, Common Snowberry, Vine Maple, Serviceberry, Wild Mockorange, Pacific Ninebark, Red Flowering Currant, Western Manna Grass, Oregon Iris, California Gray Rush, and Birchleaf Spirea.

The landscape and planting plans, Sheets L1.00 through L6.01 in Exhibit C, illustrate detail the proposed plantings. This criterion will be satisfied.

- 3. Plant size. The minimum size for replacement trees shall be 0.5-inch caliper measured 6 inches above ground level, and the minimum size for replacement shrubs shall be 1 gallon.**

Response: The planting details provided on the landscape plans (Exhibit C, Sheets L1.00 - L6.01) note that the proposed plantings for mitigation purposes will meet the minimum size requirements.

- 4. Plant spacing. Accepted landscaping practices, such as plant spacing, mulching, watering, and weed control shall be employed for planting and maintenance.**

Response: The planting details provided on the landscape plans (Exhibit C, Sheets L1.00 - L6.01) note that the proposed plantings for mitigation purposes will meet spacing requirements.

- 5. Plant diversity. When more than 10 trees or shrubs are planted, at least two different species shall be used.**

Response: The landscape and planting plans (Exhibit C, Sheets L1.00 - L6.01) detail the plant diversity proposed for mitigation purposes.

- 6. Maintenance. A mitigation maintenance plan shall be provided to demonstrate how a successful outcome will be achieved. A minimum of 80 percent of the plantings must survive, and removed nuisance or prohibited vegetation removed shall not reappear, for 5 years. The responsibility of monitoring, maintenance, and replacement shall rest with the property owner.**

Response: The landscape and planting plans (Exhibit C, Sheets L1.00 - L6.01) note the monitoring, maintenance, and replacement requirements of the applicant for the mitigation planting.

16.114.100 Neighborhood Locations and Primary Land Uses

A. The Regulating Plan locates each of the four neighborhoods within the Kingston Terrace Master Plan area. The neighborhood zones are generally located, and their boundaries shall be definitively established by the Backbone Streets, as follows:

- 1. The Kingston Terrace Town Center is bounded by Beef Bend in the north, Roy Rogers Road on the west, and Elsner Road to the east and south.**

Response: The proposed Town Center development is entirely located within the boundary of the Kingston Terrace Town Center neighborhood. The entire site is located South of SW Beef Bend Road, East of SW Roy Rogers Road, and West / Northwest of SW Elsner Road

B. Town Center Uses. The primary uses allowed outright within the Town Center neighborhood are listed in Table 16.114-2.

Response: As addressed in 16.114.040 of this report, all uses proposed in this development are allowed in the Town Center Neighborhood.

- 1. Residential development in the Town Center shall comply with density requirements of Table 16.114-3, dimensional standards of Table 16.114-4, and design standards of Table 16.114-5.**

Response: The proposed Town Center development complies with the applicable density, dimensional, and design standards as demonstrated previously in this report.

- 2. The Regulating Plan, Figure 16.114-9, identifies the location of a Municipal Zone at the intersection of River Terrace Boulevard and Fischer Road extension. In accordance with the Kingston Terrace Master Plan, future municipal buildings on this site may house a city hall, library, and other public facilities. The site of Clean Water Services' pump station, located south of the intersection of Roy Rogers Road and Fisher Road extension, is also identified as Municipal Zone.**

Response: The proposed Town Center development includes a 2.6-acre site intended for a future municipal building/ civic center. The Preliminary Plat (Exhibit C, Sheets 7.0 through 7.13) includes lots for both the future municipal building and existing pump station.

- 3. The Regulating Plan, Figure 16.114-9, identifies the location of the Mixed-Use Zone within the Town Center located along River Terrace Boulevard and north of the Fischer Road extension. Mixed use buildings shall contain both residential and commercial uses, stacked vertically side-by-side or standalone. The commercial business may include retail, offices, and restaurants.**

Response: Multi-dwelling buildings and mixed-use buildings with ground floor commercial area suitable for retail sales and service or office space are located along SW River Terrace Boulevard as illustrated on the Concept Site Plan (Exhibit C, Sheet 2.0).

- 4. The Regulating Plan, Figure 16.114-9, illustrates the location of public parks and open space within the Town Center neighborhood in relation to the Mixed-Use and Municipal Use Zones. Development and design of public parks and open space in the Town Center shall comply to the standards of Section 16.114.110.**

Response: Open Space Calculations Maps & Tables (Exhibit C, Sheet 4) illustrates that the proposed Town Center development provides approximately 6.5-acres of park blocks, a 1-acre

urban park, over 20,000 square feet of urban plaza space, and approximately 20-acres of natural open space, linear greens, pocket parks, and trails. The locations of these amenities conform to the designated locations as shown in Figure 16.114-9.

The natural open space in the southern portion of the development will not only contain a regional stormwater facility but also provide a natural resource amenity containing benches, natural play areas, and interpretive signage. Pocket parks will be dispersed throughout the development to provide easily accessible open spaces. Linear greens, pedestrian accessways, and trails are integrated throughout the development to provide safe and convenient pedestrian and bicycle access from SW River Terrace Boulevard, through the Town Center to adjacent neighborhoods, natural areas, and developments.

All proposed parks and open space comply with the standards of section 16.114.110 as demonstrated in the next section of this report.

16.114.110 Parks, Open Space and Trail

A. Developers shall pay Park System Development Charges (SDCs) in accordance with King City's Park SDC schedule or provide improvements per the Kingston Terrace Master Plan as agreed upon through the Annexation and Development Agreement process detailed in Section 16.114.140.C and D.

Response: Payment of park SCDs and issuance of park SDC credits for the proposed park and open space improvements in the Town Center development, designed as envisioned by the Kingston Terrace Master Plan, are detailed in the Annexation Agreement and Development Agreement that will be executed between the applicant and City.

SDC's paid to the City of King City will adhere to the schedule and guidelines outlined in the King City SDC guide. These will be checked for accuracy as ensured by the City Engineer, City Planning Department, and City Finance Department.

B. Developments in the Kingston Terrace District shall provide parks, open space areas, and trails in substantial compliance with the overall development vision as described in the Kingston Terrace Master Plan.

1. A development shall provide parks, trails, or open space:

- a. As identified in the Kingston Terrace Master Plan Figure 3.4 Parks and Open Space System Diagram;**
- b. Conform to the Kingston Terrace Master Plan Table 3.1 Parks and Open Spaces: Types, Guideline, Location with respect to both size; and**
- c. Will be dedicated to the public if the proposal is for a public park or open space.**

Response: This proposal includes parks, trails, and open space that conform to the Kingston Terrace Master Plan Figure 4.4 Parks and Open Space System Diagram and Table 4.1 Parks and Open Spaces: Types, Guideline, Location.

Table 4.1 in the Kingston Terrace Master Plan specifies for the Town Center:

- Linear Green Park – This is provided through the numerous linear green spaces abutting public plazas and aligning Kingston Terrace Blvd., Pomelo Dr. and along pedestrian corridors throughout the development proposal.
- Park Blocks – These are included as 6.5 acres of park which also includes the Urban Park.
- Urban Plaza – The Urban Plazas will be located along River Terrace Blvd. abutting the edges of the multi-use and multi-dwelling buildings, and at street intersections, as well as the area between Kingston Terrace Blvd. and SW. Pomelo Dr., which will be designed to accommodate pedestrians.
- Pocket Parks- There are numerous pocket parks included in the Development proposal.
- Open Space – Open space will be provided in the areas to the South of the Town Center development proposal. These will include walking paths around the CWS Stormwater Facility and throughout the Natural Resource areas.

Details for the proposed parks and open space are included in Sheets L2.00 - L5.01 (Exhibit C). City Staff find this criterion to be satisfied.

2. Parks and open spaces shall be designed to enhance the public pedestrian environment and be consistent to the applicable “General Characteristics” of the Land Use: Parks and Open Space section of the Master Plan.

Response: Parks and open spaces within the Town Center development, specifically the park blocks, linear greens, urban plazas, and urban park, included in this proposal are designed to enhance pedestrian activity and safety, consistent with the applicable “General Characteristics” of the Land Use: Parks and Open Space section of the Kingston Terrace Master Plan as noted in Table 9:

Table 4. Proposed Parks and Open Space General Characteristics

| General Characteristics | |
|---|---|
| Park Blocks (Sheets 2.8 thru 2.11 and L3.00 thru L3.06 in Exhibit C) | |
| <ul style="list-style-type: none"> • 3 Blocks • Interconnected by Multi-Use Path • Amenities for All Ages and Abilities | <ul style="list-style-type: none"> • Direct and Easy Pedestrian and Bicycle Access from Streets, Sidewalks, and Accessways Located Throughout Community • Extensive Tree Canopy |
| Urban Park (Sheet 2.11 and L3.04 in Exhibit C) | |
| <ul style="list-style-type: none"> • Space for Community Scale Gatherings and Public Events | <ul style="list-style-type: none"> • Located Adjacent to Future Municipal Building • Direct and Easy Pedestrian and Bicycle Access from Streets or Multi-use Path |
| Urban Plazas (Sheets 2.12 thru 2.14 and L4.01 thru L4.04 in Exhibit C) | |
| <ul style="list-style-type: none"> • Formal and Informal Seating • Support Commercial, Retail, and Restaurants Located in Mixed-Use Buildings | <ul style="list-style-type: none"> • Cohesive Design to create a Sense of Community and Togetherness |
| Linear Green (Sheets L2.03, L2.05, L2.07 and L2.08 in Exhibit C) | |

| | |
|---|--|
| <ul style="list-style-type: none"> • Safe and Direct Pedestrian and Bicycle Route through the Town Center Neighborhood | <ul style="list-style-type: none"> • Offer Active and Passive Recreational Options • Extensive Tree Canopy |
| Pocket Parks (Sheets L2.01, L2.04, L2.06, L2.08, and L2.10 in Exhibit C) | |
| <ul style="list-style-type: none"> • Small Scale Inviting Spaces • Easily Accessible | <ul style="list-style-type: none"> • Dispersed throughout Town Center Neighborhood • Various Designs and Amenities |
| Natural Open Space (Sheets 2.15 and L5.00 thru L6.00 in Exhibit C) | |
| <ul style="list-style-type: none"> • Scenic Overlook • Trails • Seating | <ul style="list-style-type: none"> • Interpretive Signage • Bike Racks |

3. Parks and open spaces shall be designed to include amenities and improvements as detailed in the “Key Features” in the Land Use: Parks and Open Space section of the Master Plan.

Response: The Town Center development is designed to include park blocks, urban plazas, an urban park, linear greens, pocket parks, and a natural open space. These spaces are designed to include “Key Features” and amenities identified in Land Use: Parks and Open Space section of the Kingston Terrace Master Plan as noted in Table 10:

Table 5. Proposed Parks and Open Space Key Features & Amenities

| Key Features and Amenities | |
|--|---|
| Park Blocks (Sheets 2.8 thru 2.11 and L3.00 thru L3.06 in Exhibit C) | |
| <ul style="list-style-type: none"> • Sports Courts (pickleball, basketball) • Shelters and Seating • Dog Park • Play Structures • Natural Play Area | <ul style="list-style-type: none"> • Informal Sport Field (for soccer, Ultimate Frisbey, Football) • Open lawn • Fitness Stations (for circuit training) • Bike Racks |
| Urban Park (Sheet 2.11 and L3.04 in Exhibit C) | |
| <ul style="list-style-type: none"> • Plaza Space • Splash Pad • Pedestrian Scale Lighting | <ul style="list-style-type: none"> • Seating • Space for Public Artwork • Bike Racks |
| Urban Plazas (Sheets 2.12 thru 2.14 and L4.01 thru L4.04 in Exhibit C) | |
| <ul style="list-style-type: none"> • Seating • Ornamental Landscape Planting in Planters or Raised Planting Beds | <ul style="list-style-type: none"> • Space for Public Artwork • Bike Racks |
| Linear Green (Sheets L2.03, L2.05, L2.07 and L2.08 in Exhibit C) | |
| <ul style="list-style-type: none"> • Public seating | <ul style="list-style-type: none"> • Pedestrian scale lighting |
| Pocket Parks (Sheets L2.01, L2.04, L2.06, L2.08, and L2.10 in Exhibit C) | |
| <ul style="list-style-type: none"> • Play Structures • Landscape planting | <ul style="list-style-type: none"> • Seating • Bike Racks |
| Natural Open Space (Sheets 2.15 and L5.00 thru L6.00 in Exhibit C) | |
| <ul style="list-style-type: none"> • Scenic Overlook • Trails • Seating | <ul style="list-style-type: none"> • Interpretive Signage • Bike Racks |

4. Improvements may include, but are not limited to the following:

a. Landscaped or hardscaped courtyards and plazas;

- b. Play structures;
- c. Weather canopies or sunshades;
- d. Seating areas;
- e. Free-standing planters and/ or raised planting beds;
- f. Drinking fountains;
- g. Public art or sculpture;
- h. Water features;
- i. Sports courts, fields, or tracts; or
- j. Other pedestrian space or design feature as approved by the reviewing authority.

Response: The proposed Town Center development will provide a variety of public parks and open spaces designed with an array of improvements and amenities as detailed in Tables 9 and 10 above.

5. **Passive recreation open space areas may be provided within identified natural resources or hazards including, but not limited to, 100-year floodplain, delineated wetlands and wetlands buffers, Class I and II Riparian Corridors, and Class A and B Upland Wildlife Habitat Conservation Areas are present on site. Improvements to such areas may include the following provided all necessary development approvals and permits are obtained:**
- a. Public accessways and trails;
 - b. Wildlife viewing areas; and
 - c. Improvements must comply with applicable requirements and approval criteria of Chapter 16.140- Floodplain and Drainage Hazard Areas and Section 16.114.080. – Kingston Terrace District Goal 5 Safe Harbor Review and 16.114.090- Upland Wildlife Habitat Conservations Areas.

Response: A passive recreation open space is provided in the natural open space area located in the southern portion of the Town Center. Amenities in this area include a scenic overlook, seating, interpretive signage, and trails. Improvements and enhancement to the natural open space will comply with the requirements of Chapters 16.140 and 16.114.090 as demonstrated in this report. These improvements will be further analyzed as construction and grading permit applications are submitted to the City.

6. **Trails and paths shall be located and designed to:**
- a. Augment the public sidewalk system and facilitate access to parks, schools, trails, open spaces, commercial areas, and similar destinations.
 - b. Trails and paths must meet all applicable federal and state accessibility standards where feasible. Soft surface trails and paths in or adjacent to natural areas are allowable.
 - c. Be dedicated to the public or placed in a public access easement.

Response: A complete and connected pedestrian trail and path system will be provided throughout the proposed Kingston Terrace Town Center. Multi-use paths are proposed along the SW Beef Bend and SW Elsner Roads and a wide sidewalk and cycle-track is provided along SW Roy Rogers Road. Pedestrian accessways, multi-use trails, and wide sidewalks provide connectivity within the Town Center to parks, open spaces, the commercial area, and site of the future municipal building. Paths and trails will be designed to meet applicable federal and state accessibility standards. The trails and paths will either be dedicated to the city or placed in a public access easement. The Preliminary Pedestrian Circulation plan (Exhibit C, Sheet 11.7)

illustrates the location of the trail and pathway system throughout the development. Adherence to adequate and functional ADA standard construction will be analyzed by City Engineers upon construction.

C. The Town Center will include the following public parks and opens spaces:

- 1. Park Blocks: An area of 4 to 7 acres located in the Town Center neighborhood shall provide both active and passive recreation and may include: sport fields, dog park, fitness stations, shelters, and open lawn seating.**

Response: The Town Center development provides over 6.5-acres of park block area as illustrated on the Open Space Calculations Maps & Tables (Exhibit C, Sheet 4). The park blocks are designed to provide both active and passive recreation opportunities. Proposed amenities and key features of the park blocks include play structures, natural play areas, basketball and pickleball sports courts, an informal sport field for pick-up soccer, football, or ultimate frisbee, a dog park, open lawn area, fitness stations for circuit training, shelters, seating, and bike racks. Conceptual renderings of the park blocks are provided in the Site Plan (Exhibit C, Sheets 2.8 - 2.11) and details are provided on Park Blocks Landscape Plans (Exhibit C, Sheets L3.00 - L3.06).

- 2. Urban Park: An area of 1 to 5 acres located to the south of the park blocks near the civic center. The urban park shall include space and be designed to accommodate community gatherings and events.**

Response: An acre of area in the park blocks adjacent to the future municipal site is identified as the urban park as illustrated on the Open Space Calculations Maps & Tables (Exhibit C, Sheet 4). The urban park is located and designed to accommodate community events and gatherings. The park is easily accessible from the future municipal building site and proposed to include a plaza, splash pad, amphitheater seating, lawn, and landscape. Plaza space is provided for events such farmer's markets or street fairs and amphitheater seating is provided for events such as concerts or movies in the park. A conceptual rendering of the urban park is provided on Sheet 2.1 and details of the park are provided on Sheet L3.04 (Exhibit C).

- 3. Urban plazas: Areas of approximately 1,000 square feet to 5,000 square feet shall be located at the intersections of River Terrace Boulevard at the new east-west Neighborhood Route, and at River Terrace Boulevard at the Fischer Road extension. Urban plazas will be hardscaped with seating and ornamental landscaping.**

Response: Urban plazas are proposed at the intersection of SW River Terrace Boulevard and Kingston Terrace Boulevard, the proposed east-west neighborhood route, and between the mixed-use and multi-dwelling buildings. The over 26,000 square feet of urban plaza space are hardscaped with seating and ornamental landscaping, as illustrated on conceptual renderings provided on Sheets 2.12 through 2.14 and the River Terrace Blvd. landscape plans, Sheets L4.00 - L4.04 (Exhibit C). The Preliminary Plat provided in Exhibit C indicates each plaza area is larger than 1,000 square feet.

- 4. Neighborhood Park: An area of approximately ¾-acres, shall be located in the southern portion of the Town Center neighborhood. The park will provide an open lawn area, shaded seating, and a play area.**

Response: Kingston Terrace Master Plan Figure 4.4 indicates the Neighborhood Park in the

Town Center neighborhood is located to the South of the project boundary; therefore, this criterion does not apply.

- 5. Linear Greens: Linear greens, located adjacent to the new east-west Neighborhood Route extending west from Elsner Road to Roy Rogers Road, shall provide a hard surface path and street furnishings such as benches, trash receptacles, and lighting.**

Response: A linear green is proposed along the northern side of the new east-west neighborhood route. The linear green includes a meandering paved multi-use trail, seating, and pedestrian scale lighting to offer a comfortable and safe pedestrian and bicycle route through the Town Center development. Details of the linear green are illustrated on the landscape plans, (Exhibit C, Sheets L2.03 - L2.08).

- 6. Natural Open Space: A natural open space area, spanning from Roy Rogers Road to Elsner Road, shall be located in the southern portion of the Town Center neighborhood. The 10-to-20-acre area shall provide connections to the natural resources with pedestrian trails, overlooks, nature play areas, and seating.**

Response: A 15-acre natural open space area is located in the southern portion of the Town Center development. Improvements to the natural open space include a trail, scenic overlook, and seating as illustrated on the conceptual rendering (Exhibit C ,Sheet 2.15) and landscape plans (Exhibit C, Sheets L5.00 and L5.01). Enhancement of the wetlands and vegetated buffer south of the trail is detailed on the planting plans (Exhibit C, Sheets L6.00 and L6.01).

- D. The Beef Bend, Central, and Rural Character residential neighborhoods will include the following public parks and open space:**

Response: This proposal is entirely within the Town Center Neighborhood; therefore, this criterion does not apply.

- E. Land use approvals for developments containing parks, open space, and trails shall assign maintenance responsibility if the area is not proposed and accepted as a public park.**

Response: Public parks, open spaces, and trails in the Town Center will be dedicated to the city as agreed upon in the Development Agreement. Parks and open spaces not dedicated to the city will be maintained by the development's homeowner's association or management company.

- F. Development along Habitat Conservation Areas (HCA) and Class I and II Riparian Corridors.**

- 1. Adjacent to HCA and Class I and II Riparian Corridors, fencing along a lot line perimeter cannot exceed 60 percent, shall not exceed 3 feet in height, and chain-link fences are prohibited. This standard may apply to the perimeter of lots measured collectively or measured individually, provided that it applies to 60 percent of the total lineal dimension.**

Response: Where fall protection is not required, 36-inch-tall split-rail fence is proposed to along the multi-use trail adjacent to the natural resource area located at the southern portion of the Town Center development as identified on the Fencing Plan, Sheet L7.01 (Exhibit C). The fence is designed to provide minimal obstruction and discourage visitors from entering the floodplain, wetland, and vegetative corridor mitigation and enhancement areas. The natural

materials of the rustic fence, as detailed on Sheet L7.07 (Exhibit C), complement the natural resource area. The height and openness of the fence does not impede wildlife.

Structural retaining walls are proposed along the northern boundary of the stormwater facility and the natural resource area in the southeastern corner of the Town Center development as illustrated on the Preliminary Grading Plans, Sheets 8.2 and 8.4 (Exhibit C). A 3.5-tall semi-transparent fence is proposed on the top of these walls to provide fall protection. The decorative fence provides minimal visual obstruction and complements the urban design of the Town Center development, as detailed on Sheet L7.07 (Exhibit C).

2. **For lots adjacent to HCA and Class I and II Riparian Corridors, which have their front lot line facing the resource, the resource-facing façades of buildings must meet the design requirements in Section 16.114.060, human-scale design: articulation, eyes on the street/transparency, main entrance, and detailed design.**

Response: The single-detached dwellings on SW Streambed Way face the resource. The front elevations of these homes meet the articulation, ‘eyes on the street’, main entrance, and detailed design requirements. At a minimum the homes are designed with façade offsets, covered entryways, and porches to comply with the articulation design standard. At least 20 square feet of façade includes windows or entrance doors meeting the ‘eyes on the street’ standard. The front entrances open to a porch that are at least 25 square feet in area, a minimum 4-feet deep, and have a roof above the porch that provides at least 40-percent coverage that is less than 12-feet high. Design details integrated into the front elevations of the homes include: covered porch, wall offsets, roof eaves, gable hip or gambrel roof design, roof offset, horizontal lap siding, and window trim. The development standards compliance matrix on Sheet A-2 (Exhibit D) identify the architectural design elements that comply with the design standards of Section 16.114.060. Illustrative renderings of the front elevations of these homes are provided on Sheets SF-6 - SF-11 (Exhibit D).

16.114.120 Neighborhood Circulation

The neighborhood circulation requirements and approval standards of Chapter 16.212 apply to development in the Kingston Terrace District, except for the street, sidewalk, accessway, and trail circulation standards as modified in this Section.

Response: The proposed Town Center development is located within the Kingston Terrace District; therefore, this section applies. Compliance with the standards of Chapter 16.212 is demonstrated later in the report.

- A. **Backbone Street Network. The Regulating Plan, Figure 16.114-9, illustrates the location of existing and future Backbone Street Network consistent with King City’s Transportation System Plan and the Kingston Terrace Master Plan. Following is a list of the existing and future streets, the functional classification, and corresponding Project Identification (ID) number identified in Table 13 in Chapter 5 of the Transportation System Plan (TSP):**

1. **North-south streets (listed west to the east):**
 - a. **Roy Rogers Road – Arterial - TSP Project ID 1**
 - b. **River Terrace Boulevard Extension – Collector - TSP Project ID 3**
 - c. **New Neighborhood Route west of Elsner Road between Beef Bend Road and Fischer Road - TSP Project ID 4**

- d. Elsner Road – Collector – TSP Project ID 5 and 6
- e. New Neighborhood Route east of Elsner Road and west of 155th Avenue extension between Beef Bend Road and Fischer Road - TSP Project ID 10
- f. 155th Avenue Extension – Collector - TSP Project ID 11
- g. New Neighborhood Route east of 155th Avenue extension and west of 150th Avenue between Beef Bend Road and south of Fischer Road - TSP Project ID 12
- h. 150th Avenue – Collector - TSP Project ID 13
- i. 147th Avenue – Neighborhood Route - TSP Project ID 14
- j. Myrtle Avenue – Neighborhood Route – TSP Project ID 15
- k. 137th Avenue - Collector – TSP Project ID 18

Response: The north-south backbone streets located adjacent to and within the Town Center development include SW Roy Rogers Road, SW River Terrace Boulevard Extension, SW Damsely Avenue (a new neighborhood route), SW 161st Avenue, and SW Elsner Road as illustrated on the Transportation Framework, Sheet 5 in Exhibit C.

2. East-west streets (north to south):

- a. Beef Bend Road – Arterial - TSP Project ID 8
- b. New Neighborhood Route south of Beef Bend Road between 137th Avenue and new neighborhood route – TSP Project ID 9
- c. New Neighborhood Route north of Fischer Road extension between 137th Avenue and 150th Avenue – TSP Project ID 16
- d. Fischer Road Extension – Collector – TSP Project ID 7

Response: The east-west backbone streets located adjacent to and within the Town Center development include SW Beef Bend Road, SW Pomelo Drive (a new neighborhood route), and SW Kingston Terrace Boulevard, an east-west collector road, as illustrated on the Transportation Framework, Sheet 5 in Exhibit C.

3. Local Streets. Within the areas bound by Backbone Streets a finer-grained network of local streets will be built.

Response: Local streets provide a complete circulation system as illustrated on the Preliminary Circulation Plan - Local Streets, Sheet 11.6 in Exhibit C.

4. Location of connecting street segment. To minimize impact to natural resources and accommodate topography, alignment of segments of Collector and Neighborhood Routes may vary up to 100 feet from the locations identified on the Regulating Plan, Figure 16.114-9, provided they fully connect/ intersect with each of the streets and intersections as shown on the Regulating Plan.

Response: Alignment of the existing and new streets proposed to serve the Town Center results in intersection locations that substantially comply with the Regulating Plan Figure 16.114-9, as illustrated on the Concept Site Plan (Exhibit C, Sheet 2.0).

B. Backbone Street intersections. The Regulating Plan, Figure 16.114-9, identifies the types of intersections of Backbone Streets and classifies them as follows:

- 1. **Type A Intersections. The following intersections already exist and/or will be extended into the Kingston Terrace District Plan. The location of these intersections may be adjusted by 100 feet in any direction to accommodate topography, desired connection points, and construction feasibility. Type A intersections include:**

- a. **Beef Bend Road at Roy Rogers Road;**
- b. **Fischer Road Extension at Roy Rogers Road;**
- c. **Elsner Road at Roy Rogers Road;**
- d. **River Terrace Boulevard Extension at Beef Bend Road;**
- e. **Elsner Road at Beef Bend Road;**
- f. **150th Avenue at Beef Bend Road,**
- g. **137th Avenue at Beef Bend Road;**
- h. **Fischer Road at 137th Avenue; and**
- i. **Fischer Road at 150th Avenue.**

Response: As illustrated on the Concept Site Plan (Exhibit C, Sheet 2.0) the proposed Town Center development includes intersections of existing streets and streets proposed to be extended. The locations of the intersections substantially conform to the Regulating Plan and do not vary by more than 100-feet in any direction. The design of intersections located along SW Roy Rogers and SW Beef Bend Roads comply with Washington County transportation design standards. Design of the roundabout located at SW Pomelo Drive, SW 161st Avenue, and SW Kingston Terrace Boulevard has been assessed by Kittelson’s transportation engineers to ensure safety of bicyclists, pedestrians, and vehicles is maintained during movements through the intersection. Sheet 11.11 in Exhibit C details the pedestrian, bicycle, and vehicular movements through the roundabout proposed along the eastern boundary of the Town Center development. Safe and direct bicycle circulation through the roundabouts may be made on the dedicated and separated bicycle lanes. Pedestrian and bicycle crosswalks are clearly marked for safe crossings with refuge islands. Cycle tracks are proposed along SW Roy Rogers, SW Beef Bend, and SW Elsner Roads. Transitions from the cycle tracks into 1-way in-street bike lanes will be made at clearly marked intersections and ramps that direct cyclists from the cycle track to the in-street bike lanes.

- 2. **Type B Intersections. The remaining intersections identified on the Regulating Plan, Figure 16.114- 9, are Type B. The location of these intersections may be adjusted by 200 feet in any direction to accommodate topography, desired connection points, and construction feasibility.**

Response: As illustrated on the Concept Site Plan, Sheet 2.0 in Exhibit C, Type B intersections are proposed throughout the Town Center development. The locations of these intersections substantially conform to the Regulating Plan and do not vary more than 200-feet in any direction.

An enhanced raised intersection is proposed at the intersection of SW River Terrace Boulevard and SW Pomelo Drive (Exhibit C, Sheet 11.9). The intersection is designed to slow vehicle traffic and allow a safe transition to the southern portion of SW River Terrace Boulevard where cyclists and vehicles are directed to share a travel lane. Signage and pavement markings will further identify the shared travel lanes. Sheet 11.10 in Exhibit C details the pedestrian, bicycle, and vehicular movements through the roundabout proposed at the southern terminus of the main street in the Town Center development. Safe and direct bicycle circulation through the roundabouts may be made on the dedicated and separated bicycle lanes.

- 3. **The Regulating Plan, Figure 16.114-9, includes unidentified intersections of Backbone Streets with Beef Bend Road. The location of the unidentified intersections is dependent**

upon Washington County’s intersection spacing standards, the timing of development, property ownership, topography, and minimization of impact to natural resources.

Response: Intersections of backbone streets with SW Beef Bend Road are proposed as illustrated on the Concept Site Plan, Sheet 2.0 in Exhibit C. Washington County engineering staff have reviewed the supporting Traffic Impact Analysis, provided in Exhibit E, which identifies the timing of intersection improvements required to support the proposed Town Center development.

D. Street circulation standards. The following criteria apply to the street network within the Kingston Terrace District:

- 1. Block length of collectors, neighborhood routes, and local streets shall not exceed 530-feet measured between intersections with public streets.**

Response: Streets within the Town Center development provide mid-block pedestrian and bicycle accessways on blocks that exceed 530-feet except for the 2 blocks located north and 1 block south of SW Pomelo Drive between SW Alexanna Way and the roundabout intersection with SW 161st Avenue as noted on the Preliminary Pedestrian Circulation Plan (Exhibit C, Sheet 11.7).

- 2. Exceptions to the block size may be approved by the City Engineer where a street location is precluded by natural topography, wetlands, significant habitat areas, bodies of water, pre-existing development, or intersection spacing requirements for arterial or collector streets. An exception to the block length may also be approved to support the urban design goals of the neighborhood including, but not limited to, development of an urban neighborhood that includes plazas and active frontages, and creation of public parks and open spaces such as park blocks or linear greens that support multi-modal transportation.**

Response: All blocks within the development are less than 530-feet or provide a mid-block pedestrian and bicycle accessway, except for 2 blocks located north and 1 block south of SW Pomelo Drive east of SW Alexanna Way as noted on the Preliminary Pedestrian Circulation Plan (Exhibit C, Sheet 11.7). Block length in the northeast corner of the development is predicated on the distance between intersections along SW Beef Bend Road and location of the roundabout at the intersection of SW 161st Avenue, SW Pomelo Drive, and SW Kingston Terrace Boulevard.

The linear green along the northern edge of SW Pomelo Drive and the east/west aligned public sidewalks along SW Birdseye Drive and SW Tawney Lane provide safe and convenient pedestrian and bicycle connectivity to the park blocks, main street, municipal site, and future development to the east. An intersection or mid-block accessway is not appropriate on SW Pomelo Drive along this block due to the proximity of the roundabout on a neighborhood route. SW Pomelo Drive’s longer block length improves pedestrian and bicycle safety by reducing conflicts with intersecting vehicles.

The street network design, including block lengths, provides a complete and safe pedestrian and bicycle circulation system while supporting the high-density neighborhood, as illustrated on the Preliminary Circulation Plan – Pedestrians and Bicycles (Exhibit C, Sheet 11.7). These exceptions are acceptable to the City Engineer.

- 3. Mid-block pedestrian and bicycle accessways on public easements or rights-of-way must be provided at spacing of no more than 330-feet if full-street connections cannot be provided, unless the connection is impractical due to topography, natural areas, inadequate sight distance, lack of supporting land use or other factors that may prevent safe connection, as determined by the City Engineer.**

Response: Mid-block pedestrian and bicycle accessways are located throughout the Town Center development as shown on the Preliminary Pedestrian Circulation Plan, Sheet 11.7 (Exhibit C). The mid-block accessways provide safe and comfortable pedestrian and bicycle routes to the park blocks, main street, municipal site, and natural resource area within the development. Accessways are also located along SW Roy Rogers Road, SW Beef Bend Road, SW 161st Avenue, and SW Elsner Road to provide gateways into the Town Center and convenient routes to the future River Terrace 2.0 and Kingston Terrace developments and Lasich community park. Accessways along the frontages and throughout the development will ultimately provide easy access to public trails and parks located on the Tualatin River.

Several accessways exceed the 330-foot maximum spacing standard, but these deviations are acceptable because they provide clear, logical, and direct pedestrian connections through out the development. An example would be SW Backcountry Way where the pathway spacing from SW Elsner exceeds 330 feet, but it aligns with a pathway to the north that connects directly to the sidewalk on the east side of SW Damsely Avenue.

As noted under Subsection H. below, the east-west pedestrian circulation needs to be improved on either side of SW River Terrace Boulevard between SW Beef Bend Road and SW Kingston Terrace. The one proposed satisfy the spacing requirements, but they are not direct.

4. The Regulating Plan, Figure 16.114-9, does not limit the ability of a developer to add additional streets or intersections.

Response: The proposed circulation plan illustrated on the Concept Site Plan (Exhibit C, Sheet 2.0) substantially conforms to the Regulating Plan, Figure 16.114-9.

E. Design Standards: Table 16.114-11 details the street dimension and design characteristics for streets in the Kingston Terrace District.

Table 16.114-11 Street Dimensional and Design Standards

| Street Type | Right of way or easement width ²⁷ | Pedestrian Walkway: Sidewalk, and Furnishings/ Landscape Zone | | Parking Lane width, max. | Bike Facility | Vehicular travel lanes | | Applicability |
|--|--|---|--------------------------|--------------------------|---------------|------------------------|-------------|---|
| | | Pedestrian Throughway, min. ²⁸ | Pedestrian Walkway, min. | | | Number | Width, max. | |
| Median Street A [²⁹] <i>Planted Median</i> Figure 16.114-12 | 102 feet, typical | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Shared | 2 | 11 feet | Collector, Neighborhood Route, or Local |
| Median Street B [²⁹] <i>Center Plaza</i> [³⁰] Figure 16.114-13 | 100 feet, typical | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Shared | 2 | 11 feet | Collector, Neighborhood Route, or Local |
| Main Street A <i>Parallel Parking</i> [³⁰] Figure 16.114-14 | 60 feet, max. | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Shared | 2 | 11 feet | Collector, Neighborhood Route, or Local |
| Main Street B <i>Diagonal Parking</i> [³⁰] Figure 16.114-15 | 90 feet, max. | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Shared | 2 | 12 feet | Collector, Neighborhood Route, or Local |
| Neighborhood Street Figure 16.114-16 | 60 feet, max. | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Shared | 2 | 10 feet | Collector, Neighborhood Route, or Local |

| | | | | | | | | |
|--|---------------|--------------------------|------------|--------------------------------|-------------------|----|---------|---|
| Biking Street A <i>Parking-Buffered Bike Lane</i> Figure 16.114-17 | 78 feet, max. | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Protected | 2 | 10 feet | Collector, Neighborhood Route, or Local |
| Biking Street B <i>Buffered Bike Lane</i> Figure 16.114-18 | 62 feet | 6 feet 5 feet (Local) | 12 feet | 8 feet | Protected | 2 | 10 feet | Local |
| Biking Street C <i>Separated Bike Lane</i> Figure 16.114-19 | 66 feet | 6 feet 5 feet (Local) | 12 feet | 8 feet 7 feet (Local) | Separated | 2 | 10 feet | Collector, Neighborhood Route, or Local |
| Rural Character Neighborhood Street Figure 16.114-20 | 50-60 feet | 5 feet | 15-20 feet | [³¹] | [³²] | 2 | 10 feet | Collector, Neighborhood Route, or Local [³²] |
| Narrow Street A[³³][³⁴] <i>Parking One-Side</i> Figure 16.114-21 | 46 feet | 5 feet | 10.5 feet | 1 lane at 7 feet ³⁵ | Shared | 1+ | 14 feet | Local |

| Street Type | Right of way or easement width ²⁷ | Pedestrian Walkway: Sidewalk, and Furnishings/ Landscape Zone | | Parking Lane width, max. | Bike Facility | Vehicular travel lanes | | Applicability |
|--|--|---|--------------------------|--------------------------|---------------|------------------------|-------------------|---|
| | | Pedestrian Throughway, min. ²⁸ | Pedestrian Walkway, min. | | | Number | Width, max. | |
| Narrow Street B[³³][³⁴] <i>Parking Both Sides</i> Figure 16.114-22 | 50 feet | 5 feet | 10.5 feet | 2 lanes at 7 feet each | Shared | 1+ | 14 feet | Local |
| Narrow Street C[³³][³⁴] <i>No Parking</i> Figure 16.114-23 | 42 feet | 10.5 feet | 5 feet | None | Shared | 1+ | 20 feet | Local |
| Alley[³⁶] Figure 16.114-24 | 20.0 feet - 34.5 feet | NA | NA | NA | NA | 1+ | 14 feet - 20 feet | May be used along natural resource edge |

²⁷ The combined required dimensions of each component (i.e., Plant Strip, Sidewalk) may be accommodated within the right-of-way, an easement or a combination of the two.

²⁸ Per the City of King City Transportation System Plan, Figure 29: Sidewalk Zones, the Pedestrian Walkway Zone includes both the Pedestrian Throughway and Furnishing/ Landscape Zone. The Pedestrian Throughway Zone is the accessible zone in which pedestrians travel. The Furnishings/ Landscape Zone is located between the pedestrian throughway and the curb and includes street furnishings and/ or landscaping (e.g., benches, lighting, bicycle parking, tree wells, and/ or other plantings).

²⁹ Left turn lane is optional in median streets; median may be a combination of planted, paved, and/ or parked; median may be 20 to 40 feet wide.

³⁰ Parallel or diagonal parking area may be partially planted, and/ or used for permanent or temporary outdoor seating or other public uses instead of parking.

³¹ Parking is accommodated within the Pedestrian Walkway zone.

³² On a collector street the bicycle facility may be accommodated on a multi-use path.

³³ Lots with front lot lines adjacent to or within ¼-mile distance from a Habitat Conservation Area (HCA) may be served by a narrow street or alley to minimize impact to the resource.

³⁴ Narrow Street design alternatives A, B, and C must meet the applicable criteria of Section 16.114.120.F.1.

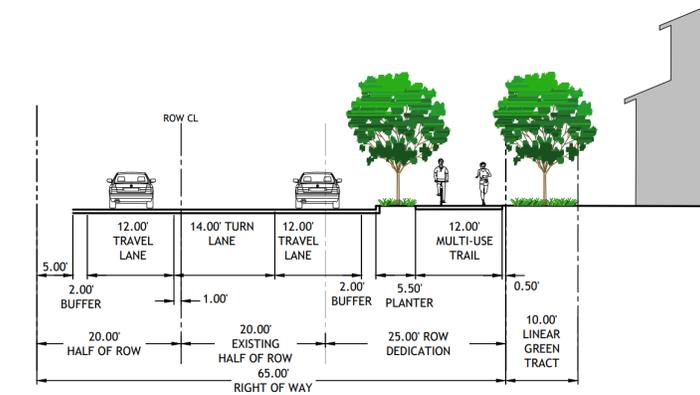
³⁵ The parking zone may shift from side to side of the vehicular travel lane as long as the minimum width of the vehicular is maintained. The curbside parking area may be partially planted, and/ or used for permanent or temporary outdoor seating or other public uses instead of parking.

³⁶ Development sites that have public street frontage on an arterial street, collector, neighborhood route or local street, upon which they cannot take direct vehicle access may choose to provide vehicle access through an alley.

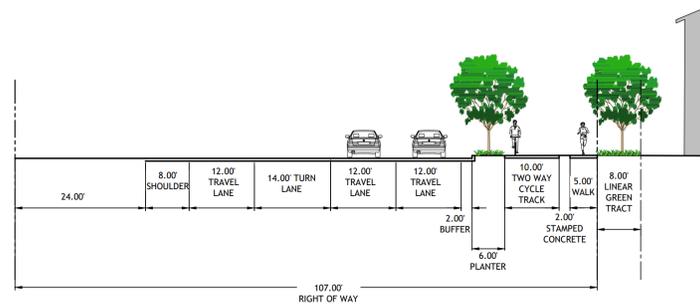
Response: The Preliminary Circulation Plans (Exhibit C, Sheets 11.1 – 11.6) detail the proposed design improvements to existing and new streets within and adjacent to the Town Center development.

Proposed improvements to Washington County arterials, SW Beef Bend and Roy Rogers Roads, depicted on Sheet 11.1 (Exhibit C), are supported by the Traffic Impact Analysis (Exhibit E) and have been approved by County engineering staff with conditions. Interim improvements to SW Beef Bend Road proposed adjacent to the Town Center development provide 2 travel lanes and a center turn lane at intersections, a 5.5-foot-wide planter strip, a 12-foot-wide multi-use trail, and a 10-foot-wide linear green. Full build-out plan for SW Beef Bend Road (Exhibit C, Sheet 11.1) illustrates the potential design of the road with development of River Terrace 2.0 to the north. Improvements to SW Roy Rogers Road adjacent to the development include multiple

travel lanes, a center turn lane at intersections, a 6-foot-wide planter strip, a 10-foot-wide two-way cycle track, a 2-foot-wide stamped concrete buffer, a 5-foot-wide sidewalk and an 8-foot-wide linear green. Final design of the frontage improvements will be approved by the County at time of Facility Permit issuance. Designs of SW Beef Bend and Roy Rogers Roads are provided below:



1A ARTERIAL - BEEF BEND FRONTAGE
(INTERIM)
N.T.S.



2 ARTERIAL - ROY ROGERS FRONTAGE
PED & BIKE - STONE SEPARATION

Table 11 compares the dimensional and design standards of Table 16.114-11 with the corresponding street sections proposed in the Town Center development:

Table 6. Dimensional Design Standards Comparison

| Street Type/ Location | ROW or Easement Width | Ped. Walkway: Sidewalk, and Furnishings/ Landscape Zone | | Parking Lane Width, Max. | Bike Facility | Vehicular Travel Lanes | | Applicability |
|--|-----------------------|---|--------------------|------------------------------|---------------|------------------------|------------------------------|--|
| | | Ped. Throughway, Min. | Ped. Walkway, Min. | | | Number | Width, Max. | |
| Median Street A (Planted Median) | 102 ft. typical | 6 ft./ 5 ft. (local) | 12 ft. | 8 ft./ 7 ft. (local) | Shared | 2 | 11 ft. | Collector, Neighborhood Route, Local |
| #6 – Kingston Terrace Blvd. South of Al’s Garden | 84 ft. | 6 ft. | 12 ft. | 8 ft. | Buffered | 2 | 11 ft. with 12 ft. Turn Lane | Collector Between Roundabout and Intersection with Arterial Road |
| <p>Response: Kingston Terrace Boulevard, the east-west collector located south of Al’s Garden, is classified as a Multi-modal Area Route and a Major Bicycle Route in the City’s Transportation System Plan (TSP) and Figure 5.20 of the Kingston Terrace Master Plan identifies the street section to contain in-street buffered bike lanes. With 6-foot-wide sidewalks and buffered bike lanes, the proposed street section is designed to provide safe and direct bicycle and pedestrian connectivity from Roy Rogers to SW River Terrace Boulevard. The street section includes a right turn lane with at least 50 feet of storage in accordance with the Traffic Impact Analysis, provided in Exhibit D. Intended to support future access to the site of Al’s Garden Center, the section is designed with on-street parking only on the south side of the street.</p> | | | | | | | | |
| Main Street B (Diagonal Parking) | 90 ft. max. | 6 ft./ 5 ft. (local) | 12 ft. | 8 ft./ 7 ft. (local) | Shared | 2 | 12 ft. | Collector, Neighborhood Route, Local |
| #5 Southern Portion of SW River Terrace Blvd. | 90 ft. | 6 ft. | 12 ft. | Width: 8 ft., Length: 19 ft. | Shared | 2 | 12 ft. | Collector Road Fronting Commercial Space in Mixed-Use Buildings |
| <p>Response: The southern section of SW River Terrace Boulevard is configured with diagonal on-street parking that will serve the commercial uses located on the ground floor of the mixed-use buildings along the main street. The street section will be clearly marked to denote the shared bicycle and vehicle travel lane.</p> | | | | | | | | |
| Neighborhood Street | 60 ft. max. | 6 ft./ 5 ft. (local) | 12 ft. | 8 ft./ 7 ft. (local) | Shared | 2 | 10 ft. | Collector, Neighborhood Route, Local |
| #11 Local Roads | 58 ft. | 5 ft. | 12 ft. | 7 ft. | Shared | 2 | 10 ft. | Local Roads |
| <p>Response: Local roads where the average daily trips will exceed 1,000 vehicle trips per day are designed as neighborhood streets.</p> | | | | | | | | |

| Street Type/ Location | ROW or Easement Width | Ped. Walkway: Sidewalk, and Furnishings/ Landscape Zone | | Parking Lane Width, Max. | Bike Facility | Vehicular Travel Lanes | | Applicability |
|---|-----------------------|---|--------------------|--------------------------|------------------------------|------------------------|----------------------------|---|
| | | Ped. Throughway, Min. | Ped. Walkway, Min. | | | Number | Width, Max. | |
| <i>Biking Street A (Parking-Buffered Bike Lane)</i> | 78 ft. max. | 6 ft./ 5 ft. (local) | 12 ft. | 8 ft./ 7 ft. (local) | Protected | 2 | 10 ft. | Collector, Neighborhood Route, Local |
| #4A Northern Portion of SW River Terrace Blvd. | 76 ft. | 6 ft. | 12 ft. | 8 ft. | Protected (Parking-Buffered) | 2 | 10 ft. | Collector |
| #4B Kingston Terrace Blvd. East/West Collector | 78 ft. | 8 ft. | 12 ft. | 8 ft. | Protected (Parking-Buffered) | 2 | 10 ft. | Collector |
| #7 SW Pomelo Dr. Neighborhood Route | 79 ft. | 6 ft. | 12 ft. | 8 ft. | Protected (Parking-Buffered) | 2 | 10 ft. | Neighborhood Route |
| #8 SW Damsely Ave. Neighborhood Route | 79 ft. | 6 ft. | 12 ft. | 8 ft. | Protected (Parking-Buffered) | 2 | 10 ft. | Neighborhood Route |
| <p>Response: Biking Street A configured with parking-buffered bike lanes is proposed in the northern section of the main street, along the east/ west collector, and the neighborhood routes. Sidewalks measuring at least 6-feet-wide are proposed to support pedestrian connectivity and safety. The right-of-way width has been increased by ½-foot on each side to accommodate survey monuments at the back of sidewalk.</p> | | | | | | | | |
| <i>Biking Street C – (Separated Bike Lane)</i> | 66 ft. | 6 ft./ 5 ft. (local) | 12 ft. | 8 ft./ 7 ft. (local) | Separated | 2 | 10 ft. | Collector, Neighborhood Route, Local |
| #3A SW 161 st Ave. Roundabout & Arterial | 77 ft. | 6 ft. | 12 ft. | None | Buffered | 2 | 10 ft. w/ 14 ft. Turn Lane | Collector Between Roundabout & Intersection with Arterial Road |
| #3B Elsner Rd. | 61.5 ft. | 5 ft. | Over 12 ft. | None | 10 ft. 2-Way Cycle Track | 2 | 10 ft. | Collector Adjacent to Natural Resources/ Constrained Conditions |

Response: SW 161st Avenue, north of the roundabout, provides a 14-foot-wide turn lane at the intersection of Beef Bend. On-street parking is eliminated from this street section due to the proximity and conflicts with the roundabout and intersections.

SW Elsner Street, an existing Washington County collector, is identified as a Major Pedestrian Route and a Major Bicycle Route in the City’s Transportation System Plan (TSP). Elsner Road is proposed to be realigned and terminate at SW Kingston Terrace Boulevard. Improvements to SW Elsner Road south of Kingston Terrace Boulevard are designed to account for the natural resources, riparian areas, wetlands, and floodplain, located directly adjacent to the right-of-way. To reduce impact to these resources on-street parking has been eliminated along the street section design; however, 5-foot-wide sidewalks and a 10-foot-wide 2-way cycle track supports pedestrian and bicycle connectivity envisioned in the TSP and Kingston Terrace Master Plan, Figure 5.2 Bicycle Facilities.

| Street Type/ Location | ROW or Easement Width | Ped. Walkway: Sidewalk, and Furnishings/ Landscape Zone | | Parking Lane Width, Max. | Bike Facility | Vehicular Travel Lanes | | Applicability |
|---|-----------------------------|--|--------------------------|--------------------------------|------------------|---------------------------|---------------|---------------|
| | | Ped. Throughway, Min. | Ped. Walkway, Min. | | | Number | Width, Max. | |
| Narrow Street B (Parking Both Sides) | 50 ft. | 5 ft. | 10.5 ft. | 2 lanes, 7 ft. ea. | Shared | 1+ | 14 ft. | Local |
| #8 Local Roads | 50 ft. | 5 ft. | 10.5 ft. | 2 lanes, 7 ft. ea. | Shared | 2 | 14. ft. Total | Local Roads |

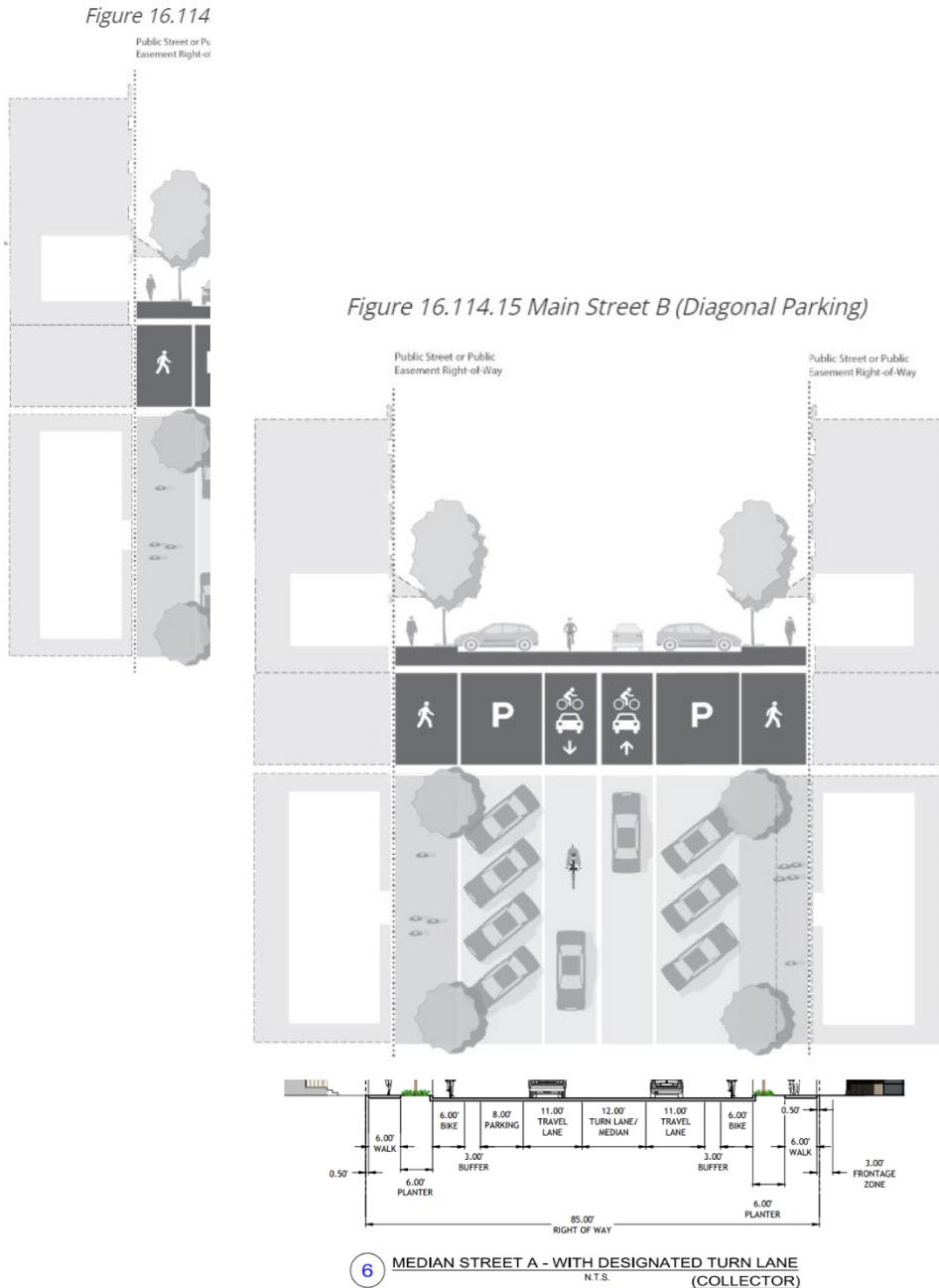
Response: All local roads within the Town Center development are designed to conform with Narrow Street B configuration. A Traffic Flow Plan illustrating the street design is appropriate for the development is provided in Exhibit F in accordance with Section 16.114.120.F.1.b.

| | | | | | | | | |
|--------------------------------------|----------------------|-------|-----|-----|-----|----|--------------------|---|
| Alley | 20 ft. - 34.5 ft. | N/A | N/A | N/A | N/A | 1+ | 14 ft. – 20 ft. | Maybe used along natural resource edges. |
| #9 Alleys | 20 ft. | N/A | N/A | N/A | N/A | 1+ | 19 ft. | Alleys |
| #10 Alleys with Pedestrian Access | 34.50 ft. | 5 ft. | N/A | N/A | N/A | 1+ | 28 ft. | Alleys with Pedestrian Access |

Response: Rear loaded attached and detached homes throughout the Town Center development will be served by 20-foot-wide alleys with 19-foot-wide travel lanes and mountable curbs. Alleyways that serve front loaded detached homes are designed with a 28-foot-wide travel land and a 5-foot-wide sidewalk. The wider easement width allows on-alley parking.

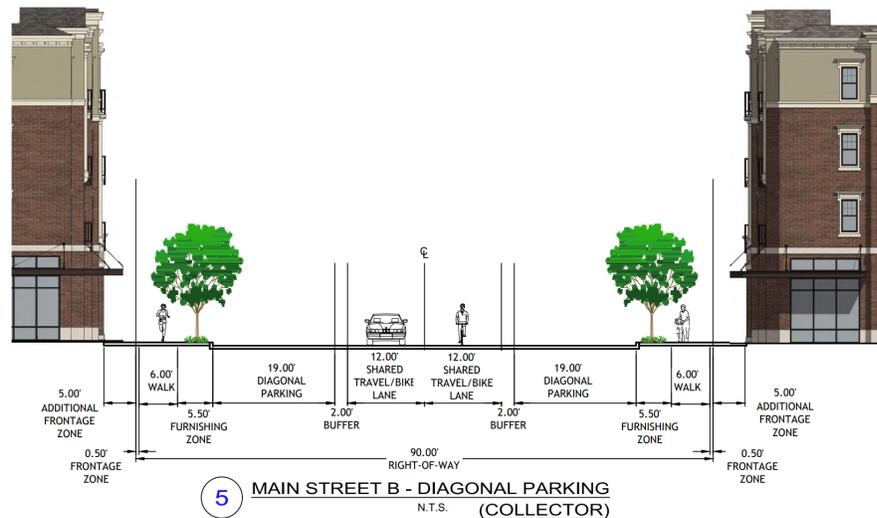
F. Typical street sections:

Response: The Preliminary Circulation Plans (Exhibit C, Sheets 11.1 - 11.6) illustrate the proposed design of streets within and adjacent to the Town Center development. Following are comparisons of the proposed designs and corresponding typical street section figures in Section 16.114.120.F:



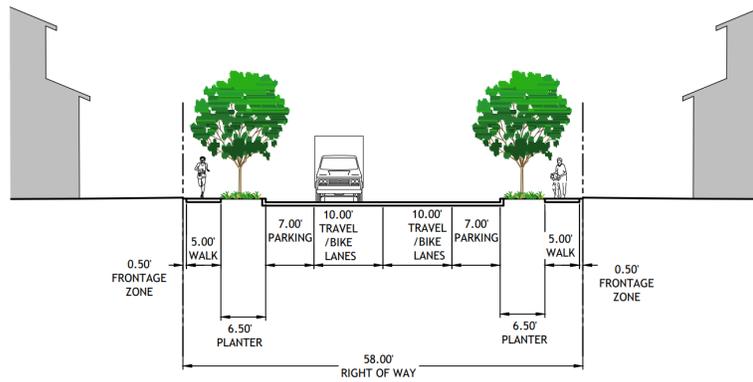
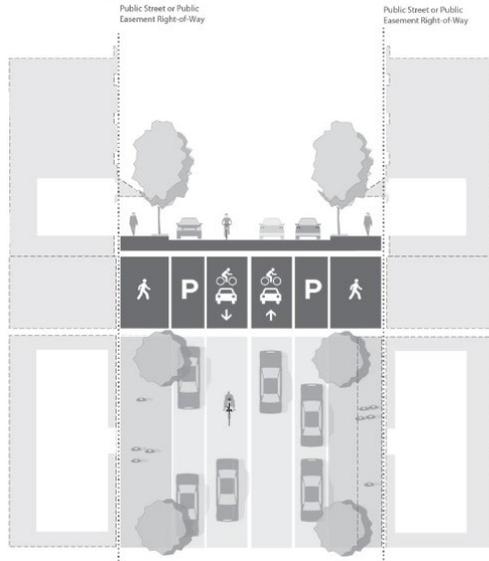
Response: A Median Street A section is proposed south of Al's Garden Center along the east-west collector between SW Roy Rogers Road and SW River Terrace Boulevard. The street

section is classified as a Multi-modal Area Route and a Major Bicycle Route in the City’s Transportation System Plan (TSP) and Figure 5.20 of the Kingston Terrace Master Plan shows in-street buffered bike lanes at this location. With 6-foot-wide sidewalks and buffered bike lanes, the proposed street section is designed to seamlessly support bicycle and pedestrian connectivity from SW Roy Rogers through the Town Center to SW Elsner Road. The street section includes a right turn lane with at least 50 feet of storage in accordance with the Traffic Impact Analysis (Exhibit E). Intended to support future access to the site of Al’s Garden Center, the section is designed with on-street parking only on the south side of the street.



Response: A Main Street B section is proposed along the southern section of SW River Terrace Boulevard. Diagonal parking provided will serve the commercial uses located on the ground floor of the adjacent mixed-use buildings. Markings will be provided to signal drivers of the shared travel lane.

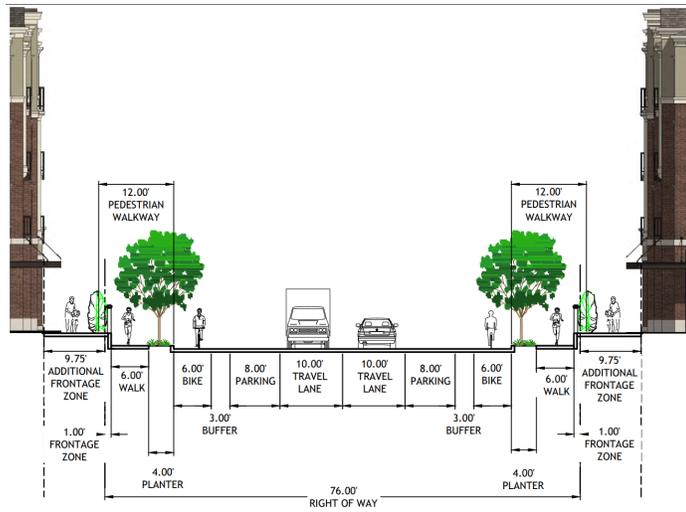
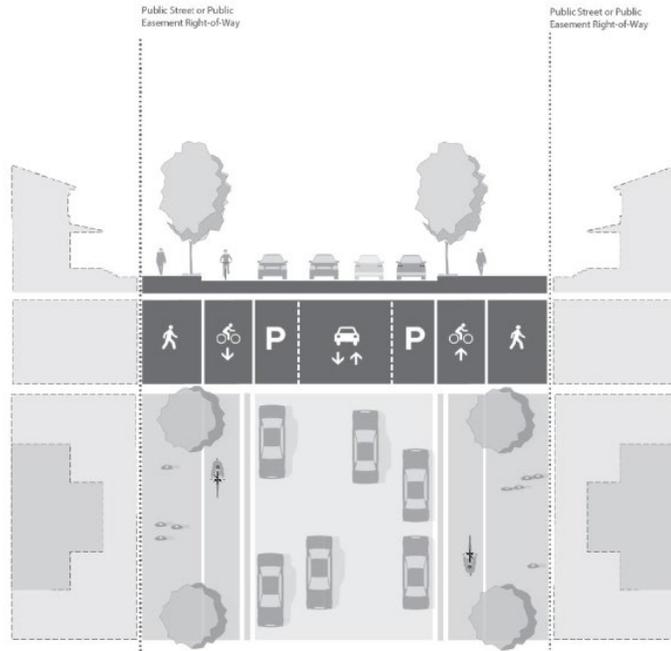
Figure 16.114.16 Neighborhood Street



11 LOCAL ROAD - PARKING BOTH SIDES
NEIGHBORHOOD STREET
N.T.S.

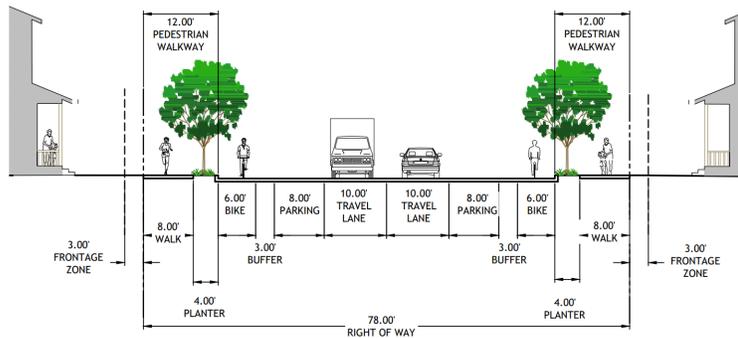
Response: Neighborhood Street sections are proposed for local streets where the average daily trips exceed 1,000 vehicle trips per day.

Figure 16.114.17 Biking Street A (Parking-Buffered Bike Lane)



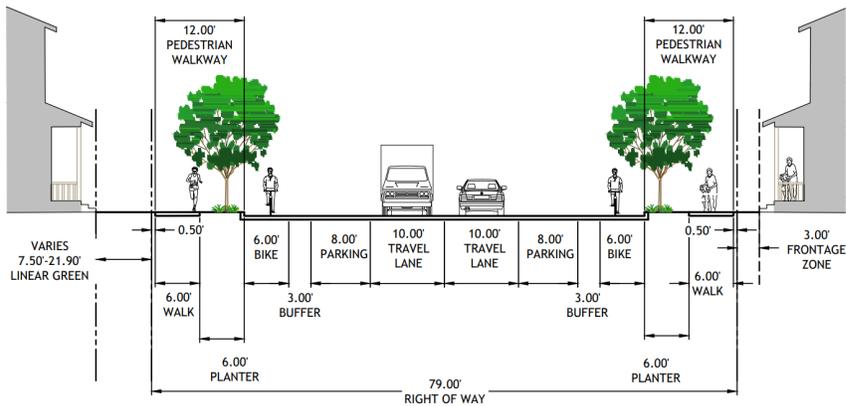
4A

BIKING STREET A - PARKING BOTH SIDES
N.T.S. (COLLECTOR)

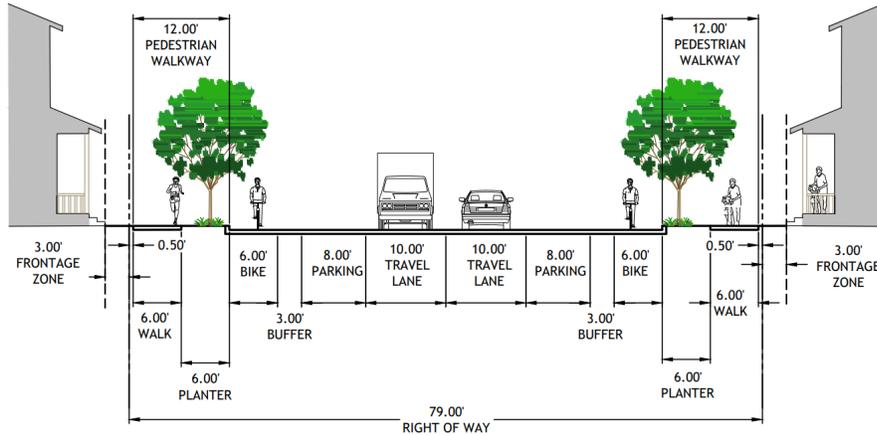


4B

BIKING STREET A - PARKING BOTH SIDES
N.T.S. (COLLECTOR)



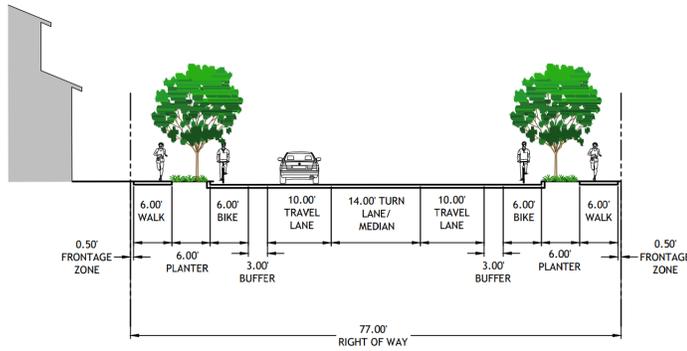
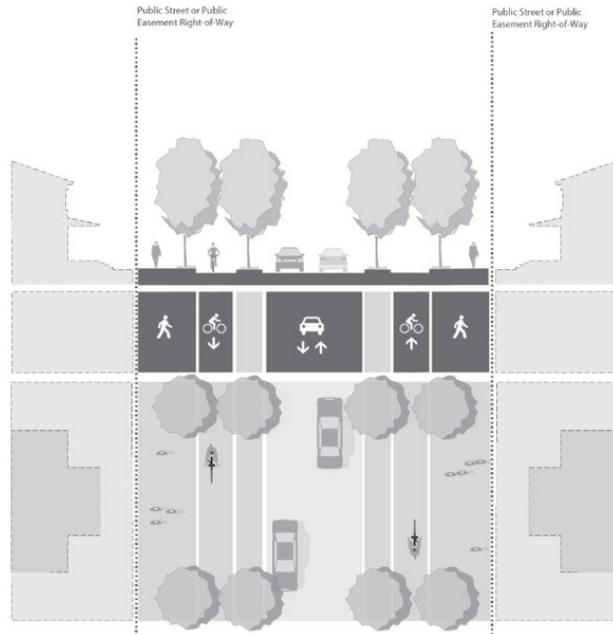
7 BIKING STREET A - MULTIMODAL AREA & NEIGHBORHOOD BICYCLE ROUTE W' LINEAR GREEN
N.T.S.



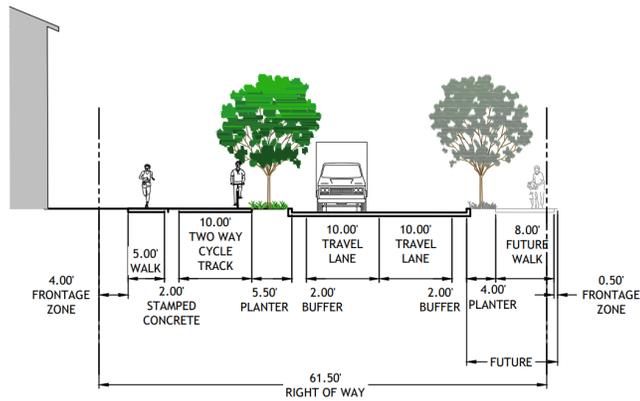
8 BIKING STREET A - MULTIMODAL AREA & NEIGHBORHOOD BICYCLE ROUTE
N.T.S.

Response: Biking Street A street sections are proposed along the northern section of SW River Terrace Boulevard, SW Kingston Terrace Boulevard, SW Damsely Avenue, and SW Pomelo Drive. All street sections provide a parking-buffered bike lane. Biking Street A sections and locations are identified and detailed on the Preliminary Circulation Plans (Exhibit C, Sheets 11.2, 11.3, and 11.5).

Figure 16.114.19 Biking Street C (Separated Bike Lane)³⁸



3A BIKING STREET C - WITH TURN LANE
(COLLECTOR W' CONSTRAINED CONDITIONS)
N.T.S.

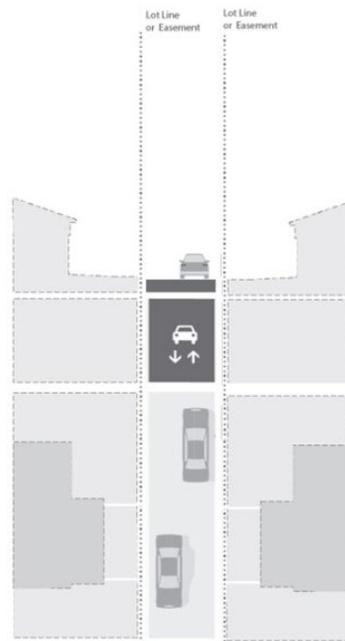


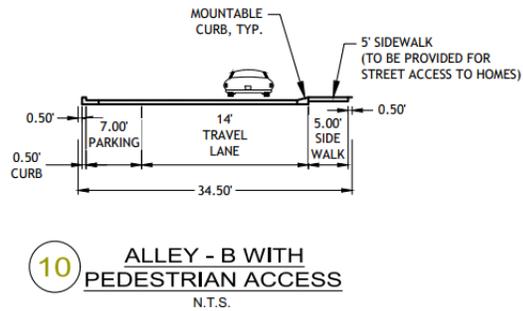
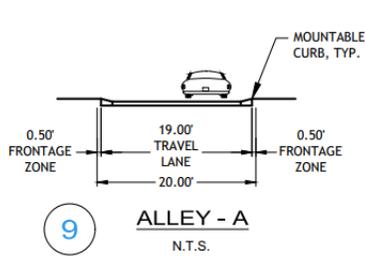
3B BIKING STREET C - ELSNER FRONTAGE
(COLLECTOR W' CONSTRAINED CONDITIONS)
N.T.S.

Response: Biking Street C street sections are proposed on SW Elsner Road and SW 161st Avenue, the northern section of the collector road north of the roundabout. SW Elsner Road is proposed to be realigned and terminate at SW Kingston Terrace Boulevard. SW Elsner Road, an existing Washington County collector, is identified as a Major Pedestrian Route and a Major Bicycle Route in the City’s Transportation System Plan (TSP). The location of Biking Street C Section and street sections are illustrated on Sheet 11.4 in Exhibit C.

Improvements to SW Elsner Road south of Kingston Terrace Boulevard are designed to account for the natural resources, riparian areas, wetlands, and floodplain, located directly adjacent to the right-of-way. To reduce impacts to these resources on-street parking has been eliminated along the street and the eastern side of Elsner is designed to only include an 8-foot-wide sidewalk and a 4-foot-wide planter. To support the Major Bicycle Route and pedestrian and bicycle connectivity envisioned in the TSP and Kingston Terrace Master Plan, Figure 5.2 Bicycle Facilities, the west side of the street has been designed with 5-foot-wide sidewalks and a 10-foot-wide 2-way cycle track. SW 161st Avenue, the collector road north of the roundabout, provides a 14-foot-wide turn lane at the intersection with SW Beef Bend Road. On-street parking is eliminated from this street section due to the proximity and conflicts with the roundabout and intersection.

Figure 16.114.24 Alley



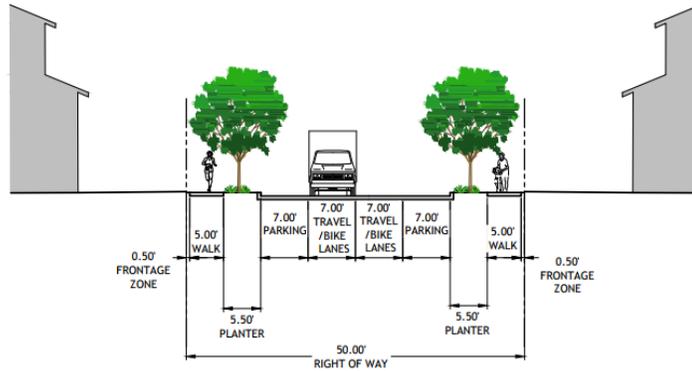
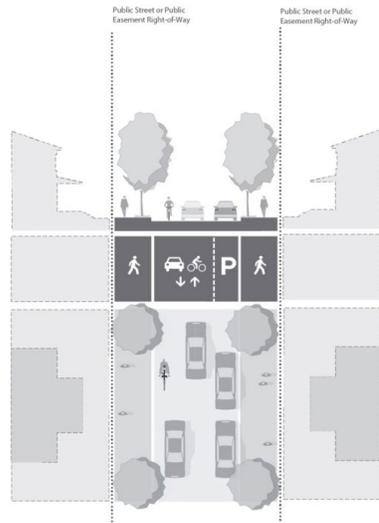


Response: Rear loaded attached and detached homes throughout the Town Center development will be served by 20-foot-wide alleys with 19-foot-wide travel lanes and mountable curbs. Alleyways that serve front loaded detached homes are designed with a 28-foot-wide travel lane and with a 5-foot-wide sidewalk. The wider right-of-way will permit limited on-alley parking for homes that front SW 161st Avenue, SW Kingston Terrace Boulevard, and SW Elsner Road, which do not permit on-street parking.

1. **Narrow Streets. Three alternative cross-sections for local residential narrow streets are illustrated in the following Figures 16.114-21, 16.114-22, and 16.114-23. Each Narrow Street alternative is tied to a specific set of criteria that must be met when adopting the alternative.**
 - b. **Criteria for Narrow Street B:**
 - i. **Traffic Flow Plan must be submitted and approved before adopting the alternative.**
 - ii. **Not appropriate for streets serving more than 1,000 vehicle trips per day.**
 - iii. **On-street parking is permitted on both sides.**
 - iv. **No on-street parking is permitted within 30 feet of an intersection.**

Response: The applicant proposes the Narrow Street B design for local streets that serve less than 1,000 vehicle trips per day. The Traffic Flow Plan (Exhibit F) demonstrates the appropriateness of this street design. The location of Narrow Street B and street section details are provided on the Preliminary Circulation Plan – Local Street, Sheet 11.6 in Exhibit C.

Figure 16.114.21 – Narrow Street A (Parking One-Side)



8 LOCAL ROAD - PARKING BOTH SIDES
NARROW STREET B
N.T.S.

G. Adjustments to the street dimension and design characteristics. Adjustments to the street dimension and design characteristics of Section 16.114.120.E may be approved by the City Engineer through a Development Plan Review with consideration made to the following:

1. **The functional street classification.**
2. **Anticipated traffic volume.**
3. **Sidewalk and bikeway requirements.**
4. **On-street parking needs.**
5. **Requirements for placement of utilities**
6. **Street lighting.**
7. **Drainage and slope impacts.**
8. **Protection of inventoried Goal 5 natural resources including Class A and B Upland Wildlife**
9. **Habitat Conservations Areas and Class I and II Riparian Habitat Conservation Areas.**
10. **Street location.**
11. **Planning and landscape areas.**

12. **Safety and comfort for motorists, bicyclists, and pedestrians.**
13. **Access needs for emergency and service vehicles and transit.**
14. **Guidance provided in Table 5: Minimum Bicycle Facilities, Table 7: Process for Determining Street Cross-Sections in Constrained Conditions, and Table 8: Constrained Acceptable Sidewalk Configuration of the City's Transportation System Plan.**

Response: The applicant proposes the street dimension and design characteristics illustrated on the Preliminary Circulation Plans (Exhibit C, Sheets 11.1 - 11.8).

Supported by the Traffic Impact Analysis (Exhibit E), the streets and intersection improvements have been designed to function as classified and support the anticipated traffic volume. With no minimum parking requirements, on-street parking provided will adequately serve the residents, visitors, and employees of the Town Center development. Identified as a Major Pedestrian Route and a Major Bicycle Route in the City's TSP, the design of SW Elsner Road considers protection of natural resources located directly adjacent to the right-of-way. Designs proposed for SW Elsner Road sections reflect guidance provided in the TSP. Wide sidewalks and buffered bike lanes provide a safe and comfortable bicycle and pedestrian system throughout the development to encourage multi-modal transportation. The Service Provider Permit received from Tualatin Valley Fire & Rescue (Exhibit N) demonstrates the development provides access required for emergency service vehicles.

H. On-Site bicycle and pedestrian circulation. Development within Kingston Terrace shall provide on-site bicycle and pedestrian circulation system which includes the following:

1. **Private development shall provide continuous connections between the primary buildings, ground level entrances, common buildings, common open space, and vehicle and bicycle parking areas.**
2. **Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.**
3. **Walkways shall be constructed with a hard surface material and shall be no less than 5 feet wide. If adjacent to a parking area where vehicles will overhang the walkway, it shall have a minimum width of 7 feet. The walkways shall be separated from parking areas and internal driveways using curbing, bollards, landscaping, or distinctive paving materials.**
4. **Dwelling, multi, mixed-use, and commercial developments shall provide on-site bicycle and pedestrian connections every 330 feet of block length where block lengths exceed 530 feet, except where precluded by natural topography, wetlands, significant habitat areas, bodies of water, or pre-existing development.**

Response: Preliminary pedestrian and bicycle circulation plans (Exhibit C, Sheets 11.7 and 11.8) illustrate how pedestrian and bicycle circulation provides continuous connections throughout the Town Center development. Sidewalks and pedestrian accessways are separated from vehicle parking and maneuvering with planter strips and/or raised curbs as illustrated on the street sections on Sheets 11.1 - 11.6 (Exhibit C). All sidewalks, pedestrian access ways, and internal walkways are at least 5 feet wide. Internal walkways are separated from the parking

areas and internal driveways with raised curbs, landscaping, or distinctive paving material. Accessways are proposed between the multi-dwelling and mixed-use buildings to provide connectivity approximately every 200 feet.

1. Parking plan (Exhibit C, Sheets 12.2 and 12.3) provides some additional detail regarding pedestrian pathways through the parking areas to the rear of the multi-family and mixed-use buildings on SW River Terrace Boulevard. Additional design clarification is necessary for the proposed pedestrian routes connecting the residential neighborhoods to the east and west with SW River Terrace Boulevard. In particular, entrances from the adjoining neighborhoods cross alleys where the pathway continuations are generally offset and sometime circuitous. To the extent possible, these routes should be made as direct as possible and complemented with route markings and/or signage to provide clear wayfinding for easy and safe east-west pedestrian access between River Terrace Boulevard and Town Center neighborhoods.
 2. Other than the marked crosswalks, all walkways are protected as required.
 3. All walkways are proposed to be paved and of a minimum width of 5 feet.
 4. As noted earlier in this report, there are several instances where block lengths and distances between pedestrian pathways/sidewalks exceed 530 feet and 330 feet respectively. However, these minor deviations are found to be appropriate.
- I. **Public bicycle and pedestrian circulation and facilities. The bicycle and pedestrian circulation system in the Kingston Terrace District shall include the following:**
1. **Location of pedestrian and bicycle routes shall substantially conform to Figure 26: Pedestrian Route Designations and Figure 27: Bicycle Route Designations of the King City Transportation System Plan, except as altered by traffic or engineer analysis.**
 2. **Size and location of pedestrian and bicycle facilities along public streets shall conform to the Street Dimensional and Design Standards of Table 16.114-11.**
 3. **Where bicycle routes are parallel and adjacent to an auto travel lane, the connection must be clearly marked and safely separated from the auto travel lane.**

Response: Preliminary pedestrian and bicycle circulation plans (Exhibit C, Sheets 11.7 and 11.8) illustrate where sidewalks and bike lanes are proposed throughout the Town Center development. They mirror the pedestrian and bicycle routes shown in Figure 27. The plans illustrate the dimensions and design of the bicycle and pedestrian circulation facilities within public rights-of-way. Conformance with Table 16.114-11 is demonstrated in the previous section of this report. Where bicycle routes are parallel and adjacent to a vehicle travel lane, they are either physically separated (multiuse pathways, or cycle tracks) or they are in-street buffered bike lanes.

- J. **Future transit. Developers shall coordinate with transit providers on design and location of transit infrastructure for development along transit routes identified in King City's Transportation System Plan Figure 28: Transit Route Designations.**

Response: The proposed development has been designed to accommodate future transit

routes. It is anticipated that transit will be extended to serve the area after the build-out of Kingston Terrace and River Terrace 2.0.

K. Circulation and Access. Development in the Kingston Terrace District shall comply with the minimum driveway, access width, and pavement width standards of Table 16.114-12.

Table 16.114-12 Minimum Vehicle Access Standards

| Uses | Number of Driveways | Access Width | Pavement Width |
|---|---------------------|------------------------------|---|
| Dwelling, single detached or attached | 1 | 10-ft. | 10-ft. |
| Dwellings, multi | 1 | 30-ft. | 15-ft. for 1-way 20-ft. for 2-way Curbs and 5-ft. Walkway Required |
| Mixed-Use and Non-Residential Uses (0-99 Parking Spaces) | 1 | 30-ft. | 24-ft. Curbs Required |
| Mixed-Use and Non-Residential Uses (100+ Parking Spaces) | 1 | 30-ft. Without Parking | 24-ft. Curbs Required |
| | | 50-ft. With Parking | 40-ft. Curbs Required |

Response: Access to all front-loaded single detached and attached dwellings have a 10-foot-wide driveway (Exhibit C, Sheets 2.1 - 2.5) Rear-loaded single detached and attached dwellings are provided access via a 20-foot-wide alley. Surface parking located in the rear of the multi-dwelling and mixed-use buildings is accessible from 2 driveways, 30-feet-wide without parking, with 24 feet of pavement.

- 1. Private residential access drives shall be provided and maintained in accordance with the applicable provisions of the uniform fire code.**

Response: The Service Provider Letter received from Tualatin Valley Fire & Rescue Exhibit N) demonstrates that the development provides access required for emergency service vehicles. Access drives will be maintained by a homeowners' association or management company as required.

- 2. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.**

Response: The Site Plans, Sheets 2.16 - 2.18, and the Parking Plans, Sheets 12.2 and 12.3 in Exhibit C, illustrate how the access drives that serve the multi-dwelling and mixed-use buildings are designed to facilitate traffic flow while providing safe pedestrian access on-site.

- 3. Parking spaces on access driveways shall be designed to reduce or eliminate backing movements and other conflicts with the driveway traffic and pedestrian routes and crosswalks.**

Response: The Site Plans, Sheets 2.16 - 2.18 and the Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), illustrate how the access drives that serve the multi-dwelling and mixed-use buildings are designed to eliminate backing movements into public rights-of-way. Parking Plans (Exhibit C, Sheets 12.2 and 12.3) illustrate the pedestrian crosswalks from the buildings to surface parking and resident amenities.

- 4. To slow traffic speeds on access drives, speed bumps, speed limit signs, and similar techniques may be required by the approval authority to enhance safety for pedestrians, bicyclists, and motorists on the site.**

Response: Because the pedestrian connections that cross alleys and/or parking lot vehicle aisles, these crossings would benefit from treatments to enhance their visibility and include traffic calming elements to enhance pedestrian, bicycle, and vehicle safety.

- 5. To improve traffic flow, the city engineer may require directional signs on the site to guide pedestrians, bicyclists, or motorists.**

Response: As noted above wayfinding techniques should be provided to guide pedestrians traversing the alleys and parking areas.

- 6. Where a proposed parking facility is served by one-way traffic flow on the site, it shall be accommodated by a driveway system approved by the city, and the entrance drive shall be situated closest to oncoming traffic and the exit drive shall be situated farthest from oncoming traffic.**

Response: One-way facilities are not proposed for the multi-dwelling and mixed-use buildings.

- 7. The direction of traffic flow shall be clearly marked for motorists on the property and the adjoining public street.**

Response: Clearly directional signs and/or pavement markings should be provided as appropriate for motorists on properties and adjoining streets throughout the Town Center development.

- 8. Excluding dwelling, single-family attached or detached, groups of more than two parking spaces and all loading areas shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way is required.**

Response: The Site Plans and Parking Plans (Exhibit C, Sheets 2.16 - 2.18) and 12.2 and 12.3), illustrate how the access drives that serve the multi-dwelling and mixed-use buildings are located to the rear of the buildings and are designed to eliminate backing movements into public rights-of-way. The diagonal parking on SW River Terrace Boulevard will allow the only backing movements for vehicles, consistent with the approved street design in Section 16.114.120.

9. All driveways shall be paved and designed in a manner approved by the City Engineer.

Response: Final approval for the design and construction of driveways will be obtained by the City Engineer at the time of building permit.

10. Where pedestrian or bicycle routes cross driveways, parking area or loading areas, the connection must be clearly identifiable through the use of striping, elevation changes, speed bumps, a different paving material, or other similar method.

Response: Parking Plans (Exhibit C, Sheets 12.2 and 12.3) illustrate the pedestrian crosswalks from the buildings to surface parking and resident amenities. The crosswalks will be clearly marked within the parking areas. However, as noted above, the connections with the adjoining neighborhoods to the east and west are often not direct, and as designed, the routes to follow may be difficult for pedestrians to discern. The pedestrian routes crossing the parking areas need to be made more direct and easier to navigate.

16.114.130 Parking and Loading

B. Applicability. The Parking and Loading standards of Chapter 16.132 do not apply to new development in the Kingston Terrace District. They are superseded by the standards of Section 16.114.130.

Response: The proposed Town Center development complies with the parking and loading standards of this section as noted below. All private lot parking areas and garages in the King City Town Center Development are located behind the mixed-use commercial and multi-dwelling buildings that align SW River Terrace Boulevard.

C. Vehicle parking standards.

- 1. Minimum number of vehicle parking spaces. There are no minimum vehicle parking requirements in the Kingston Terrace District.**
- 2. Maximum number of vehicle parking spaces.**
 - a. The number of parking spaces provided by any particular use in ground surface parking lots must not exceed the number of parking spaces provided in Table 16.114-13, Maximum Off-Street Vehicle Parking Spaces. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, tuck-under parking or under-structure parking, or in multi-level parking above or below surface lots, do not apply toward the maximum number of allowable spaces. Where a fractional number of spaces results, the maximum number of spaces is rounded down to the nearest whole number. This section does not apply to single-family residential dwellings.**

Table 16.114-13 Maximum Vehicle Parking Spaces

| Maximum Off-Street Parking Requirements | | |
|---|---------------------------------|-------------------------|
| Use Categories | Specific Uses | Maximum Vehicle Parking |
| A. Residential Categories | | |
| 1. Single-Family | Single-family Attached/Detached | Not Applicable |
| | Duplex, Triplex, Fourplex | Not Applicable |

| Maximum Off-Street Parking Requirements | | |
|--|--|---|
| Use Categories | Specific Uses | Maximum Vehicle Parking |
| | Residential Care | Not Applicable |
| | Manufactured Home | Not Applicable |
| | Mobile Home | Not Applicable |
| 2. Multi-dwelling/ Group Living | Studio/ 1 Bedroom | 1.5 spaces per unit. |
| | 2 or more Bedrooms | 2.25 spaces per unit. |
| C. Commercial Categories: | | |
| 1. Retail Sales and Service | Retail, Personal Service, Repair | 1 space per 200 square feet. |
| | Retail, Repair Large Merchandise such as Home Appliances, Furniture | 1 space per 600 square feet of gross floor area. |
| | Restaurants, Health clubs, meeting rooms | 1 space per 133 square feet of gross leasable floor area. |
| | Motel | 1.5 spaces per guest room, plus 1 space for the manager. |
| | Theater | 1 space per 2.66 seats. |
| 2. Office | Professional Government | 1 space per 200 square feet. |
| | Medical, Dental | 1 space per 200 square feet. |
| 3. Automotive | Vehicle Repair | 1 space per 6,000 square feet, or 2 minimum. |
| | Quick Vehicle Service, Car Wash | 1 space per 6,000 square feet, or 2 minimum. |
| D. Institutional Categories: | | |
| 1. Public Safety Facilities | | Number determined as part of conditional use. |
| 2. Community | Parks and Open Space, Meeting Recreation Halls, Recreation Buildings | 1 space per 7,000 square feet of gross area, or 1 space per 700 square feet of building floor area, whichever is greater. |
| 3. Schools | Grades K-12 | 0.3 per staff and students |
| 4. Religious assembly | | 1 space per 2.66 seats in the main worship area. |
| 5. Utilities | | 1 space per 1.5 employees on the largest shift, or 1 space for each 350 square feet of gross floor area, plus |

| Maximum Off-Street Parking Requirements | | |
|---|---------------|----------------------------|
| Use Categories | Specific Uses | Maximum Vehicle Parking |
| | | 1 space per fleet vehicle. |

Response: The proposed Town Center development consists of single-family and multi-dwelling residential and commercial uses. Maximum vehicle parking is not applicable to single-family residential uses. The following vehicle parking calculations do not account for redevelopment of the surface parking area located between Al’s Garden Center on tax lot 1502. A modification to the approved development plan review will be submitted at the time of redevelopment to address vehicle parking standards.

The Town Center development may contain up to 926 vehicle parking spaces in surface parking lots to serve residential and commercial uses within the mixed-use and multi-dwelling buildings.

A maximum of 801 vehicle parking spaces is permitted in ground surface parking lots for the 400 multi-dwelling residential units as calculated below:

Table 12. Maximum Vehicle Parking in Ground Surface Parking Lots for Multi-Dwelling Residential Use

| Maximum Number of Parking Spaces Permitted in Ground Surface Parking Lots for Multi-Dwelling Residential Use | | | | |
|--|------------|---|--------------------------|--------------------|
| Eight (8) 36-Unit Mixed-Use Buildings with Multi-Dwelling Units | | | | |
| Type of Unit | # of Units | Max. Parking Permitted (Spaces per Unit Type) | Max. Parking Requirement | Total Max. Parking |
| Studio Unit | 72 | 1.5 | 108 spaces | |
| 1-Bed Unit | 48 | 1.5 | 72 spaces | |
| 2-Bed Unit | 168 | 2.25 | 378 spaces | |
| Total Maximum Parking Permitted for 8 36-Unit Mixed-Use Buildings | | | | 558 spaces |
| Two (2) 34-Unit Multi-Use Buildings with Multi-Dwelling Units | | | | |
| Type of Unit | # of Units | Max. Parking Permitted (Spaces per Unit Type) | Max. Parking Requirement | Total Max. Parking |
| 2-Bed Unit | 68 | 2.25 | 153 | |
| Total Maximum Parking Permitted for 2 34-Unit Mixed Use Buildings | | | | 153 spaces |
| Two (2) 22-Unit Multi-Dwelling Buildings | | | | |
| Type of Unit | # of Units | Max. Parking Permitted (Spaces per Unit Type) | Max. Parking Requirement | Total Max. Parking |
| 1-Bed Unit | 12 | 1.5 | 18 spaces | |
| 2-Bed Unit | 32 | 2.25 | 72 spaces | |
| Total Maximum Parking Permitted for 2 22-Unit Multi-Dwelling Buildings | | | | 90 spaces |
| Total Maximum Parking Permitted for Multi-Dwelling Residential Use | | | | 801 spaces |

A maximum of 125 vehicle parking spaces is permitted in ground surface parking lots for the 33,912 square feet of commercial space located in the 8 mixed-use buildings as calculated

below. The applicant estimates that 60-percent of the commercial area will be used for retail, personal service, and repair, and the remaining 40-percent for restaurants.

Table 13. Maximum Vehicle Parking In Ground Surface Parking Lots for Commercial Uses

| Maximum Number of Parking Spaces Permitted in Ground Surface Parking Lots for Commercial Uses | | | |
|--|------------|--|--------------------------|
| Uses | Area | Max. Parking Permitted (Spaces Per Use Type) | Max. Parking Requirement |
| Retail, Personal Service, Repair | 20,347 sf. | 1 space per 200 sf. | 102 spaces |
| Restaurants | 13,565 sf. | 1 space per 600 sf. | 23 spaces |
| Total Maximum Parking Permitted for Commercial Uses | | | 125 spaces |

The Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), show surface parking lots in the Town Center development provide a total of 470 vehicle parking spaces. The parking spaces provided do not exceed the maximum spaces permitted in Table 16.114-13. The spaces provided are summarized in Table 14 below:

Table 14. Total Vehicle Parking in Town Center Development

| Vehicle Parking Provided | |
|--|-------------------|
| Type of Parking | Spaces Provided |
| Residential Garage Parking | 164 spaces |
| Residential Surface Parking | 236 spaces |
| Commercial Surface Parking | 70 spaces |
| Total Vehicle Parking Spaces Provided | 470 spaces |

- 3. Availability. Parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles. Parking spaces may not be assigned in any way to a use on another site, except for shared parking situations.**

Response: This criterion will be evaluated once build-out is complete and residential/commercial occupancy begins. In the event parking spaces are assigned to a use located on another lot, a shared parking agreement will be recorded.

4. Location.

- a. Vehicle parking is allowed only on approved streets, within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this code. Vehicle parking must not be located in a vehicle travel lane (including emergency or fire access lanes).**

Response: The Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), illustrate the location of on-street and surface vehicle parking provided in commercial and multi-dwelling areas within the Town Center. Each single-family dwelling provides a garage with at least 1 vehicle parking space. Parking for residents of multi-dwelling units is provided in garages and in surface parking lots located behind the buildings. Adequate on-street parking is provided to serve the visitors of the residential and commercial uses is located along SW River Terrace Boulevard between SW Kingston Terrace Boulevard and SW Pomelo Drive.

Tualatin Valley Fire & Rescue (TVF&R) has reviewed the proposal to assess emergency and fire access. A service provider permit from TVF&R is provided in Exhibit N.

- b. Surface parking areas shall be located on the site to serve the intended users of the development safely and conveniently, without precluding future site intensification.**

Response: As illustrated on the Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), surface parking areas are located behind the mixed-use and multi-dwelling buildings. Access is provided directly from the buildings to the respective parking area for safe and convenient pedestrian connectivity.

- c. Surface parking areas shall occur to the side or rear of buildings.**

Response: As illustrated on the Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), surface parking areas that serve the mixed-use and multi-dwelling buildings are located behind the buildings.

- d. Off-street surface vehicle parking areas, detached garages, and attached or detached carports associated with mixed-use, multi-family dwelling, or commercial buildings may not be located closer to a street property line than the building closest to that street property line.**

Response: All off-street surface vehicle parking that serve the mixed-use and multi-dwelling buildings are located behind buildings toward the back of the lot. The parking lot driveway is located between the parking areas and the adjacent alley-loaded rowhomes that align SW Abundance Ave to the East of SW River Terrace Boulevard. The mixed-use and multi-dwelling buildings act as a buffer between the street and the parking areas, as illustrated on the Parking Plan Sheets 12.2 and 12.3 (Exhibit C).

- e. Parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way.**

Response: As illustrated on the Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), the parking spaces are located so no backing movements or other maneuvering will occur in a street right-of-way.

5. ADA accessible parking spaces.

- a. When parking is provided on-site, accessible parking must be provided for disabled persons, in conformance with the Federal Americans with Disabilities Act (ADA). On-site accessible parking facilities must comply with the design requirements of the current building code as adopted by the State of Oregon.**

Response: There are 4 ADA spaces provided per 100 spaces and 5 ADA spaces provided per 130 ADA respectively on each site as required by ORS 447.233 and Federal Regulations. Exact

numbers and locations are found on Parking Plans, Sheets 12.2 and 12.3 (Exhibit C).

6. Shared Parking. Shared parking between two or more uses is permitted when all the following criteria are satisfied:

- a. **Satisfactory legal evidence is presented to the city manager in the form of deeds, leases or contracts to establish the shared use;**
- b. **The other applicable standards of this title can be met; and**

Response: This criterion does not apply to this proposal. In the future event shared parking is proposed within Town Center development, the city will be provided a copy of the legal documentation, and the shared parking will not impact compliance with other applicable standards of this title.

7. Electrical service capacity.

- a. **Newly constructed multifamily residential buildings with five or more residential dwelling units, and newly constructed mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, shall provide sufficient electrical service capacity, as defined in ORS 455.417, to accommodate no less than 40 percent of all vehicle parking spaces serving the residential dwelling units. Dwelling units in townhouses are not included for purposes of determining the applicability of this regulation.**

Response: The proposed Town Center development will provide 400 vehicle parking spaces to serve the residents of the multi-dwelling and mixed-use buildings; therefore, the development is required to provide electrical service capacity to serve 160 vehicle parking spaces. The Parking Plans, Sheets 12.2 and 12.3 (Exhibit C), identify the location of the 162 vehicle parking spaces with access to electrical charging capability. Each individual parking area accommodates at least 40% of spaces with electrical charging capability.

8. Maintenance.

- a. **When provided, parking spaces shall be designed and maintained by the owner of the property.**

Response: This criterion does not apply to this development proposal. Upon build-out, parking spaces within the Town Center development will be maintained by the owner of the property or property management company.

- b. **All off-street vehicle parking spaces and maneuvering areas must have a durable and paved surface and shall be maintained for all-weather use. The use of pervious concrete, pervious paving, driveway strips, or an in-ground grid or lattice surface is encouraged to reduce stormwater runoff.**

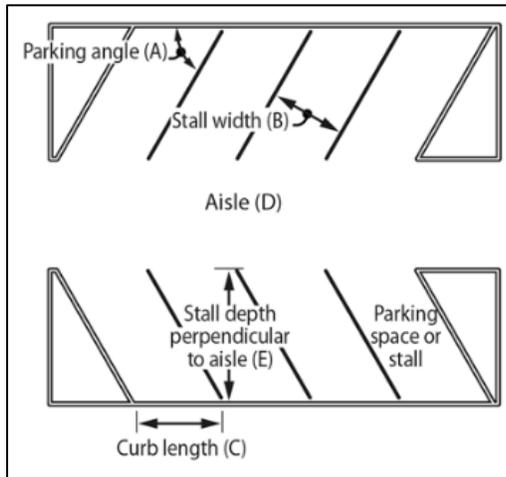
Response: All off-street vehicle parking and maneuvering areas will have a durable, paved surface. Pavement details will be provided with construction documents at the time of site improvement permitting. These documents will be evaluated by the City Engineer upon submittal of permit applications.

9. Parking stall standard dimensions and compact car parking.
 - a. All off-street parking stalls must be improved to conform to City standards for surfacing, stormwater management and striping, and provide dimensions in accordance with Table 16.114-14 Parking Stall Dimensions and Figure 16.114-25 Parking Area Dimensions.
 - b. No more than 50 percent of the parking stalls provided on-site can be compact spaces.
 - c. The stopping edge of any curb or wheel stop must be placed no less than two feet from the end of the parking stall.
 - d. Where a curb or wheel stop is provided, the overhang of a vehicle past the curb or wheel stop may be counted as part of the required parking stall depth, up to a maximum of two feet.
 - e. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop that is at least 4-inches high located 3 feet back from the front of the parking space. The front 3 feet of the parking stall may be concrete, asphalt or low-lying landscape material that does not exceed the height of the wheel stop. This area cannot be calculated to meet landscaping or sidewalk requirement.

Table 16.114-14 Minimum Parking Dimensions

| Parking Angle (A) | Parking Stall Type | Stall Width (B) | Curb Length (C) | 1 Way Aisle Width (D) | 2 Way Aisle Width (D) | Stall Depth (Includes bumper overhang) (E) |
|-------------------|--------------------|-----------------|-----------------|-----------------------|-----------------------|--|
| 0° | Standard | 8.0-ft. | 22.5-ft. | 12-ft. | 20-ft. | 8.0-ft. |
| | Compact | 8.0-ft. | 22.5-ft. | 12-ft. | 20-ft. | 8.0-ft. |
| 30° | Standard | 9.0-ft. | 9.0-ft. | 12-ft. | 20-ft. | 16.0-ft. |
| | Compact | 8.0-ft. | 8.0-ft. | 12-ft. | 20-ft. | 15.0-ft. |
| 45° | Standard | 9.0-ft. | 9.0-ft. | 12-ft. | 20-ft. | 16.0-ft. |
| | Compact | 8.0-ft. | 8.0-ft. | 12-ft. | 20-ft. | 15.0-ft. |
| 60° | Standard | 9.0-ft. | 9.0-ft. | 16.0-ft. | 20.0-ft. | 16.0-ft. |
| | Compact | 8.0-ft. | 8.0-ft. | 16.0-ft. | 20.0-ft. | 15.0-ft. |
| 90° | Standard | 9.0-ft. | 8.5-ft. | 16.0-ft. | 20.0-ft. | 16.0-ft. |
| | Compact | 8.0-ft. | 8.5-ft. | 16.0-ft. | 20.0-ft. | 15.0-ft. |

Figure 16.114-25 Parking Area Dimensions



Response: Compliance with the minimum parking stall dimensions is demonstrated on the Parking Plan, Sheets 12.1 – 12.3 (Exhibit C). In all parking areas where there are designated parking stalls, the provided dimensions meet or exceed the minimum requirements in this section.

D. Loading area requirements. All off-street vehicle loading areas for passengers or goods must:

1. Include sufficient area for turning and maneuvering of vehicles on site.
2. Be designed such that vehicle stacking does not impact any public right-of-way, vehicle travel lane, or emergency or fire access lanes.

Response: Off-street vehicle loading areas are located to provide sufficient area for turning and maneuvering and in the case of vehicle stacking will not impact any public right-of-way, vehicle travel lane, or emergency or fire access lane. The loading areas identified on the Parking Plans for the mixed-use area, Sheets 12.2 and 12.3 (Exhibit C), are located to align with the trash enclosures that serve the buildings.

E. Bicycle parking requirements: Bicycle parking shall be provided in conjunction with all new mixed-use, dwelling, multi, commercial, and municipal developments in Kingston Terrace District. This section does not apply to single-family residential dwellings.

1. Number of bicycle parking spaces. Table 16.114-15 lists applicable standards.

Table 16.114-15 Minimum Bicycle Parking Requirements

| Minimum Bicycle Parking Requirements | | |
|--------------------------------------|--|-------------------------|
| Use Categories | Specific Uses | Minimum Bicycle Parking |
| A. Residential Categories | | |
| 1. Single-Family | Dwelling Single-family Detached/ Attached | Not Applicable |
| | Duplex, Triplex, Fourplex | |
| | Residential Care | |
| | Manufactured Home | |
| | Mobile Home | |

| Minimum Bicycle Parking Requirements | | |
|--------------------------------------|--|---|
| Use Categories | Specific Uses | Minimum Bicycle Parking |
| 2. Dwelling, multi/ Group Living | Studio/ 1 Bedroom | 1 space per unit. |
| | 2 or more Bedrooms | 1 space per unit. |
| B. Commercial Categories: | | |
| 1. Retail Sales and Service | Retail, Personal Service, Repair | 1 space per 2,500 square feet of floor area, or 2 spaces minimum; |
| | Retail, Repair Large Merchandise such as Home Appliances, Furniture | |
| | Restaurants, Health clubs, meeting rooms | |
| | Motel | 1 space per 10 rooms, or 2 spaces minimum; |
| 2. Office | Theater | 1 covered space for every 20 seats, or 1 space per 20 persons allowed by Building Code. |
| | Professional Government Medical, Dental | 1 space per 2,500 square feet of floor area, or 2 spaces minimum; |
| 3. Automotive | Vehicle Repair | 2 covered spaces. |
| | Quick Vehicle Service, Car Wash | |
| C. Institutional Categories: | | |
| 1. Public Safety Facilities | | 1 space per 4,000 sq. ft., or 2 spaces minimum. |
| 2. Community | Parks and Open Space, Meeting Recreation Halls, Recreation Buildings | 2 spaces within 50 feet of each developed playground, ball field, and shelter; or a minimum of 8 spaces per park. |
| 3. Schools | Grades K-12 | 4 per classroom for grades 4-12 |
| 4. Religious assembly | | 1 covered space for every 20 seats, or 1 space per 20 persons allowed by Building Code in the main assembly room. |
| 5. Utilities | | 1 space per 4,000 sq. ft., or 2 spaces minimum. |

Response: The proposed Town Center development consists of single-family and multi-dwelling residential, commercial, and community uses. Minimum bike parking is not applicable to single-family residential uses. The following bicycle parking calculations do not account for redevelopment of the surface parking area located between Al's Garden Center on tax lot 1502. A modification to the approved development plan review will be submitted at the time of redevelopment to address bicycle parking standards.

The Town Center development is required to provide 400 bicycle parking spaces, 1-space per unit, to serve the residents of the multi-dwelling units. As noted on the Bicycle Parking Plan, Sheet 12.4 in Exhibit C, each multi-dwelling unit has space to accommodate one bike providing 400 bicycle parking spaces within the living units. Storage rooms located on the ground floor of the mixed-use and multi-dwelling buildings provide parking for 152 bikes.

The required number of bicycle parking spaces for commercial is 1 per 2,500 square feet. The commercial space equals 33,912 square feet. Therefore, a minimum of 14 bicycle parking spaces is required to serve the Town commercial space. Bike racks located along River Terrace Blvd. provide 16 short-term bike parking spaces. Bicycle parking is also provided at each amenity in the park blocks and in the urban park as illustrated on Sheet 12.4 (Exhibit C).

- 2. Bicycle parking shall be located no more than 50 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.**

Response: Short-term bike parking that serves commercial and residential uses in the multi-dwelling and mixed-use buildings is provided with bike racks located within 50-feet from a primary entrance. The bike racks are stationed at every commercial plaza area and pedestrian entrances along SW River Terrace Boulevard. Long-term bike parking is provided in residential units and storage rooms located near each entrance of the mixed-use and multi-dwelling buildings as illustrated on Sheet 12.4 (Exhibit C).

3. Bicycle parking facility design.

- a. **Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored or secure stationary rack which supports the frame so the bicycle cannot easily be pushed or fall to one side. Racks that require a user-supplied lock shall accommodate locking the frame and both wheels using either a cable or U-shaped lock.**
- b. **Bicycle parking spaces shall be at least 6 feet long and 2.5 feet wide, and overhead clearance in covered spaces shall be a minimum of 7 feet.**
- c. **A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.**
- d. **Bicycle racks or lockers shall be securely anchored.**
- e. **Required bicycle parking shall be located in a well-lit secure location within 50 feet of an entrance to the building, but not farther from the entrance of the building than the closest standard or compact vehicle parking space.**
- f. **Bicycle parking shall not obstruct walkways. A minimum 5-foot-wide aisle shall remain clear.**
- g. **If 10 or more bicycle spaces are required for commercial or institutional developments, then at least 50 percent of the bicycle spaces must be sheltered under an eave, overhang, independent structure, or similar cover. A lockable enclosure shall be considered as a covered parking space.**
- h. **All of the required bicycle parking for residential uses shall be covered. This may include space provided in a carport or garage.**

Response: Long-term bike parking is provided in each multi-dwelling unit or in bike storage rooms on the ground floor of each building. Bike storage rooms will be secured and well lit. The design of the secured bike racks that provide short-term parking throughout the Town Center is detailed on Sheet 12.4 (Exhibit C). Configuration of bike racks will be analyzed for adherence to this subsection upon permit submittal.

16.114.140 Provision of Adequate Public Facilities

- A. Purpose.** The purpose of this section is to address the provision of the infrastructure systems necessary to benefit and serve all property in the Kingston Terrace District as provided for in the Kingston Terrace Master Plan and King City's Transportation System Plan.
- B. Public improvements.** Public infrastructure, mobility, development, and natural system improvements include, but are not limited to the following:

Each phase of development will be submitted and reviewed as a single subdivision. All Public Infrastructure Improvements will be evaluated thoroughly upon submittal of construction and land use plans. All materials provided in this Development Proposal are preliminary plans meant to illustrate feasibility and compliance with standards set forth by respective agencies. The Development will require full public services, including streets, drainage, water, and sewer as well as mitigation for traffic impacts and any environmentally sensitive areas. Public off-site improvements shall be designed and constructed to meet the needs of the entire Master Plan area. Existing drainage, sewer, water, and traffic/transportation master plans adopted by the City and other agencies may assist in identifying and providing guidance for public improvements necessary for the development of this site.

Service Provider Letters (SPL) from Clean Water Services (Exhibit M) and Tigard Water District (Exhibit W) have been secured and submitted as part of this development proposal. Exhibit M detailed Clean Water Service (CWS) requirements for water quality protection, impact mitigation, and standards for Final Construction Plan submittals at a later date. Exhibit W states that Tigard Water District is capable of providing adequate water supply for this development proposal.

1. Sanitary sewer infrastructure,

Response: A 12-inch gravity sewer trunk line will be installed to provide sanitary sewer services to the proposed development and future development within the Kingston Terrace Master Plan area. The trunk line will connect to the existing 24-inch sewer stub located at Clean Water Services' existing pump station, located on-site. The trunk line will further extend along the south edge of the site and then north to the proposed intersection of SW Elsner Road and the proposed east-west collector planned within the site where it can be extended to the east for future development. The trunk line servicing portions of the Kingston Terrace District to the east will be extended through the first phase of development. It will then be extended through

an easement in Phase 4 to serve Phase 3 and extend to the SW Elsner and the proposed east-west collector intersection. The proposed trunk line and the sewer mains will be maintained by Clean Water Services (CWS). Sanitary sewer improvements are detailed on Sheet 9.2 in Exhibit C.

2. Water infrastructure,

Response: Exhibit W, Tigard Water Service Provider Letter, confirms adequate water supply capabilities to support the proposed development. Infrastructure improvements include a 16-inch waterline that will be constructed on SW Beef Bend Road to connect to the existing line located to the east of SW 150th Avenue. This line will extend West to the proposed development to provide water services. The applicant will comply with the City of Tigard's Municipal Code Water System Rules and Regulation (Chapter 12.10) for the location, sizing, and installation of public water system facilities. Water infrastructure improvements are detailed on Sheet 9.3 in Exhibit C. Additional permits from City of Tigard Water will be required upon construction plan submittals.

3. Stormwater management infrastructure,

Response: The proposed development will be required to meet CWS standards for stormwater management. The stormwater management plan will be reviewed and approved by CWS. Maintenance of the public portions of the system will be the responsibility of CWS. CWS standards require all new impervious surfaces to be treated for stormwater quality.

Exhibit L, Preliminary Stormwater Report, outlines preliminary developer plans to meet consistency with CWS standards. Exhibit M, CWS Service Provider Letter, details requirements that will need to be met and will be evaluated upon submittal of construction plans.

The developer proposes to build water quality facilities which will include a vegetated swale located within the regional stormwater management facility and another vegetated swale located at the SE corner of the site which is too low to gravity drain to the regional detention pond. Additionally, street-side swales will be installed on portions of SW Roy Rogers Road to provide water quality where the road improvements are too low in elevation to gravity drain to the regional facility.

The proposed development site is located within an expansion area with a low risk level for hydromodification of the downstream water bodies. The site is considered large (more than 80,000 sq. ft. of gross area). Based on the above characteristics, the development will need to meet Category 3 for the hydromodification approach for stormwater quantity mitigation. This approach will limit runoff of the 2-year storm event to ½ of the pre-developed 2-year storm event. Additionally, the runoff from the 5-year and 10-year storm events will be limited to the pre-developed runoff for each respective event.

A regional stormwater dry-detention basin is proposed to be constructed to collect runoff from the project. The facility will be located at the south end of the site to correspond to the existing drainage patterns and will outfall into the existing floodplain located at the south end of the development. Stormwater management infrastructure improvements are detailed on Sheet 9.1 in Exhibit C.

4. Arterial street improvements,

Response: The development site fronts two Washington county arterial roads: SW Beef Bend Road and SW Roy Rogers Road. City Staff have worked with the developer and County to ensure arterial street improvements meet local and regional standards prior to development. Arterial street improvements fronting the proposed site would be provided to enhance multimodal infrastructure including bike and pedestrian accessibility. Proposed improvements to Beef Bend and Roy Rogers Roads, depicted on Sheet 11.1 in Exhibit C are supported by the Traffic Impact Analysis performed by Kittelson & Associates, provided in Exhibit E and have been vetted by County engineering staff. Improvements to Beef Bend Road proposed adjacent to the Town Center development provide 2 travel lanes and a center turn lane at intersections, a 5.5-foot-wide planter strip, a 12-foot-wide multi-use trail, and a 10-foot-wide linear green. Improvements to Roy Rogers adjacent to the development include multiple travel lanes, a center turn lane at intersections, a 6-foot-wide planter strip, a 2-way cycle track, a 2-foot-wide stamped concrete buffer, a 5-foot-wide sidewalk and an 8-foot-wide linear green.

Interim and final improvement designs of SW Beef Bend Road are provided on Sheet 11.1 in Exhibit C to illustrate potential full build-out of the road with development of River Terrace 2.0 to the north. Final design of the frontage improvements will be approved by the County at time of Facility Permit issuance.

Arterial Improvements for automobiles for the Development will involve:

- Reconfiguration of the SW Roy Rogers Road/SW Beef Bend Road intersection to include a northbound left, through and through/right lane. Increase the southbound left turn lane storage to 400 feet and the westbound though/left lane to 250 feet.
- Construction of right turn lanes with at least 50 feet of storage at the following intersections:
 - Northbound at SW Roy Rogers Road/SW Elsner Road (as part of Phase 2 development)
 - Eastbound at SW Beef Bend Road/Collector Street (as part of Phase 1 development)
 - Eastbound at SW Beef Bend Road/Neighborhood Street (as part of Phase 3 development)

- Installation of a traffic signal along with separate westbound left- and right-turn lanes and a separate southbound left-turn lane at the SW Roy Rogers Road/Collector Street intersection, each with at least 100 feet of queue storage as part of Phase 2 development.
- Provide STOP (R1-1) signs on the minor street approaches to intersections within the new Town Center neighborhood as well as at the new minor street approaches to SW Beef Bend Road in accordance with applicable roadway authority standards and the Manual on Uniform Traffic Control Devices (MUTCD).
- Placement of all landscaping, earthwork, walls, fences, and other above-ground objects adjacent to the new intersections and along the site frontages to provide adequate intersection sight distances in accordance with County standards.

5. Collector streets,

Response: In addition to SW Elsner Road, which runs along the southeast boundary of the development, the proposed Town Center provides new collector streets:

- SW River Terrace Boulevard (north and south)
- SW Kingston Terrace Boulevard (east and west)
- SW 161st Avenue from Beef Bend Road to SW Kingston Terrace Boulevard (north and south)

Improvements to the collector streets are detailed in the Preliminary Circulation Plans in Exhibit C.

The northern section of SW River Terrace Boulevard is designed to with parking-buffered bike lanes and wide sidewalks to support safe pedestrian and bicycle connectivity. The southern section of SW River Terrace Boulevard is configured with diagonal on-street parking that will serve the commercial uses located on the ground floor of the mixed-use buildings along the main street. The street section will be clearly marked to denote the shared bicycle and vehicle travel lane. An enhanced intersection, at SW Pomelo Drive, and multiple crosswalks will provide safe and convenient pedestrian and bicycle access along the main street section.

The east-west collector located south of Al's Garden Center, SW Kingston Terrace Boulevard, is classified as a Multi-modal Area Route and a Major Bicycle Route in the City's Transportation System Plan (TSP) and Figure 5.20 of the Kingston Terrace Master Plan identifies the street section to contain in-street buffered bike lanes. The street section just south of Al's Garden Center includes a right turn lane with at least 50 feet of storage in accordance with the Traffic Impact Analysis, provided in Exhibit E. Intended to support future access to the site of Al's Garden Center, the section is designed with on-street parking only on the south side of the street. The eastern portion of SW Kingston Terrace Boulevard begins at the roundabout at SW River Terrace Boulevard and ends at the roundabout at SW 161st Avenue. The entire length of

SW Kingston Terrace Boulevard is designed with wide sidewalks and parking-buffered bike lanes to support bicycle and pedestrian connectivity from Roy Rogers Road through the Town Center.

SW Elsner Road, an existing Washington County collector, is identified as a Major Pedestrian Route and a Major Bicycle Route in the City's Transportation System Plan (TSP). SW Elsner Road is proposed to be realigned and terminate at SW Kingston Terrace Boulevard. Improvements to SW Elsner Road south of Kingston Terrace Boulevard are designed to account for the natural resources, riparian areas, wetlands and floodplain, located directly adjacent to the right-of-way to the East. To reduce impacts to these resources on-street parking has been eliminated along the street; however, 5-foot-wide sidewalks and a 10-foot-wide 2-way cycle track supports pedestrian and bicycle connectivity envisioned in the TSP and Kingston Terrace Master Plan, Figure 5.2 Bicycle Facilities.

SW 161st Avenue, the collector road north of the roundabout, provides a 14-foot-wide turn lane at the intersection with Beef Bend. On-street parking is eliminated from this street section due to the proximity and conflicts with the roundabout and intersection.

6. Neighborhood routes,

Response: Two neighborhood routes are proposed within the development, SW Pomelo Drive and SW Damselfly Avenue. SW Pomelo Drive is an east-west aligned street designed with parking-buffered bike lanes, wide sidewalks, and a linear green along the northern boundary of the right-of-way. SW Damselfly Avenue, located adjacent to the park blocks is also designed with parking-buffered bike lands and wide sidewalks. Improvements to the neighborhood routes can be found in the Preliminary Circulation Plans in Exhibit C.

7. Bicycle and pedestrian facilities,

Response: The proposed Town Center development is designed with enhanced bike and pedestrian facilities. The Preliminary Pedestrian and Bicycle Circulation Plans, Sheets 11.7 and 11.8 in Exhibit C illustrate how sidewalks, multi-use paths, mid-block accessways, trails, shared bike lanes, parking-buffered bike lanes, and cycle tracks provide continuous connections throughout the development. Where bicycle routes are parallel and adjacent to a vehicle travel lane, connections will be clearly marked and separate from vehicle travel. Linear greens, trails, and accessways are designed with seating and pedestrian scale lighting to provide comfortable and safe pedestrian and bicycle routes to parks, open spaces, and commercial amenities in the development. Bicyclists have easy access to bike racks located along SW River Terrace Boulevard and near park and open space amenities as shown in Sheet 12.4 in Exhibit C.

8. Public parks and open spaces, and

Response: A variety of public parks and open space improvements are proposed within the Town Center development including park blocks, urban park, urban plazas, linear green, pocket parks, and a natural open space. Sheet 4 in Exhibit C illustrates the locations, types, and size of

public parks and open spaces in the Town Center development. The proposed parks and open spaces are as follows:

- Park Block: 6.59 acres
- Urban Park: 1.01 acres
- Urban Plaza: 26,228 sqft
- Linear Green & Frontage Trail: 2.62 acres
- Natural Open Space: 15.37 acres
- Pocket Parks: 1.70 acres

The size of each public amenity listed matches or exceeds the required size identified in the Kingston Terrace Master Plan. The location and size of each amenity conforms to the Kingston Terrace Master Plan section Land Use: Parks and Open Space and the Regulating Plan.

Further details of the improvements proposed in the public parks and open spaces are illustrated on the landscape plans on Sheets L1.00 – L5.01 in Exhibit C.

9. Community recreation facility.

Response: The Town Center development is designed with an extensive park and open space system integrated throughout the community. Opportunities for a range of active and passive recreation are provided in the 6.5-acres of park blocks, 1-acre urban park, public plazas, 15-acre natural open space, and linear greens. The future Municipal site may include a community recreation facility; however, development of the future Municipal site is not proposed with this application.

Amenities and key features of the park blocks include play structures, natural play areas, basketball and pickleball sports courts, an informal sport field for pick-up soccer, football, or ultimate frisbee, a dog park, open lawn areas, fitness stations for circuit training, shelters, seating, and bike racks.

The urban park is located and designed to accommodate community-wide events and gatherings. The park is easily accessible from the future municipal building site and proposed to include a plaza, splash pad, amphitheater seating, lawn, and landscape. Ample plaza space is provided for events such farmer's markets or street fairs and amphitheater seating is provided for events such as concerts or movies in the park.

Over 26,000 square feet of urban plaza space is provided along SW River Terrace Boulevard to support retail and commercial enterprises located in the mixed-use buildings and offer easily accessible common open space to residents of the mixed-use and multi-dwelling buildings.

Safe and convenient pedestrian and bicycle access is provided to the natural open space located in the southern portion of the Town Center development. Improvements to the natural open space include a trail, scenic overlook, seating, and enhancement of the wetlands and vegetated buffer.

A linear green proposed along the northern side of the new east-west neighborhood route is designed to include a meandering multi-use trail, seating and pedestrian scale lighting to offer a comfortable and safe pedestrian and bicycle route through the Town Center development.

C. Annexation agreement.

- 1. Purpose.** The annexation agreement is intended to ensure awareness of the annexation process as well as reasonable certainty to the property owner, the City, and the public that the scope and timing of subsequent development of the property will occur in a manner that facilitates the timely and equitable construction of necessary infrastructure improvements. The agreement is intended to describe the proposed use of the property following annexation, the process for development, the parties' commitments regarding the subsequent development, and the infrastructure anticipated to be necessary to support development.
- 2. Applicability.** Unless waived by the City, an annexation agreement consistent with this section shall be executed concurrently with any owner-initiated annexation application.
- 3. Contents.** Unless otherwise agreed by the City, an annexation agreement must include the following information and, at a minimum, address the following elements to the City's satisfaction:
 - a. A legal description of the property;**
 - b. The current zoning;**
 - c. The proposed zoning consistent with Section 16.114.030;**
 - d. The owner's intended urban use of the property, including type, size, and density, in sufficient detail to allow the City to determine impacts to existing natural resources, land use, transportation network, and public infrastructure to identify improvements and permitting necessary to support the intended use and demonstrate conformance with the Kingston Terrace Master Plan, King City's Transportation System Plan, Comprehensive Plan, and applicable state and metro requirements.**
- 4. General provisions.**
 - a. An annexation agreement expires 2 years from the last date it is signed by the parties unless the City has received an annexation application for the property and deemed the application complete prior to the 2-year expiration date.**
 - b. The provisions of an annexation agreement may be included in and made part of a subsequent land use decision; in which case the provisions of the land use decision supersede any conflicting provisions in the annexation agreement.**
 - c. An annexation agreement is not effective and binding on the parties until the annexation application is approved by the City Council in accordance with Chapter 16.192- Annexation.**

d.

Response: Prior to submittal of this application an annexation agreement was executed between the applicant and the city. It was approved by the City Council and annexation of land containing this development proposal was adopted on January 17th, 2024.

D. Development agreement.

- a. **Purpose. A development agreement is intended to provide reasonable certainty to the property owner, the City, and the public that the scope and timing of development of the property will occur in a manner that facilitates the timely and equitable construction of necessary infrastructure, mobility, development, and natural system public improvements. The development agreement shall describe in greater detail the owner's intended use of the property, the parties' commitments regarding subsequent development of the property, in public improvements determined to be necessary to support development, and the parties' obligations with respect to financing and constructing the improvements.**
- b. **Applicability. A development agreement consistent with this Section is required to be executed concurrently with development plan review.**

Response: A development agreement has been in negotiations between the applicant and the City. The development agreement has been executed concurrently with the development plan review while processing this application. Amendments have been made to the development agreement draft since the initial submittal of the document along with this application. City Staff is satisfied with the amendments and provisions included in the Development Agreement and will be recommending approval to the King City City Council on April 17th, 2024.

- c. **Contents. Unless otherwise agreed by the City, the development agreement must include the following information and, at a minimum, address the following elements to the City's satisfaction:**
 - a. **A description of the anticipated type and scope of residential or commercial development, including the number of housing units, consistent with the Kingston Terrace Master Plan;**

Response: The development agreement ensures that Property that will be developed in the city will be implemented in accordance with the requirements of the CDC and any other applicable City land use regulation.

- b. **The proposed timing and any phasing of the development as it relates to available or planned infrastructure capacity;**

Response: The phasing of the development and infrastructure improvements that coincide with each phase are detailed in section II of the Terms of the Agreement.

- c. **The financing and development obligations for any required or necessary infrastructure;**

Response: The financing and development obligations for all required and necessary infrastructure are outlined in the Development Agreement.

- d. The owner’s commitment to design and construct amenities that further the goals and objectives of the Kingston Terrace Master Plan;**

Response: The development agreement addresses design and construct amenities that further the goals and objectives of the Kingston Terrace Master Plan.

- e. A detailed plan for financing and constructing complete and connected arterial and/ or collector or neighborhood route planned streets where the full right-of-way is under the control of the owner or developer, such that a new collector or arterial street is not terminated without connecting to another improved street. A “complete street includes both adjacent and opposite side full street improvements, including public and private utilities, where required;**

Response: The development and infrastructure improvements regarding arterial, collector, and neighborhood route planned streets is detailed within Section II of the Terms of the Agreement.

- f. A detailed plan for financing and construction public parks, trails, and open spaces on properties where a public park, trail, or open space is identified on the property according to Figure 3.4 Parks and Open Space System Diagram of the Kingston Terrace Master Plan; and**

Response: The financing and construction of public parks, trails, and open spaces is detailed in Section III of the Terms of the Agreement. Park infrastructure as it pertains to the Kingston Terrace Master Plan is addressed in the Development Agreement to the satisfaction of City Staff. The details also include financial plans for Park SDC fees payable to the City.

- g. A detailed plan for financing and construction of water, sanitary sewer, and stormwater management public facilities identified to serve the property as identified in the Kingston Terrace Master plan.**

Response: The development and infrastructure improvements for Stormwater is detailed in Section IV of the Terms of the Agreement. The plan involves the creation of a temporary stormwater management facility to be located at the future municipal site. Prior to the issuance of any certificates of occupancy in Phase 3, the developer shall construct a permanent stormwater facility. Once the permanent facility is complete, the developer shall decommission the temporary facility, grade the Future Municipal Site, and conduct all necessary environmental remediation work on the site. The stormwater facility shall conform to CWS standards for hydromodification mitigation and will be sized to support all phases of the Town Center.

- d. General provisions. The provisions of a development agreement may be included in and made part of a subsequent land use decision; in which case the provisions of the land use decision supersede any conflicting provisions in the development agreement.**

Response: If any provisions are made part of a subsequent land use decision, they will supersede any conflicting provisions in the development agreement.

- e. **Unless expressly authorized in a development approval, the imposition of private fees or any charge whatsoever that prohibits, restricts, or impairs adjacent or surrounding properties from accessing a public easement, facility, or service is prohibited.**

Response: No private fees or charges that prohibit, restrict, or impair adjacent properties from accessing public easements facilities or services are proposed within the development agreement.

E. Exceptions permitted.

- a. **An exception to one or more of the requirements of this Section may be obtained through a development plan review administered and reviewed in accordance to Section 16.114.140.**
- b. **An exception will be granted only if the applicant:**
- c. **Demonstrates that the exception will not materially impact implementation of the Kingston Terrace Master Plan and King City’s Transportation System Plan;**
- d. **Has proposed alternatives that ensure the applicant will provide its proportional share of the funding and construction of the facilities in a timely manner as identified in the Kingston Terrace Master Plan and King City Transportation System Plan.**

Response: The applicant is not proposing any exceptions to the requirement of this section in the development plan review application.

16.114.150 Development Plan Review Process

M. Approval standards. The decision-making authority shall approve a Development Plan Review application when the following standards are demonstrated to be met in the Plan:

- 1. The Development Plan complies with the applicable standards of this title;**

Response: The application complies with the applicable standards of this title. In cases where a particular standard is not suitably addressed by this application, conditions of approval are included to remedy the deficiency.

- 2. The location and alignment of streets, paths and trails, parks and open spaces and uses in proposed in the Development Plan are consistent with the Regulating Plan;**

Response: Plans detailing compliance with the streets, paths, parks and open spaces, and proposed uses in the development are included in this application and are consistent with the Regulating Plan.

- 3. Public infrastructure improvements will be designed and located to adequately serve the proposed development and not unduly or unnecessarily restrict the ability of any other property to develop; and**

Response: Public infrastructure improvements have been designed to comply with the above requirements and will not restrict the ability of any other property to develop in the future. In particular, the development plans anticipate the eventual redevelopment of the AI’s Garden Center site on the proposed 10.5-acre parcel to be created by the proposed minor land

partition. The applicant and city staff have also coordinated development plans with Washington County, city of Tigard, CWS, and utility providers to accommodate additional development planned for Kingston Terrace and the surrounding area. See Exhibit C for utility improvements details.

4. If the Development Plan is phased, the phasing sequence is reasonable.

Response: The Town Center development is proposed to be constructed in 5 phases as illustrated on the Construction Phasing Plans (Exhibit C, Sheets 15.1 - 15.3). Table 15, below summarizes the number and type of units, improvements and estimated timing of construction anticipated for each phase of development. Timing will be dependent on market conditions, property acquisition, and permitting:

Table 15. Preliminary Construction Phasing Plan Summary

| | Phase 1 | Phase 2 | Phase 3 | Phase 4 | Phase 5 |
|---|---------|---------|---------|---------|---------|
| Commencement of Construction | 2024 | 2025 | 2026 | 2027 | 2028 |
| Estimate for Full Build-Out/ Occupancy | 2027 | 2030 | 2030 | 2030 | 2030 |
| Multi-Dwellings | 184 | 216 | -0- | -0- | -0- |
| Small Detached (Cottage) | -0- | -0- | 80 | -0- | -0- |
| Single-Attached | 29 | 147 | 18 | -0- | 3 |
| Small Detached | 46 | 94 | 59 | 102 | 57 |
| Standard Detached | -0- | 8 | 26 | 29 | 83 |
| Large Detached | -0- | -0- | 3 | -0- | 2 |
| Area (sq. ft.) | 8,478 | 25,434 | -0- | -0- | -0- |
| Beef Bend & Roy Rogers Intersection | X | | | | |
| Beef Bend Road Frontage (Interim) | X | | X | | |
| Roy Rogers Road Frontage | X | X | | | |
| River Terrace Boulevard (North) | X | | | | |
| River Terrace Boulevard (South) | | X | | | |
| Kingston Terrace Boulevard (West) | | X | | | |
| Kingston Terrace Boulevard (East) | | | | X | |
| East-West Neighborhood Route | X | | X | | |
| North-South Neighborhood Route | | | X | | |
| SW 161 st Avenue | | | X | | |
| SW Elsner Road | | | X | X | X |
| Elsner & Roy Rogers Intersection Northbound Right – Turn Deceleration Lane | X | | | | |
| Beef Bend & SW 150 th Ave. Intersection Westbound Right – Turn Deceleration Lane | | | X | | |
| Kingston Terrace & Roy Rogers Intersection Traffic Signal | | X | | | |
| Kingston Terrace & River Terrace Roundabout | | X | | | |
| Kingston Terrace & SW 161 st Roundabout | | | X | | |
| Urban Plazas | X | X | | | |

| | Phase 1 | Phase 2 | Phase 3 | Phase 4 | Phase 5 |
|---|---------|---------|---------|---------|---------|
| Park Block (North) | | | X | | |
| Park Block (Central) | | | X | | |
| Park Block (South) | | | | | X |
| Urban Park | | | | | X |
| Natural Open Space | | | | | X |
| 16" Waterline Extension to SW 150 th | X | | | | |
| Waterline Extension to Al's Garden | X | | | | |
| 12" Sanitary Main to Pump Station | X | | | | |
| Sanitary Stub to Al's Garden | X | | | | |
| 12" Sanitary Main Eastward | | | X | | |
| Temporary Stormwater Facility | X | | | | |
| Temporary Outfall to Existing Wetlands | X | | | | |
| Off-site Storm Drainage Bypass | X | | | | X |
| SW 161 st Avenue Offsite Drainage Bypass | | | X | | |
| Regional Stormwater Facility | | | X | | |
| Floodplain Alteration | | | X | | |
| Wetland Fill | | X | X | | |
| Floodplain Mitigation | | | X | | |
| Wetland Fill Mitigation | | | X | | |

N. Adjustments. The decision making-authority may approve a Development Plan Review application that proposes an adjustment provided that:

1. The adjustment does not result in more than a 20 percent change in applicable dimensional or design standards;
2. The Development Plan Review proposal complies with all other applicable requirements of this chapter; and
3. The proposed adjustment does not materially alter compliance with the Regulating Plan.

Response: This application does not include any adjustment proposals.

O. Minor Modification. Modification to an approved development plan may be approved provided it satisfies the following standards:

1. Does not change the originally approved development plan boundary.
2. Does not result in a density decrease of greater than 10 percent from what was specified in the approved development plan.
3. Does not change the amount of land area devoted to residential, mixed-use, or municipal land uses by greater than 10 percent from what was specified in the approved development plan.
4. Modifications to the location or alignment of streets or pedestrian paths, plazas, or parks as approved in the development plan, provided their functionality and performance is consistent with the approved development plan.

Response: This application does not include any minor modifications proposals.

CHAPTER 16.124 LANDSCAPE AND BEAUTIFICATION

16.124.020 – Administration.

A. When a land use application is subject to one or more of the chapters in Article V of this

title, the standards in this chapter shall be applied as required by the applicable development review chapter(s) in Article V of this title.

B. When the provisions of Article V of this title do not apply, the city manager shall review revisions to landscaping as an administrative decision in accordance with Article II of this title.

Response: The applicant is requesting approval of a consolidated development plan review application for the proposed Town Center development to be processed as a Type III Planning Commission Review. The requirements of this Chapter are applicable to the proposed development in accordance with Table 16.114-1.

The City will be requesting detailed site plans for each phase as development begins commencement. At that time, requisite materials will be provided by the applicant for review. At the time of this report, this chapter is in the preliminary stages. Given the size and scope of the development, City Staff finds it appropriate to defer on many requirements of this section until a later date when more detailed and precise plans are submitted to the City for review prior to issuance of building permits.

16.124.030 - Submittal requirements.

A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit a site plan which includes:

1. Location of underground irrigation system sprinkler heads where applicable;

Response: A permanent underground irrigation system will be provided for all planted areas under street trees. The irrigation system will be built by the landscape contractor at the time of construction. Prior to construction, irrigation system sprinkler head locations will be submitted and logged by the City. This requirement is logged in the landscape plan on Sheet L1.11 in Exhibit C.

2. Location and height of fences, buffers and screenings;

Response: The location of fences, buffers, and screening proposed within the Town Center development are illustrated and detailed on the landscape plans in Exhibit C. Locations of and types of proposed fencing are shown on the Fencing Plan, Sheet L7.01 and Fencing Details, Sheets L7.05 through L7.07 in Exhibit C.

3. Location of terraces, decks, shelters, recreational areas and common open spaces;

Response: Location and design details recreational and common open space areas and amenities in the Town Center development are illustrated in the Open Space Landscape Plan Sheets L2.00 – L2.11 in Exhibit C. The architectural plans provided in Exhibit D identify the dwellings designed with private terraces and decks.

4. Location, type, size and species of existing and proposed plant materials with delineation of which trees and plant materials will be retained; and

Response: The arborist report provided in Exhibit I and the HCA Mapping, Tree Preservation & Locally Significant Wetlands plans, Sheets 13.0 through 13.4 in Exhibit C, identify the location,

type, and size of tree species proposed to be retained. The Street Tree Planting and Landscape Plans in Exhibit C identify the locations, type, and species of trees and vegetation proposed to be planted in the Town Center Development.

5. A narrative which addresses:

- a. Soil conditions;**
- b. Erosion control measures that will be used;**
- c. Methods to be employed by the owner or the owner's agents to provide above and below ground protection for existing trees and plant materials identified to remain; and**
- d. The approval standards contained in this chapter.**

Response: The Geotechnical Report provided in Exhibit G details the existing soil conditions. The Arborist Report in Exhibit I and Construction Management Plan Tree Preservation in Exhibit V provides details for erosion control measures and methods to protect the trees proposed to be retained. Exhibit V Construction Management Plan Memo details preservation locations of native soils, erosion and sediment control measures.

Any required sediment fencing shall be routed outside the tree protection zones to protect the root systems of the trees to be retained. If erosion control is required within the tree protection zones, straw wattles shall be used upon approval by the City. 1200c Erosion Control Plans approved through CWS and DEQ will be used on site to comply with development permit requirements.

B. The manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

Response: The applicant will provide additional information upon request.

C. The manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

Response: The applicant will provide additional information upon request.

16.124.040 - General provisions for land development.

A. The standards set forth in the code are minimum standards for landscaping.

Response: The landscape design proposed for the Town Center development complies with the standards of this code as demonstrated in this narrative and landscape plans provided in Exhibit C.

B. Unless otherwise provided by a lease agreement, the owner, tenant and their agent, if any, shall be jointly responsible for the maintenance of all landscaping. Landscaping materials shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.

Response: Maintenance of landscaping located on private property will be the responsibility of the property owner or applicable homeowners' association or management company. Maintenance of landscaping located in public parks and open spaces will be the responsibility of

the city unless otherwise identified in the Development Agreement or as a condition of approval.

C. All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise so that:

- 1. It must not interfere with the maintenance or repair of any public utility;**
- 2. It must not restrict pedestrian or vehicular access; and**
- 3. It must not constitute a traffic hazard because of reduced visibility.**

Response: Regular maintenance of trees and shrubs will occur by the responsible party to ensure plant growth will not interfere with public utilities, restrict pedestrian or vehicular access, constitute a traffic hazard, or reduce visibility. Maintenance will be enforced by the responsible party of the respective landscape foliage or by the City if code enforcement is necessary in the future.

D. The installation of all landscaping shall be as follows:

- 1. All landscaping shall be installed according to accepted planting procedures in accordance with the provisions of this title and generally following the provisions of Sunset New Western Garden Book, latest edition, Lane Publishing Company, Menlo Park, California.**
- 2. The plant materials shall be of high grade and be healthy, disease free, well branched stock characteristic of the species; and**
- 3. Any required landscaped area shall be designed, constructed, installed and maintained so that within three years the ground shall be covered by living grass or other plant materials.**

Response: The landscape installation within the Town Center development will be completed in accordance with best practices as documented in the Landscape Plans in Exhibit C. Plant materials will be of high-grade quality, healthy, and disease free. Landscaped areas and ground cover will be designed, installed, and maintained to provide living grass and plant material for at least 3 years.

C. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city such as the posting of a bond.

Response: The required landscape will be installed, a bond will be posted, or other arrangements in accordance with the Developer's Agreement will be made prior to issuance of certificates of occupancy.

F. Existing plant materials on a site shall be protected as much as possible:

- 1. The tree and plant materials to be saved shall be noted on the landscape plans;**
- 2. The developer shall provide methods for the protection of existing trees and plant materials identified for preservation including use of chain link or other sturdy fence placed around the tree at the drip line; and**
- 3. Neither topsoil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.**

Response: The Arborist Report (Exhibit I, Sheets 2 & 26) details erosion control measures and methods to protect the trees proposed to be retained. The trees and plant material to be retained on site are identified on the HCA Mapping, Tree Preservation plans, Sheet 13.0 through 13.4 in Exhibit C and Construction Management Plans in Exhibit V.

G. After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting. All planted areas shall be graded to provide positive grading.

Response: Preliminary Grading Plans, Sheets 8.0 through 8.4 in Exhibit C, illustrate how the site will be graded to ensure positive grading. Final detailed grading plans will be provided with the grading permit submittal, at that time further analysis will be conducted by City Staff to ensure compliance.

H. Appropriate methods for the care and maintenance of yard trees and landscaping materials shall be provided by the owner of the property abutting the rights-of-way unless otherwise required for emergency conditions and the safety of the general public.

Response: Maintenance of yard trees and landscaping materials abutting rights-of-way will be conducted by future property owners or homeowners' association. These will be subject to City code.

I. The review procedures and standards for required landscaping and screening shall be specified in the conditions of approval during development review and in no instance shall be less than that required for conventional development.

Response: The applicant will comply with landscape and screening conditions of approval as required.

J. No trees, shrubs, or plantings more than eighteen inches in height shall be planted in the public right-of-way abutting roadways having no established curb and gutter.

Response: No trees, shrubs or plantings taller than 18-inches will be planted in the public right-of-way abutting roads with no established curb or gutter.

K. Trees and plant materials to be used within the community shall conform with the following specifications:

- 1. Deciduous shade and ornamental trees shall be a minimum (one and one-half inches caliper measured six inches above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall conform to a characteristically shaped specimen.**
- 2. Coniferous trees shall be a minimum five feet in height above ground, balled and burlapped. Trees shall be well branched and represent a characteristically shaped specimen.**
- 3. Evergreen and deciduous shrubs shall be at least one to five gallon size. Shrubs shall be characteristically branched. The side of the shrub with the best foliage shall be oriented to public view.**
- 4. Groundcover shall be fully rooted and shall be well branched or leafed. English Ivy (Hedera Helix) is considered a high maintenance material which is detrimental to other**

landscape materials and buildings and is therefore prohibited.

- 5. Lawns shall consist of grasses, including sod, or seeds of acceptable mix within the local landscape industry. Lawns shall be one hundred percent coverage and weed free.**

Response: Planting details that illustrate compliance with these requirements are provided in the Planting Schedule list on Sheets L1.11, L2.00, L3.00, L5.01, L6.01, and L7.0. Further analysis will be performed upon landscaping plan submittals.

- L. Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one outlet located within one hundred fifty feet of all plant materials to be maintained.**

Response: The irrigation system will be design-built by the landscape contractor at the time of construction in compliance with this provision.

16.124.050 - Street trees.

- A. All development projects fronting on a public or private street approved after the adoption of this title shall be required to plant street trees in accordance with the standards in this chapter.**

Response: The proposed Town Center development is designed to provide street trees as illustrated on the Street Tree Planting Plans, Sheets L1.0 through L1.11 in Exhibit C. HCA tree mitigation requires a total of 2,448 trees to be planted in the King City Town Center development area. Applicant is proposing 6,719 trees to be planted in the Town Center and open space areas.

- B. Certain trees can severely damage utilities, streets and sidewalks or can cause personal injury. Approval of any planting list shall be subject to review by the city manager.**

Response: The street trees proposed for the Town Center have been selected to reduce the risk of damage and injury. The Street Tree Planting Schedule, Sheet L1.11 in Exhibit C, identifies the trees proposed in the Town Center development.

16.124.060 - Location of street trees.

- A. Landscaping in the front and exterior side yard shall include trees with a minimum caliper of two inches as specified in the requirements stated in [Section 16.124.080\(B\)](#).**

Response: Street trees located in the front and exterior side yards will measure at least 2-inches caliper size as noted on the Street Tree Planting Schedule, Notes & Details, Sheet L1.11 in Exhibit C.

- B. The specific spacing of street trees by size of tree shall be as follows:**

- 1. Small or narrow stature trees (under twenty-five feet tall and less than sixteen feet wide branching) shall have an average spacing of no greater than twenty feet apart;**
- 2. Medium sized trees (twenty-five feet to forty feet tall, sixteen feet to thirty-five feet wide branching) shall have an average spacing of no greater than thirty feet apart;**
- 3. Large trees (over forty feet tall and more than thirty-five feet wide branching) shall have an average spacing of no greater than forty feet apart;**

4. Trees shall not be planted closer than twenty feet from a street intersection, nor closer than two feet from private driveways (measured at the back edge of the sidewalk), fire hydrants or utility poles in order to maintain visual clearance;
5. No new utility pole location shall be established closer than five feet to any existing street tree;
6. Tree pits shall be located so as not to include services (water and gas meters, etc.), in the tree well;
7. On-premises services (water and gas meters, etc.), shall not be installed within existing tree well areas;
8. Street trees shall not be planted closer than twenty feet to a public light standard;
9. New light public standards shall not be positioned closer than twenty feet to existing street trees except when public safety dictates, the approval authority may reduce this distance requirement;
10. Trees shall be planted at least two feet from the face of the curb;
11. Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines; and
12. Trees shall not be planted within two feet of any permanent hard surface, paving or walkway and the:
 - a. Space between the tree and the hard surface may be covered by a nonpermanent hard surface such as grates, bricks on sand, paver blocks and cobblestones; and
 - b. Sidewalk cuts in concrete for tree planting shall be at least four by four feet to allow for air and water into the root area.

Response: Street trees are located and spaced to ensure a complete canopy is provided without impacting utilities, driveways, streetlights, and vision clearance areas as illustrated on the Street Tree Planting Plans, Sheets L1.0 through L1.11 in Exhibit C. Spacing between small, medium, and large trees will comply with the standards of this section.

- C. Trees, as they grow, shall be pruned to provide at least eight feet of clearance above sidewalks and thirteen feet above local street, fifteen feet above collector street, and eighteen feet above arterial street roadway surfaces.**

Response: Maintenance of street streets by future property owners or homeowners' association will comply with this requirement.

16.124.070 - Cut and fill around existing trees.

- A. Existing trees may be used as street trees if no cutting or filling takes place within the drip line of the tree unless an exception is approved by the city manager.**

Response: Street trees adjacent to the southern portion of SW Elsner Road are proposed to be retained. Protection of these trees will be done in accordance with the recommendations provided in the Arborist Report in Exhibit I.

- B. An exception must be approved if:**

1. The ground within the drip line is altered merely for drainage purposes; and
2. A plan is submitted by a qualified arborist showing that the cut or fill will not damage the roots and will not cause the tree to die.

Response: An exception would be requested at a later date if cutting or filling within the drip line is determined to be necessary to implement improvements to SW Elsner Road.

16.124.080 – Replacement of street trees.

A. Existing street trees removed by development projects or other construction shall be replaced by the developer with those types of trees approved by the city manager.

Response: Street trees existing in the Town Center area are currently minimal. Street trees removed along SW Beef Bend and SW Elsner Road will be replaced with trees as proposed on the Street Tree Planting Plans, Sheets L1.0 through L1.11 in Exhibit C.

B. The replacement trees shall be of a size and species similar to the trees that are being removed unless lesser sized alternatives are approved by the city manager.

Response: The replacement street trees being proposed include sizes and species appropriate for the high-density residential Town Center development. This is acceptable for the City.

16.124.090 - Exemptions.

A. Exemptions from the street tree requirements may be granted by the approval authority on a case-by-case basis.

B. Exemptions shall be granted:

- 1. If the location of a proposed tree would cause potential problems with existing utility lines;**
- 2. If the tree would cause visual clearance problems;**
- 3. If the applicant proposes alternative placement of trees in a manner consistent with the purpose of this chapter; or**
- 4. If there is not adequate space in which to plant street trees.**

Response: The applicant is not seeking an exemption from the street tree requirements.

16.124.100 – Buffering and screening – General provisions.

A. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

Response: The Town Center development is designed with adequate buffering and screening wherever applicable to eliminate adverse visual impacts and noise pollution while maintaining the urban design and create a vibrant and safe pedestrian environment.

B. Buffering and screening is required to reduce the impact of commercial development on adjacent residential uses and multi-family development on adjacent single-family use. The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening.

Response: Commercial spaces in the Town Center development are limited to the ground floors of the mixed-use buildings along SW River Terrace Boulevard. These ground floor commercial spaces will be open facing towards the sidewalk and SW River Terrace Boulevard.

A wood privacy fence is proposed along the north and east lot lines that abut Al's Garden Center, and existing commercial enterprise as noted on the Fencing Plan, Sheet L7.01 in Exhibit C.

16.124.110 Buffering/screening requirements.

A. Within the Kingston Terrace District Zone, buffering/screening area shall be provided as follows:

- 1. A landscape buffer should provide landscape screening, and horizontal separation between surface parking areas that serve the multi-family, mixed-use and commercial development, and adjacent public rights-of-way, pedestrian accessways, parks, plazas and open space, and residential dwellings.**

Response: Landscape buffers in the form of large, medium, and small deciduous trees, shrubs and perennials will provide landscape screening and horizontal separation between surface parking areas that serve the multi family, mixed use, and commercial development adjacent to the public rights of way as illustrated on the River Terrace Boulevard Private Landscape Plans, Sheets L4.00 through L4.04 in Exhibit C.

- 2. Screening materials may include sight-obscuring fence or wall, groundcover, small or medium evergreen shrubs, or trees.**

Response: Landscape designed to screen the surface parking areas include groundcover, shrubs, and trees. In addition to the landscape, decorative walls screen the parking areas from SW Beef Bend Road as detailed on the Fencing Plans, Sheets L7.01 and L7.06 in Exhibit C. No proposed fencing is out of compliance with King City code

- 3. Where screening is required, it should complement the overall visual character of the development.**

Response: The proposed screening as specified above complements the overall visual character of the development and is acceptable by the City.

B. A buffer area may only be occupied by utilities, screening, sidewalks and bikeways, and landscaping. No building, accessways or parking areas shall be allowed in a buffer area except where an accessway has been approved by the city.

Response: Buffer areas within the proposed development will be free of accessways, parking areas, and buildings as illustrated on the landscape plans in Exhibit C.

C. A buffer/screening area shall be provided between different types of land use zones (for example, between single-family and multi-family residential, and between residential and commercial) on all portions of the lot abutting a lesser zone as follows:

- 1. A ten-foot wide buffer area shall be landscaped on a commercial property abutting a residential zone; and**
- 2. A five-foot wide buffer area shall be landscaped on a multi-family property abutting a single-family zone; and**
- 3. A ten-foot wide buffer area shall be landscaped on a multi-family property abutting a commercial zone.**

Response: Landscape buffers between uses in the Town Center development are minimal to emphasize the urban design and promote walkability between residential, commercial, and municipal uses and the parks and open spaces in the neighborhood. Landscape screening and buffers are provided along the boundaries of surface parking lots and site frontages to reduce the impact of traffic noise and pollution as detailed in the Landscape Plans in Exhibit C. On-site surface parking areas provide physical separation between mixed-use and multi-dwelling buildings and single attached and detached dwellings within the development.

D. The minimum improvements within a buffer area shall consist of the following:

- 1. At least one row of trees shall be planted. They shall be not less than ten feet high for deciduous trees and five feet high for evergreen trees at the time of planting. Spacing for trees shall be as follows:**
 - a. Small or narrow stature trees, under twenty-five feet tall or less than sixteen feet wide at maturity shall be spaced no further than fifteen feet apart;**
 - b. Medium size trees between twenty-five feet to forty feet tall and with sixteen feet to thirty-five feet wide branching at maturity shall be spaced no greater than thirty feet apart.**
 - c. Large trees, over forty feet tall and with more than thirty-five feet wide branching at maturity, shall be spaced no greater than thirty feet apart.**

Response: Landscape buffers within the Town Center development are designed with a mix of ground cover, shrubs, and trees to complement the urban design. Trees will be planted in compliance with the minimum spacing requirements.

- 2. In addition, at least ten five-gallon shrubs or twenty-one gallon shrubs shall be planted for each one thousand square feet of required buffer area.**

Response: Landscape buffers are designed with the appropriate amount of shrubs to comply with the minimum requirement.

- 3. The remaining area shall be planted in living grass or other plant materials. A maximum of twenty-five percent of the landscaped area may be covered with mulch such as bark chips, rock, stone walkways or other similar permeable materials acceptable to the approval authority, but non-permeable materials such as "visqueen" may not be used. Areas covered by bark chips, rock or other similar materials shall not be underlain with nonpermeable materials such as plastic sheeting.**

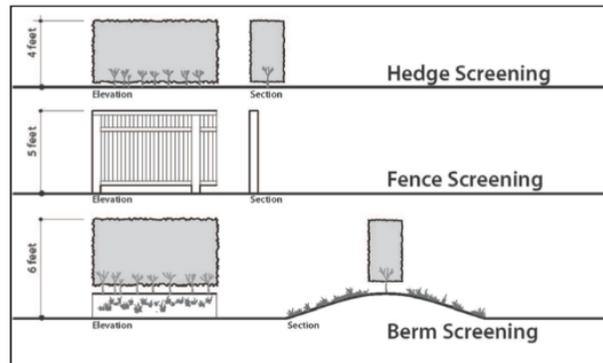
Response: Landscaping in buffer areas is designed with ground-cover, shrubs, and trees. Non-permeable materials are not proposed in landscape buffers.

E. Where screening is required the following standards shall apply in addition to those required for buffering (Figure 1):

- 1. A hedge of narrow or broadleaf evergreen shrubs shall be planted which will form a four foot tall continuous screen within two years of planting, or;**
- 2. An earthen berm planted with evergreen plant materials shall be provided which must form a continuous screen six feet in height within two years. The unplanted portion of the berm shall be planted in living grass or other plant materials, or;**

3. A five foot or taller fence or wall shall be constructed to provide a continuous sight obscuring screen.

Figure 1 Landscape Screening Diagram



Response: Located within the Kingston Terrace District Zone, screening provided in the Town Center development complies with the standards of Section 16.124.110.F as demonstrated in the following response.

F. Within the Kingston Terrace District Zone, buffering/screening areas shall be provided as follows:

1. A ten-foot wide landscape buffer shall provide screening and horizontal separation between surface parking, loading, and service areas that serve dwelling, multi, mixed-use, commercial, and institutional development when located directly adjacent to dwelling, single-family attached and detached, duplexes, triplexes, fourplexes, and cottage clusters as shown in Table 16.124.F-1.

Table 16.124 F-1. Minimum Landscape Screening Requirement in Kingston Terrace District Code

| Land Use Types | Residential Use (except Dwelling, multi and Mixed-Use) |
|-------------------------------|---|
| Dwelling, multi and Mixed Use | 10 feet |
| Commercial | 10 feet |
| Public and Institutional | 10 feet |

Response: Surface parking and loading areas that serve the mixed-use and multi-dwelling buildings are not located directly adjacent to residential dwellings. Physical separation is provided with the 20-foot-wide alleyways. Further physical separation between these uses would restrict pedestrian and bicycle access to and from the main street and reduce the impact of the intended urban design. Planter strips and landscaped islands located in surface parking areas provide visual screening between the rear elevations of the single-attached dwellings and the multi-use and multi-dwelling buildings (Exhibit C, Sheets L4.01-L4.04).

2. Improvements in the landscape buffer shall comply with the standards of Sections 16.124.110.

Response: This narrative demonstrates compliance with the applicable standards of Section 16.124.110.

3. Where screening is required, it should complement the overall visual character of the development.

Response: Landscape screening proposed in the Town Center is designed to complement the overall visual character of the development.

G. Buffering and screening provisions shall be superseded by the vision clearance requirements as set forth in Section 16.144.030(C).

Response: The proposed landscape buffering and screening in the Town Center complies with the vision clearance requirements in Section 16.144.

H. When the use to be screened is downhill from the adjoining zone or use, the prescribed heights of required fences, walls, or landscape screening shall be measured from the actual grade of the adjoining property.

Response: Heights of proposed fences, walls, or landscape screening are measured from the grade of the adjoining property.

I. Fences and Walls.

- 1. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood or brick, or otherwise acceptable by the approval authority;**
- 2. When potential visual or noise impacts from normal activities on the site is anticipated, such as buildings, parking lots and loading areas, the approval authority may require fences and walls to be constructed of materials and in a manner and height that will attenuate noise impacts on adjoining properties;**
- 3. Such fence or wall construction shall be in compliance with Section 16.144.030 of this code; and**
- 4. Chain link fences with slats shall not qualify for screening along a property perimeter.**

Response: Location and types of fencing proposed in the Town Center development are identified on the Fencing Plan and Fencing Details (Exhibit C, Sheets L7.01 - L7.07). These fence types and design parameters are in compliance with City standards.

J. Hedges.

- 1. Except for development in the LC Zone, an evergreen hedge or other dense evergreen landscaping may satisfy a requirement for a sight obscuring fence where required subject to the height requirement in Section 16.124.130.**
- 2. Such hedge or other dense landscaping shall be properly maintained and shall be replaced with another hedge, other dense evergreen landscaping, or a fence or wall when it ceases to serve the purpose of obscuring view; and**
- 3. No hedge shall be grown or maintained at a height greater than that permitted by these regulations for a fence or wall in a vision clearance area as set forth in Section 16.144.030(C)**

Response: Small conifer trees and a 6-foot-tall privacy fence is proposed along the western

lot lines adjacent to Al's Garden Center, tax lot 1502. Details of the landscape design are provided on the River Terrace Boulevard Landscape Plans, Sheets L4.00, L4.03, and L4.04.

16.124.120 Setbacks for fences or walls.

A. No fence or wall shall be constructed which exceeds the standards in [Section 16.124.120\(B\)](#) except when the approval authority, as a condition of approval, allows that a fence or wall be constructed to a height greater than otherwise permitted in order to mitigate against potential adverse effects.

Response: The applicant is requesting approval of the fences and walls proposed in the Town Center development as shown on the illustrative concept plans, Sheets 2.1 through 2.7, detailed on the Fencing Plans, Sheets L7.01 and L7.05 through L7.07 in Exhibit C, and described in response to Section 16.124.120(B) in this report.

B. Fences or Walls:

1. May not exceed two feet in height in a required front yard or side yard forward of the front yard setback line;

Response: Applicant is requesting approval to exceed the height for front side fencing designated as "Cottage Frontage wall, Fencing, & Gateway." The total height of these walls and fencing exceeds 2-feet; however, the walls and fencing along SW Beef Bend Road are designed to provide a clear delineation between the public right-of-way of the arterial road and private yards. The 2-foot-tall walls with transparent fencing above is designed and located to offer homeowners private open space while providing an attractive, safe, and engaging pedestrian and bicycle environment along SW Beef Bend Road.

Illustrative concept plans for the cottages and single attached dwellings on SW Beef Bend Road are provided on Sheets 2.2 through 2.4 in Exhibit C. Fence and wall details are provided on the Fencing Plans, Sheets L7.05 and L7.06 in Exhibit C.

2. Are permitted outright in side yards behind the front yard setback or rear yards to a height of six feet; and

Response: Fencing on top of walls is proposed along the rear yards of homes along SW Roy Rogers Road, SW 161st Avenue, and SW Elsner Road as noted on the Fencing Plan, Sheet L7.01 in Exhibit C. Along these streets, 4-foot-tall walls are topped with 2-foot-tall fences, with decorative columns and caps as illustrated on the Fencing Details, Sheet L7.05 in Exhibit C. Decorative columns identify pedestrian and bicycle gateways into the Town Center development along these frontages. The walls and fences are located to offer rear-yard privacy but scaled and designed to provide a soft decorative edge that enhances the adjacent pedestrian and bicycle realm as shown on the illustrative concept plans, Sheets 2.1, 2.5, and 2.6 in Exhibit C.

3. Located on corner lots must preserve a visual clearance area in conformance with [Section 16.144.030](#) of this code.

Response: Landscape, fences, and walls proposed in the Town Center development are not

located in visual clearance areas as illustrated on the Site Plan, Sheets 2.16 through 2.20 in Exhibit C.

16.124.130 Height restrictions.

A. The prescribed heights of required fences, walls or landscaping shall be measured from the actual adjoining level of finished grade, not above a retaining wall.

Response: The proposed heights of fences, decorative walls, and landscaping in the Town Center development are measured from the adjoining level of finished grade.

B. An earthen berm and fence or wall combination shall not exceed the six-foot height limitation for screening, except when the approval authority allows construction to a greater height in order to mitigate against potential adverse effects.

Response: No fences or decorative walls proposed in the Town Center development are taller than 6 feet in height.

16.124.140 – Parking and loading areas.

A. Screening of parking and loading areas in the limited commercial zone. The specifications for this screening are as follows:

1. Landscaped parking areas shall include special design features to visually screen parking lot areas. These design features may include the use of landscaped berms, decorative walls and raised planters;

Response: Off-street surface parking areas behind the mixed-use and multi-dwelling buildings within the Town Center development. The parking areas are designed with trees, shrubs, and plantings to visually screen parking lot areas from the adjacent rights-of-way as illustrated on the River Terrace Blvd Private Landscape Plans, Sheets L4.00 through L4.02 in Exhibit C. Decorative walls are located along the northern boundary of the parking areas that abut SW Beef Bend Road as noted on the Fencing Plan, Sheet L7.01 and detailed on Sheet L7.05 in Exhibit C.

2. Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way;

Response: Off-street surface parking areas behind the mixed-use and multi-dwelling buildings within the Town Center development are designed with trees, shrubs, and plantings to visually screen parking lot areas from the adjacent rights-of-way as illustrated on the River Terrace Boulevard Private Landscape Plans, Sheets L4.00 through L4.02 in Exhibit C. Decorative walls are located along the northern boundary of the parking areas that abut SW Beef Bend Road as noted on the Fencing Plan (Exhibit C, Sheet L7.01 and detailed on Sheet L7.05).

3. Materials to be installed should achieve a balance between low lying and vertical shrubbery and trees;

Response: Landscape buffers between the off-street surface parking areas and adjacent rights-of-way are designed with a balance of low-lying vegetation and vertical shrubs and trees

as detailed on the River Terrace Boulevard Private Landscape Plans, Sheets L4.00 through L4.02 in Exhibit C.

- 4. Trees shall be planted in landscaped islands in all parking areas at a ratio of one tree for every ten contiguous parking spaces and at the end of each parking row in order to provide a canopy effect;**

Response: The off-street surface parking areas are designed with trees located landscape islands every 10 contiguous parking spaces and at the end of each parking row as detailed in the River Terrace Boulevard Private Landscape Plans, Sheets L4.00 through L4.02 in Exhibit C.

- 5. Landscape islands shall have a minimum area of seventy square feet, shall be curbed, and have a minimum width of six feet, measured from the interior curb face;**

Response: Landscape islands in the off-street surface parking areas are at least 75-square feet, curbed, and at least 6-feet-wide.

- 6. Landscape islands shall be planted with a tree having a minimum mature height of twenty feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and the applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may approve elimination of the pole-mounted light to accommodate placement of the tree; and**

Response: The River Terrace Boulevard Private Landscape Plans, Sheets L4.00 through L4.04 detail the landscape design of the landscape islands within the surface parking areas. Final location of pole-mounted lighting and trees within landscape islands in the surface parking areas will be provided on construction documents at the time of site development. Further analysis will be conducted by City Staff upon submittal of construction documents.

- 7. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them.**

Response: Final design of curbs within the parking areas will be provided on construction documents at the time of site development permitting. Further analysis will be conducted by City Staff upon submittal of construction documents.

B. Criteria for trees and parking areas. Deciduous shade trees shall meet the following criteria:

- 1. Reach a mature height of thirty feet or more;**
- 2. Cast moderate to dense shade in the summer;**
- 3. Be long lived, i.e., over sixty years;**
- 4. Do well in an urban environment by being:**
 - a. Pollution tolerant; and**
 - b. Tolerant of direct and reflected heat.**
- 5. Require little maintenance:**
 - a. Mechanically strong;**
 - b. Insect and disease resistant; and**
 - c. Require little pruning.**

- 6. Be resistant to drought conditions;**
- 7. Be barren of fruit production.**

Response: The River Terrace Boulevard Private Planting Plans, Sheets L4.00 through L4.04 in Exhibit C identify the species of trees proposed in the surface parking area. The deciduous trees selected for the surface parking areas are suitable for an urban environment, require little maintenance, and are drought tolerant.

16.124.150 – Revegetation.

A. Where natural vegetation has been removed through grading in areas not affected by the landscaping requirements and that are not be occupied by structures, such areas are to be replanted as set forth in this section to prevent erosion after construction activities are completed.

Response: The Water Quality Facility and Wetland Buffer Mitigation landscape plans, Sheets L5.0 through L6.1 in Exhibit C detail revegetation of areas that contain natural vegetation. The proposed planting plans have been designed to prevent erosion.

B. Topsoil removed from the surface in preparation for grading and construction is to be stored on or near the site and protected from erosion while grading operations are underway.

- 1. Such storage may not be located where it would cause suffocation of root systems of trees intended to be preserved; and**
- 2. After completion of such grading, the topsoil is to be restored to exposed cut and fill embankments or building pads to provide a suitable base for seeding and planting.**

Response: Details regarding removal and storage of topsoil will be provided with the grading permit submittal. Storage of topsoil will not occur near root systems of trees intended to be preserved. Final grading will be designed to restore topsoil to provide a suitable base for seeding and planting.

C. Methods of Revegetation.

- 1. Acceptable methods of revegetation include hydromulching or the planting of rye grass, barley or other seed with equivalent germination rates, and:**
- 2. Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscape cover is to be sown at not less than four pounds to each one thousand square feet of land area;**
- 3. Other revegetation methods offering equivalent protection may be approved by the approval authority;**
- 4. Plant materials are to be watered at intervals sufficient to ensure survival and growth; and**
- 5. The use of native plant materials is encouraged to reduce irrigation and maintenance demands.**

Response: The Water Quality Facility and Wetland Buffer Mitigation landscape plans, Sheets L5.0 through L6.1 in Exhibit C detail methods of revegetation. The proposed planting includes trees, shrubs, and native grass mix. Landscape plans for the public parks and open spaces have

been designed with trees, shrubs, and vegetation suitable for the high-density Town Center development. Details of for public parks and open space planting is provided on Sheets L2.0 through L3.06, in Exhibit C.

CHAPTER 16.128 TREE REMOVAL

16.128.020 Applicability of provisions.

A. The provisions of this chapter shall apply to the cutting of trees with a caliper of six inches or greater, except for the circumstances noted in Section 16.128.020(B).

Response: Trees will be removed to accommodate the proposed Town Center development as illustrated on the HCA Mapping & Tree Preservation Plans, Sheets 13.0 through 13.4 in Exhibit C. Analysis of tree removal and replacement is provided in The Arborist report, Exhibit I.

B. The following activities do not require a tree removal permit under the provisions of this chapter.

- 1. The action of any city officer or employee or of any public utility necessary to remove or alleviate an immediate danger to life or property, to restore or protect utility service, or to reopen a public thoroughfare to traffic.**
- 2. The cutting or removal of trees that are nuisances under Section 8.04.070 of this code.**
- 3. Cutting or removing of trees that are interfering with sewer service.**
- 4. Cutting or removing of trees that obstruct the view at an intersection contrary to requirements contained in Section 16.144.030 of this code.**
- 5. The cutting of not more than two trees on a single parcel of land or contiguous parcels of property under the same ownership within a single calendar year, unless the tree(s) is necessary to comply with a provision of development approval or compliance with provisions of Chapter 16.124.**
- 6. Commercial timber land subject to the Forest Practices Act.**

Response: Trees will be removed to accommodate the proposed Town Center development as illustrated on the HCA Mapping & Tree Preservation Plans, Sheets 13.0 through 13.4 in Exhibit C; therefore, a tree removal permit is required.

16.128.030 Administration.

A. When a land use application is subject to one or more of the chapters in Article V of this title, the standards in this chapter shall be applied as required by the applicable development review chapter(s) in Article V of this title.

B. When the provisions of Article V of this title do not apply, the city manager shall review tree removal applications as an administrative decision in accordance with Article II, of this title.

Response: As noted in Table 16.114-1, the standards of this chapter apply to tree removal proposed to accommodate the Town Center development. Subject to the Development Plan Review Process of Section 16.114.150, this application will be administered and reviewed in accordance with the Type III planning commission review process.

16.128.040 Submittal requirements.

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall prepare a map of the parcel indicating the number, size and species or other description of the trees proposed for removal and their location. The map shall be accompanied by a narrative which explains:**
- 1. The reason or reasons why the owner or owner's agent wishes to cut or remove the trees;**
 - 2. The method of cutting or removal to be employed; and**
 - 3. A description of any proposed landscaping or planting of new trees to replace the trees to be cut. The map shall include sufficient information to adequately review the proposed tree removal including an indication of the tree removal relative to property lines, structures, other trees on the site, and other features of the property and adjoining properties.**

Response: The HCA Mapping & Tree Preservation Plans, Sheets 13.0 through 13.4 in Exhibit C, and the arborist's report in Exhibit I include maps that detail the identification number, size, and species of trees proposed to be removed and retained. Landscape and tree planting plans and schedule, Sheets L1.0 through L1.11 in Exhibit C, detail the trees proposed to be planted. Exhibit V, Construction Management Plan Tree Preservation Plan details an inventory of the 211 trees located on the survey site. 41 of those trees are planned to be removed, while 2,448 trees will be planted per HCA requirements (5 trees per 500 sqft if disturbance area).

- B. The manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.**
- C. The manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.**

Response: The applicant will provide additional information regarding tree removal upon request.

16.128.050 Approval criteria.

- A. A permit may be issued as requested in the application, it may be issued in part and denied in part, or may be issued subject to compliance by the applicant with reasonable conditions to be imposed in order to promote the purposes of this chapter. A permit shall state the period of time for which it is valid. A permit issued for the reason that an improvement is to be constructed upon the premises shall contain a provision that the permit is not valid until a building permit has been issued for the construction of the improvement. The burden is on the applicant to show that granting of a permit would be consistent with the stated purpose of this chapter.**

Response: The applicant is requesting approval for removal of 170 trees located on-site to accommodate the proposed Town Center development as illustrated on the HCA Mapping & Tree Preservation Plans, Sheets 13.0 through 13.4, in Exhibit C. Due to the large-scale nature of the project, tree removal will occur prior to site grading.

- B. The following criteria shall be considered:**

1. The condition of the trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services or pedestrian or vehicular traffic safety.

Response: The applicant is requesting approval for tree removal to accommodate improvements to the existing SW Roy Rogers, SW Beef Bend, and SW Elsner Road rights-of-way. Trees removal is also required for construction of new streets, pedestrian and bicycle accessways, and residential lots. The arborist report provided in Exhibit I details the type, size, and condition of the trees proposed to be removed.

2. The necessity to remove trees in order to construct proposed improvements, or to otherwise utilize the applicant’s property in a reasonable manner.

Response: The applicant is requesting approval to remove 170 trees from the project area. As noted on page 2 of the arborist report provided in Exhibit I, *“Trees are proposed for removal for one of the 12 reasons, the majority of which are related to roads (37 trees), sidewalk (29) or right-of-way improvements (26)”*. Table 1 page 2 of the report further details the reason for tree removal:

| Reason for removal | Number of trees |
|------------------------------|------------------------|
| Alley | 1 |
| Alley loaded rowhome | 13 |
| Front loaded rowhome | 1 |
| Future municipal site | 9 |
| Grading | 5 |
| Mixed-use apartment building | 2 |
| Road | 37 |
| ROW improvements | 26 |
| Sidewalk/road | 29 |
| Small single-family | 20 |
| Standard single-family | 19 |
| Urban center/park | 8 |
| Total | 170 |

3. The topography of the land and the effect of tree removal on erosion, soil retention, stability of earth, flow of surface waters, protection of nearby trees and wind breaks.

Response: As noted on page 2 of the arborist report provided in Exhibit I, *“trees proposed for removal will be removed via directional felling, away from protected trees.”* The applicant will apply the arborist’s tree protection recommendations, including fencing and erosion control measures, for the 41 trees identified for preservation as detailed on page 3 of the report.

4. The number and density of trees existing in the neighborhood, the character and property uses in the neighborhood, and the effect of tree removal upon neighborhood characteristics, beauty and property values.

Response: The current primary use of the site is agricultural with only 211 trees existing on the 136-acre site. Of those, 170 trees are proposed to be removed to accommodate development of the high-density Town Center development. Trees identified for retention will

continue to support the natural functions of the wetland and riparian area located in the southern portion of the site.

5. The tree(s) is necessary to comply with conditions of development approval or compliance with provisions of Chapter 16.124.

Response: The applicant complies with the landscape buffer and screening requirements of Chapter 16.124 as noted in the narrative and detailed on the street tree and open space landscape plans, Sheets L1.06 through L6.01.

6. The adequacy of the applicant's proposals, if any, to plant new trees or vegetation as a substitute for the trees to be cut.

Response: The street tree and open space landscape plans, Sheets L1.06 through L6.01 illustrate how removal of 170 existing trees will be mitigated for with planting of over 8,000 trees including: 1,287 street trees, 1,952 trees in open space areas, 261 trees in the park blocks, 264 trees in the private plazas along SW River Terrace Boulevard, 155 native trees in the open space east of Elsner, and 4,275 native trees in the stormwater management facility and natural open space area in the southern portion of the site.

CHAPTER 16.136 CIRCULATION AND ACCESS

16.136.020 General provisions.

A. Applicability. The provisions of this chapter shall apply to all development regulated by this title and to any change of use or expansion which modifies the circulation and access requirements of this chapter.

Response: As noted in Table 16.114-1, the proposed Town Center development is subject to the standards of this Chapter, except for 16.136.030, 16.136.040, and 16.136.050.C.6.

B. Availability of Improvements. All required circulation and access improvements must be available for use prior to occupancy of any structure.

Response: All required circulation and access improvements that serve a particular use will be required by the city prior to issuance of certificate of occupancy.

C. Joint Access. Owners of two or more uses, structures, or parcels of land may agree to utilize a common driveway access when the combined uses comply with the following requirements:

- 1. Satisfactory legal evidence is presented to the city manager in the form of deeds, easements, leases or contracts to establish the joint use;**
- 2. Copies of the deeds, easements, leases or contracts are placed on permanent record with the city; and**
- 3. The common driveway and related combination of uses comply with the standards in this chapter.**

Response: In the event owners of two or more uses, structures, or parcels of land utilize common driveway access, a joint access agreement, easement, lease, or contract will be recorded.

D. Each parking or loading space shall be accessible from a street and the access shall be of a width and location as described in this title.

Response: The Site Plans (Exhibit C, Sheets 2.16 - 2.20) illustrate how access to all front-loaded single detached and attached dwellings have a minimum 10-foot-wide driveway. Rear-loaded single detached and attached dwellings are provided access via a 20-foot-wide alley. Surface parking located in the rear of the multi-dwelling and mixed-use buildings is accessible from 2 driveways, 30-feet-wide without parking, with 24-feet of pavement in accordance with Table 16.114-12. The Parking Plans (Exhibit C, Sheets 12.1 - 12.3) illustrate how each parking and loading space is accessible from the street.

16.136.050 Design standards.

A. Access Drives.

- 1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.**

Response: The Site Plans (Exhibit C, Sheets 2.16 - 2.20) illustrate how the access drives that serve the multi-dwelling and mixed-use buildings are designed to facilitate traffic flow. While safe and convenient pedestrian access is provided on-site, Improvements to the east-west pedestrian circulation system will need further improvement as noted above.

- 1. Parking spaces on major access driveways shall be designed to reduce or eliminate backing movements and other conflicts with the driveway traffic and pedestrian routes and crosswalks.**

Response: The Site Plans (Exhibit C, Sheets 2.16 - 2.20) demonstrate how the access drives serving the multi-dwelling and mixed-use buildings are designed to eliminate backing movements into public rights-of-way. Parking Plans (Exhibit C, Sheets 12.1 - 12.3) illustrate the pedestrian crosswalks from the buildings to surface parking and resident amenities.

- 2. In order to slow traffic speeds on access drives, speed bumps, speed limit signs and similar techniques may be required by the approval authority to enhance safety for pedestrians, bicyclists and motorists on the site.**

Response: When required, the applicant will provide traffic calming techniques to enhance on-site pedestrian, bicycle, and vehicle safety.

- 4. In order to improve traffic flow, the approval authority may require directional signs on the site to guide pedestrians, bicyclists or motorists.**

Response: During final plan approval, the applicant may be required to provide directional and warning signage to guide pedestrians, bicyclists, and motorists.

B. One-Way Vehicular Access.

- 1. Where a proposed parking facility is served by one-way traffic flow on the site, it shall be accommodated by a driveway system approved by the city, and the entrance drive shall be situated closest to oncoming traffic and the exit drive shall be situated farthest from oncoming traffic.**

2. The direction of traffic flow shall be clearly marked for motorists on the property and the adjoining public street.

Response: Two-way traffic flow is proposed to be provided for all surface parking areas.

C. On-Site Bicycle and Pedestrian Circulation.

1. Walkways and driveways shall provide a direct connection to existing and planned walkways and driveways on adjacent developments.
2. Sidewalks and walkways must connect the pedestrian circulation system to other areas of the site such as buildings, vehicle and bicycle parking, children's play areas, required outdoor areas and any pedestrian amenities, such as open space, plazas, resting areas and viewpoints. The pedestrian system must connect the site to adjacent streets and nearby transit stops.
3. Walkways shall be located so that pedestrians have a short distance to walk between a transit stop or public sidewalk and building entrances.
4. Pedestrian and bicycle connections shall be direct and circuitous routes shall be avoided.
5. Where pedestrian or bicycle routes cross driveways, parking area or loading areas, the connection must be clearly identifiable through the use of striping, elevation changes, speed bumps, a different paving material or other similar method.

Response: The pedestrian and bicycle circulation plans (Exhibit C, Sheets 11.7 and 11.8) illustrate where sidewalks and bike lanes are proposed throughout the Town Center development. Parking Plans (Exhibit C, Sheets 12.2 and 12.3) illustrate the pedestrian crosswalks from the buildings to surface parking and resident amenities. Direct pedestrian and bicycle routes will be provided, and safe connectivity will be made with clearly marked accessways and crosswalks.

CHAPTER 16.140 FLOODPLAIN AND DRAINAGE HAZARD AREAS

16.140.020 Applicability of provisions.

Floodplain and drainage hazard area review shall be applicable to all new development and modifications of existing development as provided in this chapter.

Response: Flood Hazard Areas are located along the southern portion of the project area, and this project is subject to the provisions of this chapter. These areas are identified in FEMA panel 0538E and are shown within Zone A with no elevation data.

- A. Unless specifically prohibited by this title, or the Clean Water Services (CWS) "Design and Construction Standards for Sanitary Sewer and Surface Water Management" or its successor, the following are not required to obtain a development permit for a floodplain or drainage hazard area alteration:**

1. **Uses and Activities Allowed in All Floodplain and Drainageway Locations**

Response: The applicant proposes uses and activities in the floodplain that a development permit.

B. Uses and Activities Permitted Through a City Manager Review.

Unless specifically prohibited in this title or the Clean Water Services “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor, a development permit may be approved in a flood or drainage hazard area according to a city manager review procedure for the following:

1. **Uses and Activities Allowed in All Floodplain and Drainageway Locations:**
 - a. Recreation or nature trails and removal of vegetation down to duff or bare soil provided the applicant obtains a permit for erosion control;
 - b. Lot line adjustments
 - c. Major and minor land partitions;
 - d. **Wildlife viewing areas, including interpretive signs and off-street parking, which require no grading, and viewing platforms or structures, provided that all viewing platforms or structures:**
 - i. Are elevated by pilings,
 - ii. Have the lowest floor at least one foot above the base flood elevation, and
 - iii. A building permit is obtained for the proposed platform or structure;
 - e. Maintenance, preservation and repair of local public streets including paving and grading of existing road surfaces, and grading and shaping of roadside ditches;
 - f. Above ground electrical, communication, and signal transmission and distribution lines on a single-pole system. For the purposes of this section, a single-pole system is defined as above ground electrical,
 - g. Restoration and stabilization of the bank of a river or other watercourse or body of water for erosion control provided:
2. **Uses and Activities Allowed Only Within the Urban Growth Boundary.**
 - a. Construction or major improvement of local public streets and private streets except as provided for by subsection (A)(1)(f) of this section, including paving and grading, shaping of roadside ditches, and catch basins;
 - b. Construction of a vehicular access to a single-family residence or for farm or forest uses; including culverts for driveway crossings provided the application includes a registered civil engineer’s certification that the project complies with Section 16.140.060(A) through (I) of this chapter.

Response: The applicant proposes uses and activities in the floodplain that fall under the Type III Planning Commission review procedure.

C. Uses and Activities Allowed Through a Planning Commission Review.

Unless specifically prohibited by this title, or the Clean Water Services “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor, a development permit may be approved in a flood or drainage hazard area through a planning commission review procedure for the following:

1. **Uses and Activities Allowed in All Floodplain and Drainageway Location.**
 - a. **Water quality or quantity improvement facilities, or a wetland mitigation project when:**
 - i. Mandated or approved by a local, state or federal regulatory agency, or
 - ii. Designed to be consistent with CWS standards;
 - b. Dams, weirs, ponds and similar water impoundment devises, and mitigation and enhancement improvements for wetland and habitat areas;

- c. Construction or major improvement or alteration of underground pipes and conduits, including sewer, water and gas lines, transmission and distribution lines for gas and oil, underground electrical, telephone and television transmission and distribution lines, including necessary accessory structures and drainage systems;
 - d. Above ground electrical, communication and signal transmission lines, except for those activities described in subsection (B)(1)(e) of this section;
 - e. Parks, golf courses and other recreational uses that do not include structures;
 - f. Recreation or nature trails and associated grading, piping, culverts or bridges that meet the provisions of this title and applicable local, state and federal agency requirements;
 - g. Creation or restoration of wetlands;
 - h. Culverts and piping to implement an approved development, other than public transportation facilities, when the pipe or culvert connects to an existing pipe, culvert or drainageway. Culverts and piping in a flood or drainage hazard area shall continue to be subject to applicable local, state and federal agency requirements;
 - i. Bank maintenance, restoration or stabilization, including riprap for erosion control, of a river or other watercourse or body of water inside an urban growth boundary or not otherwise permitted by subsection (B)(1)(f) of this section;
 - j. Subdivisions, provided that none of the proposed parcels located outside of the UGB shall accommodate residential structures;
 - k. Driveways and off-street parking that comply with the provisions of this title and applicable local, state and federal agency requirements.
2. **Uses and Activities Allowed Only Within the Urban Growth Boundary.**
- l. One detached dwelling (including a manufactured dwelling) together with no more than two accessory structures and off-street parking on a lawfully created lot, when the lot or parcel contains insufficient area outside of the flood area upon which to locate the dwelling and/or accessory structures;
 - m. Substantial improvements to structures where "substantial improvement" is defined as follows: Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:
 - i. Before the improvement or repair is started, or
 - ii. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this section, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure except as follows:
 - (A) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions,
 - (B) Any alteration of a structure listed on the national register of historic places or a state or local inventory of historic places, or

(C) Applications for substantial improvements to structures shall comply with the requirements of this chapter;

- n. Improvements to a lawfully established structure when the cost of the improvement is less than fifty percent of the market value of the structure and there is compliance with Section 16.140.060 of this chapter. For the purpose of this subsection, improvement means any repair, reconstruction, addition or improvement of a structure except as follows:**
 - i. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications, which is solely necessary to assure safe living conditions, or**
 - ii. Any alteration of a structure listed on the national register of historic places or a state or local inventory of historic places;**
- o. Accessory structure customarily provided in conjunction with the use set forth in the applicable zoning district;**
- p. Subdivisions and partitions that comply with the provisions of this title;**
- q. Vehicular access to permitted uses, including driveway crossings, except as permitted by subsection (B)(1)(h) of this section;**
- r. Parks, golf courses and other recreational uses that include structures;**
- s. Construction or major improvement or alteration of public local streets and private streets within the UGB, or approved as part of a land division, including culverts and piping, accessory drainage systems such as catch basins, and necessary accessory structures;**
- t. Parking area for an adjacent multi-family, institutional or commercial development**

Response: The applicant is requesting a floodplain review for the following allowed uses and activities proposed within the floodplain: stormwater quality facility, wetland mitigation designed to be consistent with CWS standards, mitigation and enhancement improvements for wetland and habitat areas, nature trails and associated grading, creation and restoration of wetlands, and preliminary approval of a subdivision within the Urban Growth Boundary.

D. Review all development permits to determine that the permit requirements of this chapter have been satisfied.

- 1. Review all development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.**

Response: Included in this submittal for staff review is a copy of the Joint Permit Application (JPA) submitted to DSL and US Corp of Engineers submitted for permanent fill to wetlands located within the existing floodplain, Exhibit K, and a CWS Service Provider Letter demonstrating proposed impacts and mitigation to wetland buffers complies with CWS design and construction standards (Exhibit M).

- 2. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 16.140.060 are met.**

Response: The project does not propose development within the floodway.

- 3. Provide to building officials the base flood elevation and freeboard applicable to any building requiring a building permit.**

Response: Base flood elevations will be provided to building officials at the time of building permit as required.

- 4. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement, as set forth in Section 16.140.200.**

Response: The applicant does not propose substantial improvement to an existing development.

- E. In addition to the notice requirements in Article II of this title, the city manager shall notify communities adjacent to the affected area and the Oregon Department of Land Conservation and Development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. The city manager shall require that maintenance is provided within the altered and relocated portion of such watercourse so that the flood carrying capacity is not diminished.**

Response: The applicant acknowledges the city will notify communities adjacent to the affected area, DLCDC, and Federal Insurance Administration. The applicant will execute a maintenance agreement with the city as required.

- F. Development Permit Required. A development permit shall be obtained before construction or development begins within any special flood hazard area established in Section 16.140.040(B) of this chapter. The permit shall be for all structures including manufactured homes, as set forth in the definitions (Section 16.140.180 of this chapter) and for all development including fill and other activities, also as set forth in the definitions.**

Response: The applicant is requesting approval of a Development Plan Review application concurrently with this floodplain review.

- G. Application for Development Permit. Application for a development permit shall be made on forms furnished by the city manager and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:**

- 1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;**
- 2. Elevation in relation to mean sea level to which any structure has been floodproofed;**
- 3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 16.140.090 of this chapter; and**

4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

Response: Included in this submittal is an application for a Development Plan Review. The Conceptual Floodplain Alteration proposal (Exhibit C, Sheet 14) details the proposed alteration of the floodplain. The exhibit notes the finish grade resulting from the proposed fill in the floodplain.

H. In the interpretation and application of this chapter, all provisions shall be:

- 1. Considered as minimum requirements;**
- 2. Liberally construed in favor of the governing body; and,**
- 3. Deemed neither to limit or repeal any other powers granted under State statutes.**

Response: The applicant acknowledges the provisions of this chapter are considered minimum requirements, construed in favor of the city, and do not limit or repeal powers granted under state statutes.

16.140.040 Basis for identifying lands subject to floodplain and drainage hazard area standards.

A. Lands to Which This Chapter Applies.

This chapter shall apply to all areas of special flood hazard areas within the jurisdiction of city of King City, Oregon.

Response: As illustrated on the existing conditions plans (Exhibit C, Sheets 6.0 - 6.4) the site of the proposed Town Center development contains special flood hazard areas.

B. Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of King City, Oregon," dated October 19, 2018, with accompanying Flood Insurance Rate Maps (FIRM), are adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at 15300 SW 116th Ave., King City, OR 97224. The best available information for flood hazard area identification as outlined in subsection (B)(1) of this section, shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under subsection (B)(1) of this section.

- 1. When base flood elevation data has not been provided in accordance with subsection B of this section, the city manager shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer new construction, substantial improvements, or other development in Zone A on the FIRM.**

Response: The subject property includes Flood Hazard Areas located along the southern portion of the project area. These areas are identified in FEMA panel 0538E and are shown within Zone A with no elevation data. The site includes Flood Hazard Areas identified in FEMA panel 0538E shown within Zone A with no elevation data. A Floodplain Analysis report completed to assess the floodplain elevation at the subject property (Exhibit H). As noted on page 3 of the report "A HEC-RAS analysis with accompanying Santa Barbara Urban Hydrology

methodology, performed in accordance with standard engineering practices, is provided as required in Chapter 16.140 of the King City Development Code.”

As noted on page 3 of the report, “In the fall of 2022, a floodplain information request was made to Washington County to establish the floodplain elevation within the subject property (tax lots 2S1180001501, 2S1170000400). Based on the regulated analysis approach floodplain elevations were established; 134.5-feet at the downstream end of the floodplain (point #1) and 138-feet at the upstream end (point #2). These elevations were based on the 1988 NAVD Datum.”

To match the datum used in topographic surveys and engineering design documents for the Town Center development, the base flood elevation of 134.5 feet (1988 NAVD), identified at the downstream end of the floodplain (point #1), was converted to 131.0 feet (NGVD 29) using NGS Coordinate Conversion and Transformation Tool (NCAT). Documentation of this conversion is provided in the February 2, 2024, memo prepared by Travis Jansen, PLS, PE in Exhibit H.

Additional analysis based on field survey data, field observations and historical mapping was provided to the County “to support a lower floodplain elevation at the upstream end (point #2) and beyond” (Page 3 of Exhibit H). As explained in the report, topographic survey data was gathered at several sections of the existing floodplain area to create geometric cross sections of the floodplain for further analysis. The Hydrologic Engineering Center's River Analysis System (HEC-RAS) software program was used to identify velocities of runoff to determine the rise in water level throughout the floodplain.

- 2. Recognizing that the scale may be such that the true and accurate floodplain or drainage hazard area cannot be determined from the maps referenced in subsection B of this section alone, all persons seeking a development permit for lands within such areas and within two hundred fifty feet of the map boundary of a floodplain or drainage hazard area identified in subsection B of this section shall submit with the development permit application:**
 - a. A delineation of the floodplain and the floodway boundaries, established by a registered engineer or surveyor from the surface elevations available from the city for the floodplain based upon maps referenced in subsection B of this section, and upon any other available authoritative flood data approved by the city manager, including, but not limited to, high water marks, photographs of past flooding, or historical flood data; and**
 - b. A delineation of the drainage hazard area and drainageway by a registered surveyor or engineer from surface elevations prepared by a registered engineer. Such delineation shall be based on mean sea level datum and be field located using recognized landmarks.**

Response: The application includes a Floodplain Analysis prepared by a registered engineer (Exhibit H). A topo survey, conducted by a registered surveyor, was completed to gather elevation data and terrain data for several sections of the existing floodplain area. Based on the

regulated analysis approach, floodplain elevations have been established. Floodplain cross section exhibits are provided in Appendix B of the analysis.

C. Acceptance of Risk. Persons seeking to develop within a floodplain or drainage hazard area must do so with the understanding that they and their successors assume the risks and that the risks cannot be eliminated, even with strict compliance with the standards adopted herein. This chapter does not imply that lands outside of floodplain or drainage hazard areas, or development permitted within, will be free from flooding or flood damage.

Response: The applicant accepts the risk of developing within the floodplain hazard area.

16.140.050 Submittal requirements.

A. In addition to the form and information required in Section 16.44.030 of this title, an applicant shall submit the following:

- 1. Copies of the site plan, number to be determined at the preapplication conference, and necessary data or narrative, which explains how the development conforms to the applicable criteria, and:**
 - a. The site plans and required drawings, prepared by a registered civil engineer, shall be drawn on sheets preferably not exceeding twenty-four inches by thirty-six inches,**
 - b. The scale for the site plan shall be an engineering scale of not less than one inch equals fifty feet,**
 - c. All drawings of structures elevations, prepared by a registered civil engineer or architect, shall be a standard architectural scale, being one-fourth inch or one-eighth inch equals one foot, and**
 - d. Existing and proposed topography within the boundaries of the flood area using the following contour intervals:**
 - i. For slopes of five percent or less, contour intervals not more than one foot,**
 - ii. For slopes greater than five percent and up to and including ten percent, contour intervals not more than two feet, and**
 - iii. For slopes greater than ten percent, contour intervals not more than five feet;**

Response: A Concept Site Plan for the proposed Town Center development, prepared by a registered civil engineer, is provided on Sheet 2.0 (Exhibit C). Existing conditions of the site are detailed in Sheets 6.0 - 6.4 (Exhibit C), and Preliminary Grading plans are provided on Sheets 8.0 - 8.4 (Exhibit C).

- 2. This information may be submitted with or be made part of a site plan or grading plan for the proposed development;**

Response: The required information is being submitted concurrently with the Development Plan Review application.

- 3. A list of names and addresses of all persons who are property owners of record within two hundred fifty feet of the subject property;**

Response: A list of property owners of record within 250-feet of the subject property is provided as Exhibit S of the application.

4. The required fee, and

Response: The applicable review fee was paid.

5. The site plan, data and narrative shall be submitted for any related development applications as provided in this title.

Response: In addition to this narrative, this submittal includes a proposed site plan set in Exhibit C and a Floodplain Analysis in Exhibit H.

B. Upon demonstration that no other alternative exists as determined by the City Engineer:

2. Applicants shall obtain a Conditional Letter of Map Revision (CLOMR) from FEMA before an encroachment, including fill, new construction, substantial improvement, fences or other development, in the regulatory floodway is permitted that will cause any increase in the Base Flood Elevation. The CLOMR shall be submitted prior to the application being deemed complete.

Response: The applicant is not proposing to encroach, fill, or impact a regulatory floodway; therefore, a CLOMR is not required.

3. Within six months of project completion, an applicant who obtains a CLOMR from FEMA, or whose development alters a watercourse, modifies floodplain boundaries, or modifies Base Flood Elevations within the regulatory floodway shall submit obtain evidence to the city that a Letter of Map Revision (LOMR) from FEMA has been requested that reflects the as-built changes to the Flood Insurance Study (FIS) and/or Flood Insurance Rate Map (FIRM).

Response: The proposed Town Center development includes modification of the floodplain boundary on the subject property. Upon completion of the proposed project, the applicant will obtain a LOMR as required.

16.140.060 Development standards for floodplain and drainage hazard area applications.

The applicant for a proposed floodplain or drainage hazard area development shall demonstrate compliance with the following applicable standards of this chapter.

A. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;

Response: As illustrated on the Floodplain Alteration Plan (Exhibit C, Sheet 14), the residential dwelling lots to be created with the proposed subdivision are located outside of the proposed floodplain expansion and existing floodplain areas. As noted on the plan, the proposed fill and cut in the floodplain results in the creation of 6,613 cubic yards of floodplain mitigation area.

2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;

Response: As illustrated on the Preliminary Utility Plans (Exhibit C, Sheets 9.1 - 9.4), the public utilities and facilities that will serve the proposed subdivision are located outside of the proposed floodplain expansion and existing floodplain areas.

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

Response: The Preliminary Storm Plan, Sheet 9.1 in Exhibit C, details the proposed storm drainage management system that will serve the subdivision. As noted on the plan, the design includes flow control structures and high-flow bypasses to reduce exposure to flood damage.

4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty lots or five acres (whichever is less).

Response: The site includes Flood Hazard Areas identified in FEMA panel 0538E shown within Zone A with no elevation data. A Floodplain Analysis report was completed to assess the floodplain elevation at the subject property (Exhibit H). As noted on page 3 of the report *“A HEC-RAS analysis with accompanying Santa Barbara Urban Hydrology methodology, performed in accordance with standard engineering practices, is provided as required in Chapter 16.140 of the King City Development Code.”*

As noted on page 3 of the report, “In the fall of 2022, a floodplain information request was made to Washington County to establish the floodplain elevation within the subject property (tax lots 2S1180001501, 2S1170000400). Based on the regulated analysis approach floodplain elevations were established; 134.5-feet at the downstream end of the floodplain (point #1) and 138-feet at the upstream end (point #2). These elevations were based on the 1988 NAVD Datum.”

To match the datum used in topographic surveys and engineering design documents for the Town Center development, the base flood elevation of 134.5 feet (1988 NAVD), identified at the downstream end of the floodplain (point #1), was converted to 131.0 feet (NGVD 29) using NGS Coordinate Conversion and Transformation Tool (NCAT). Documentation of this conversion is provided in the February 2, 2024, memo prepared by Travis Jansen, PLS, PE in Exhibit H.

Additional analysis based on field survey data, field observations and historical mapping was provided to the County to *“support a lower floodplain elevation at the upstream end (point #2) and beyond”* (Page 3 of Exhibit H). As explained in the report, topographic survey data was gathered at several sections of the existing floodplain area to create geometric cross sections of the floodplain for further analysis. The Hydrologic Engineering Center's River Analysis System (HEC-RAS) software program was used to identify velocities of runoff to determine the rise in water level throughout the floodplain.

B. Development proposed to encroach into a regulatory floodway adopted and designated pursuant to FEMA regulations shall demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice by a registered civil engineer, that the cumulative effect of the proposal, when combined with all other existing and anticipated development within the basin based upon full development of

the basin as envisioned in the relevant comprehensive plans for the City and Washington County, will not result in any increase in flood levels during the occurrence of the base (regional) flood discharge. Notwithstanding this provision, development that would result in such an increase may be approved if the city, at the sole expense of the applicant, first obtains FEMA approval in accordance with 44 CFR Ch. 1, Part 65 (October 1, 1990 edition, or its successor). No increase to the floodplain elevation shall be permitted unless the area in which the rise will occur contains no structures and the owner of such property signs a written acceptance of any increase in the floodplain elevation. These properties are not required to be part of the application for the proposed development.

Response: FEMA panel 0538E and 539 identify the area of the regulatory floodway located outside the site of the proposed Town Center development. The applicant does not propose development to encroach into a regulatory floodway; therefore, this standard is not applicable.

C. Until a regulatory floodway is designated, no new construction, substantial improvements or other development (including fill) shall be permitted within Zones A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point.

Response: Not applicable. FEMA panel 0538E and 539 identify the area of the regulatory floodway located outside the site of the proposed Town Center development. The applicant does not propose development to encroach into a regulatory floodway.

D. Development proposed on a drainage hazard area site shall demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice by a registered civil engineer, that the cumulative effect of the proposal, when combined with all other existing and anticipated development within the basin based upon full development of the basin as envisioned in the relevant comprehensive plans for the city and Washington County, will not result in any increase to the drainage hazard area elevation at any point in the vicinity. Notwithstanding this provision, an increase may be approved if the area in which the rise will occur contains no structures and the owner of such property signs a written acceptance of any increase in the drainage hazard area elevation.

Response: Not applicable. No development is proposed in a drainage hazard area.

E. Encroachments into a floodway shall be designed so as to minimize the risk that the encroachment will catch substantial debris or otherwise significantly impede floodwater flows. Designs may include, but are not limited to, adequate sizing of openings, secured breakaway bridges, diverters or spacing of supports.

Response: Not applicable. FEMA panel 0538E and 539 identify the area of the regulatory floodway located outside the site of the proposed Town Center development.

F. The proposal will not increase the existing velocity of flood flows so as to exceed the erosive velocity limits of soils in the flood area. Energy dissipation devices or other measures to control the mean velocity so as not to cause erosion of the flood area may be used to meet this standard. "Open Channel Hydraulics" by V.T. Chow, McGraw-Hill Book

Company, Inc., 1988, is presumed to be the best available reference for maximum permissible velocity. "Hydraulic Engineering Circular No. 14," Hydraulic Design of Energy Dissipaters for Culverts and Channels, published by the Federal Highway Administration, September 1983, is presumed to be the best available reference for the design of energy dissipators.

Response: FEMA panel 0538E and 539 identify the area of the regulatory floodway located outside the site of the proposed Town Center development; therefore, existing velocity of flood flows will not be impacted or modified.

G. All cut and fill shall be structurally sound and designed to minimize erosion. All fill below the flood surface elevation shall be accompanied by an equal amount of cut or storage within the boundary of the development site unless:

1. The proposed cut and fill is found to be in compliance with the King City storm drainage master plan and/or Clean Water Services requirements; or

Response: As noted on the Floodplain Alteration Plan, Sheet 14 in Exhibit C, the proposed fill and cut in the floodplain results in the creation of 6,613 cubic yards of floodplain mitigation area. Preliminary Grading Plans (Exhibit C, Sheets 8.0 - 8.4) further illustrate the grading proposed to provide floodplain mitigation. The CWS Service Provider Letter (SPL) in Exhibit M demonstrates the proposed design complies with CWS standards. The applicant will obtain an Erosion and Sediment Control permit prior to any site grading.

2. Off-site excavation will be utilized to balance a fill, provided:

- a. The off-site excavation area will be part of the application for the development proposing to place the fill,
- b. The off-site excavation area will be located in the same drainage basin as the proposed fill area,
- c. The off-site excavation area will be located within points of constriction on the drainage system, if any, and as close to the fill site as practicable. The applicant's registered civil engineer shall conduct a storage routing analysis to determine the location of the fill,
- d. The off-site excavation area will be constructed as part of the development placing the fill,
- e. Any use or future development of the excavated area shall comply with the standards of this chapter and Clean Water Services requirements,
- f. Ownership of the excavated area shall be by one of the following mechanisms:
 - i. Dedication of the area to an appropriate public agency when a public agency is willing to accept the dedication,
 - ii. Ownership of the area by the applicant of the proposed development,
 - iii. Dedication of the development rights of the area to an appropriate public agency with ownership remaining with the property owner. Maintenance of the area shall be the responsibility of the applicant or property owner, and
 - iv. Deed or easement-restricted private ownership which prevents any use or future development of the area as specified by subsection (F)(2)(e) of this section. Maintenance of the area as conditioned by the city shall be the

responsibility of the applicant or property owner.

Response: The Floodplain Alteration Plan, Sheet 14 in Exhibit C, demonstrates how the floodplain cut and fill will be balanced through on-site excavation.

H. There is adequate storm drainage behind a dike such as a lift pump or flap gate to drain the floodplain or drainage hazard area behind the dike.

Response: Not applicable. A dike does not currently exist on-site, nor is one proposed.

I. That the environmental impact of the disturbance or alteration of riparian wildlife and vegetation has been minimized to the extent practicable as required by Clean Water Services. Enhancement of riparian habitats through planting or other such improvements may be required to mitigate adverse effects. Significant features such as natural ponds, large trees, and endangered vegetation within the flood or drainage hazard area shall be protected when practicable.

Response: The CWS SPL(Exhibit M) demonstrates the proposed design complies with CWS standards. The exhibits supporting the CWS SPL illustrate proposed mitigation to degraded and marginal vegetative buffers adjacent to the floodplain. A Joint Permit Application submitted to DSL and U.S. Army Corps of Engineers (Exhibit K) illustrate the proposed mitigation and enhancement to existing wetland adjacent to the floodplain.

J. Drainage systems shall be designed and constructed according to the standards of Clean Water Services (CWS).

Response: The CWS SPL (Exhibit M) demonstrates the proposed stormwater drainage design complies with CWS standards.

K. Proposed partitions and subdivisions shall minimize flooding by complying with the applicable standards of the Clean Water Services construction standards.

Response: The CWS SPL (Exhibit M) demonstrates the proposed subdivision complies with applicable CWS design and construction standards.

L. Public utilities and facilities in proposed partitions and subdivisions shall be located and constructed in a manner that will minimize flood damage.

Response: Risk of flood damage will be minimized by locating all public utilities and facilities outside of the modified floodplain.

16.140.150 – Critical facilities.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (100-year floodplain). Construction of new critical facilities shall be permissible within the 100-year floodplain if no feasible alternative site is available. Critical facilities constructed within the 100-year floodplain shall have the lowest floor elevated three feet above the base flood or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

Response: All critical facilities proposed with the Town Center development are located outside of the Special Flood Hazard Area.

16.140.160 – General requirements and prohibitions.

- A. Property owners shall maintain the flood area in such a manner as to prevent reduction of the natural carrying capacity. Maintenance outside of the public right-of-way shall be done by means of hand implements unless a development permit for an alteration is first obtained (lawn mowers are considered hand implements).**
- B. Storage of petroleum products, explosives, herbicides, pesticides, insecticides, poisons, defoliants, fungicides, desiccants, nematocides and rodenticide is prohibited.**
- C. Dumping of solid waste in the flood area is prohibited.**
- D. The provisions of the chapter are in addition to any and all federal, state or special district laws and regulations in force at the time of approval of the development permit. Any permits required from a local, state or federal agency shall be obtained prior to any development within the flood area.**
- E. The standards and criteria of this chapter are cumulative and in addition to any other requirements of this title.**
- F. The approval authority may condition any development permit to the extent necessary to avoid any specifically identified deleterious impacts on the natural integrity of the flood area or to wildlife and vegetation within the flood area.**
- G. In the case of the partitioning or subdivision of land for the location of structures for human occupancy, such site shall provide a building site, which includes the ground under the structure plus a ten foot setback around all sides of the structure, with a ground elevation at least one foot above the flood surface elevation. No partition or subdivision shall create a lot whose dimensions do not meet this standard.**
- H. There shall be no dumping of fill in a flood area without a floodplain or drainage hazard area alteration permit.**

Response: The flood area will be maintained to prevent reduction of the natural carrying capacity. No storage of prohibited materials, dumping of waste are proposed in association with the Town Center development. All residential lots and public rights-of-way proposed with the preliminary plat are located outside of the flood hazard area.

The applicant is requesting approval of a floodplain hazard area alteration permit as shown in the Floodplain Alteration Plan, Sheet 14 in Exhibit C. As noted on the plan the proposed fill and cut in the floodplain results in the creation of 6,613 cubic yards of floodplain mitigation area. The proposed design is further supported by the Floodplain Analysis report (Exhibit H).

CHAPTER 16.144 VISION CLEARANCE

16.144.020 - Applicability of provisions.

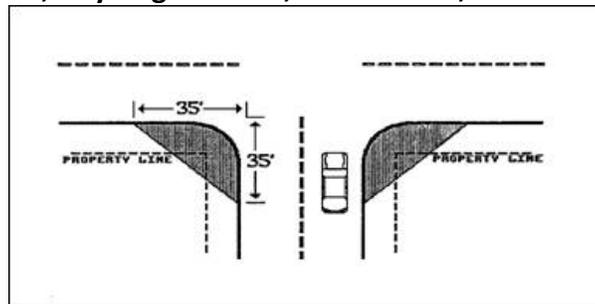
The provisions of this chapter shall apply to vegetation and all development including the construction of new structures, remodeling of existing structures, and the construction or alteration of fences and signs.

16.144.030 - Standards.

All structures and landscaping shall satisfy the applicable standards of this section.

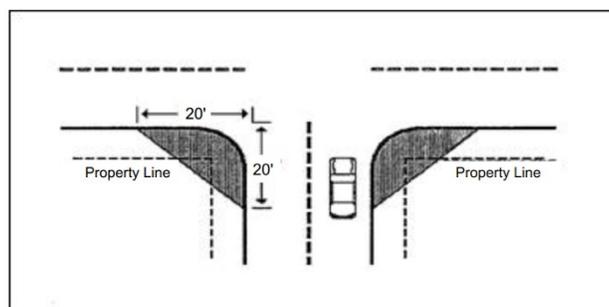
A. A visual clearance area shall be maintained on the corners of all property adjacent to the intersection of two streets or a driveway providing access to a public or private street. The visual clearance area shall be that triangular area formed using the curb line or pavement edge at an intersection and the prescribed dimensions in subsections (1), (2), and (3) of this section.

1. With the exception of driveways serving no more than two residences, all intersections on Pacific Highway, Beef Bend Road, Roy Rogers Road, Elsner Road, 131st Avenue (north of Fischer Road), and Fischer Road shall have a visual clearance area of not less than thirty-five feet on each side of the intersection, unless an alternate standard is required by ODOT for Pacific Highway or Washington County for Beef Bend Road, Roy Rogers Road, Elsner Road, and Fischer Rad (east of 131st).



Response: The proposed Town Center development has been designed to provide 35-foot visual clearance areas at all intersections on SW Beef Bend Road, SW Roy Rogers Road, SW Elsner Road, and Kingston Terrace Boulevard as illustrated on the Site Plans (Exhibit C, Sheets 2.1 - 2.5).

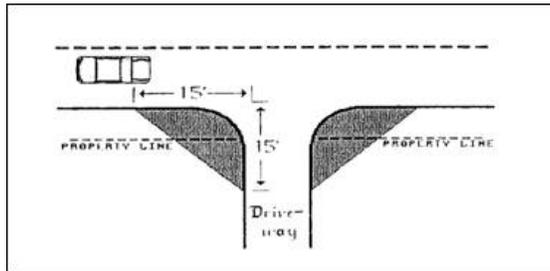
2. With the exception of driveways serving no more than two residences, all intersections within the Kingston Terrace District shall have a visual clearance area of not less than twenty feet on each side of the intersection.



Response: The proposed Town Center development has been designed to provide 20-foot visual clearance areas at all internal intersections as illustrated on the Site Plans (Exhibit C, Sheets 2.16 - 2.20).

3. The visual clearance for all other intersections which do not involve the streets described in subsection (A)(1) of this section, shall not be less than fifteen feet on

each side of the intersection. A driveway serving no more than two residences shall also be subject to this standard.



Response: The proposed Town Center development has been designed to provide 15-foot visual clearance areas at all alleyways as illustrated on the Site Plans (Exhibit C, Sheets 2.16 - 2.20)

B. A clear area shall contain no vehicle, hedge, planting, fence, wall, sign or any similar permanent obstruction which is between three feet and eight feet in height, measured from the top of the curb, or where no curb exists, from the street center line grade. Trees may be located in this area, provided all branches below eight feet are removed.

Response: Vision clearance areas will not include vehicle parking, hedges, plantings, fences, walls, signs, or other permanent obstructions.

C. Where horizontal or vertical curve conditions contribute to the obstruction of clear vision areas at an intersection or high traffic speeds are anticipated, hedges, plantings, fences, walls, buildings and other temporary or permanent obstructions shall be further reduced in height or eliminated to comply with the intent of the required clear vision area.

Response: If horizontal or vertical curve conditions as detailed above arise, the height of any obstructions will be reduced to comply with the clear vision area.

CHAPTER 16.148 SIGNS

16.148.050 - Residential use signs.

Residential uses shall be permitted the following signs: identification or monument sign. Subdivision, condominium developments, multi-family developments shall be allowed one, indirectly illuminated, freestanding monument sign or wall sign. Each sign shall have a maximum of 6 feet and an area of 32 square feet for a single-faced sign or 64 square feet for a double-faced sign. For developments with more than one vehicle entrance, an additional sign may be permitted at such additional entrance. Phased subdivisions shall be considered a single subdivision for determining permitted signs under this section.

Response: Monument, wayfinding, and informational signs will be located throughout the Town Center neighborhood; however, this application does not include signage details. Sign permit applications that demonstrate compliance with the City's sign design and dimensional standards will be submitted with site development and construction documents.

CHAPTER 16.180 FENCES AND WALLS

16.180.040 - Standards.

New fences or fence alterations shall satisfy all the following standards:

A. Maximum Height Standards.

- 1. Fences or walls in all zones shall meet the following standards unless modified by subsections (A)(2) through (A)(6) of this section.**
 - a. Front yard: 3 feet**
 - b. Rear interior side yard: 6 feet**
 - c. Corner side yard: 6 feet**

Response: The Fencing Plan, Sheet L7.01 in Exhibit C, identifies decorative fencing and landscape walls that are proposed along the rear and exterior side yards of the single attached dwellings adjacent to SW Roy Rogers Road. A 2-foot-tall decorative fence is located on top of a 4-foot-tall brick wall. Pedestrian and bicycle gateways into the Town Center are designated with lanterns on top of 8-foot-tall decorative brick columns. The SW Roy Rogers Road frontage wall, fencing, and gateway details are provided on Sheet L7.05, and an illustrative concept plan is provided on Sheet 2.1 in Exhibit C.

Fencing Plan, Sheet L7.01 in Exhibit C, identifies the decorative fencing and landscape walls that are proposed along the side yards of the single-attached dwellings adjacent to SW Beef Bend Road. A 2.5-foot-tall decorative fence is located on top of a 2-foot-tall brick wall. Lanterns on top of 6.5-foot-tall decorative brick columns designate accessways. The SW Beef Bend Road frontage wall, fencing, and gateway details are provided on Sheet L7.05, and an illustrative concept plan is provided on Sheet 2.3 in Exhibit C.

The Fencing Plan, Sheet L7.01 in Exhibit C, identifies 4-foot-tall decorative landscape walls proposed along the side yards of the mixed-use buildings adjacent to SW Beef Bend Road. The SW Beef Bend Road frontage wall details are provided on Sheet L7.06 in Exhibit C. The design intent is to have monument signage integrated into the decorative walls as illustrated on Sheet 2.5 in Exhibit C.

The front yards of the cottage homes along SW Beef Bend Road are designed with 2.5-foot-tall decorative fences on top of 2-foot-tall landscape walls and gates as identified on the Fencing Plan, Sheet L7.01 and detailed on Sheet L7.06 in Exhibit C. An illustrative plan of the cottages along SW Beef Bend Road is provided on Sheet 2.2 and a detailed Planting and Site Plan is provided on Sheet 2.4 in Exhibit C.

A 4-foot-tall wall with decorative fencing is proposed along the rear elevation of homes on SW 161st Avenue and SW Elsnor Road as illustrated on the Frontage Concept plan, Sheet 2.6 and detailed on Sheet L7.06 in Exhibit C. The height of the wall will enable visibility and a sense of connection between residents of the 2-story homes and pedestrians and bicyclists along on the adjacent sidewalk and cycle track, while offering homeowners private open space.

A 3.5-foot-tall semi-transparent fence is proposed along the rear yards that abuts the multi-use

trail north of the natural resource area in the southern portion of the Town Center development as identified on the Fencing Plan, Sheet L7.01 in Exhibit C. Details of the semi-transparent fence are provided on Sheet L7.07 and an illustrative concept plan is provided on Sheet 2.7 in Exhibit C.

Where fall-protection is not required, a 36-inch-tall split-rail fence is proposed to be located along the multi-use trail adjacent to the natural resource area located at the southern portion of the Town Center development as identified on the Fencing Plan, Sheet L7.01 in Exhibit C.

Structural retaining walls are proposed along the northern boundary of the stormwater facility and the natural resource area in the southeastern corner of the Town Center development as illustrated on the Preliminary Grading Plans, Sheets 8.2 and 8.4 in Exhibit C. A 3.5-tall semi-transparent fence is proposed on the top of these walls to provide fall protection.

A 6-foot-tall cedar privacy fence is proposed along the north and eastern property boundaries of tax lot 1502 as identified on the Fencing Plan, Sheet L7.01 in Exhibit C. The fence is intended to provide visual screening and security for the service area located behind Al's Garden Center. In the event that Al's Garden Center is redeveloped, or re-oriented, the fence will be removed to provide connection between Al's and the Town Center.

The only chain link fencing proposed in the Town Center development is around the existing CWS pump station. The fence will provide safety and security for the infrastructure and be constructed to meet CWS' Design and Construction Standards.

- 2. When deemed appropriate by the city during site plan or conditional use approval, the maximum fence height may be increased for purpose of providing improved buffering and screening between properties. Fences or walls over six feet in height shall require a building permit.**

Response: The applicant is requesting approval of the fences and walls proposed in the Town Center development as shown on the illustrative concept plans, Sheets 2.1 through 2.7, and detailed on the Fencing Plans, Sheets L7.01 and L7.05 through L7.07 in Exhibit C. The applicant will obtain a building permit for the construction of fences and walls taller than 6 feet as required.

Decorative fencing and landscape walls are proposed along the side yards of the single-attached dwellings adjacent to SW Beef Bend Road to screen vehicle driveways that serve the homes. Lanterns on top of 6.5-foot-tall decorative brick columns identify the location of accessways provided between each group of homes that connect the Town Center to SW Beef Bend Road. An illustrative concept of the wall, fencing, and gateways along SW Beef Bend Road is provided on Sheet 2.3 in Exhibit C.

Monument signage will be integrated into the 4-foot-tall decorative landscape walls located

along the side yards of the mixed-use buildings adjacent to SW Beef Bend Road as illustrated on Sheet 2.5 in Exhibit C. The walls and signage will identify a primary entranceway into the commercial area of the Town Center development at the intersection of SW Beef Bend Road and SW River Terrace Boulevard.

The front yards of the cottage homes are designed with fences and walls that demarcate the public right-of-way from the private open space; however, the low height of the fence, gates, sidewalks, and common walkways provide a strong pedestrian connection between the Town Center development and the multi-use trail along SW Beef Bend Road. An illustrative plan of the cottages along SW Beef Bend Road is provided on Sheet 2.2 and a detailed Planting and Site Plan is provided on Sheet 2.4 in Exhibit C.

A 3.5-foot-tall semi-transparent fence is proposed along the rear yards of single detached homes that abut the multi-use trail north of the natural resource area in the southern portion of the Town Center development as identified on the Fencing Plan, Sheet L7.01 in Exhibit C. The semi-transparent decorative fence provides visibility and a sense of connection between the residents of the 2-story homes, the adjacent multi-use trail, and the natural resource area beyond. Details of the semi-transparent fence are provided on Sheet L7.07 and an illustrative concept plan is provided on Sheet 2.7 in Exhibit C.

Where fall protection is not required, a 36-inch-tall split-rail fence located along the multi-use trail adjacent to the natural resource area located at the southern portion of the Town Center development is designed to provide minimal obstruction but discourage visitors from entering the floodplain, wetland, and vegetative corridor mitigation and enhancement areas. The natural materials of the rustic fence, as detailed on Sheet L7.07 in Exhibit C, complement the natural resource area. The height and openness of the fence does not impede wildlife.

The semi-transparent fence is also proposed on top of the structural retaining located along the northern boundary of the stormwater facility and the natural resource area in the southeastern corner of the development as illustrated on the Preliminary Grading Plans, Sheet 8.2 and 8.4 in Exhibit C. A 3.5-foot-tall semi-transparent fence is proposed along the top of these walls to provide fall protection. The decorative fence provides minimal visual obstruction and complements the urban design of the Town Center development, as detailed on Sheet L7.07 in Exhibit C.

A 6-foot-tall cedar privacy fence located along the north and eastern property boundaries of tax lot 1502 is intended to provide visual screening and security for the service area located behind Al's Garden Center. In the event that Al's Garden Center is redeveloped, or re-oriented, the fence will be removed to provide connection between Al's and the Town Center.

A 4.5-foot-tall chain link fencing is proposed around the existing CWS pump station to provide safety and security for the infrastructure. The fence will be constructed to meet CWS' Design and Construction Standards.

- 3. When fences or walls are located on top of a berm or retaining wall, they shall have a maximum height of eight feet measured from the base of the berm or retaining wall. This maximum height requirement shall be amended only when necessary to comply with subsections (A)(2) or (A)(4) of this section.**

Response: No berms are proposed within the Town Center development.

Where fall protection is not required, a 36-inch-tall split-rail fence is proposed to be located along the multi-use trail adjacent to the natural resource area located at the southern portion of the Town Center development as identified on the Fencing Plan, Sheet L7.01 in Exhibit C. A retaining wall is proposed in this location as identified on the Preliminary Grading Plan, Sheet 8.2 in Exhibit C. The height of the fence, measured from the base of the retaining wall will exceed 8-feet.

The fence is designed and located to provide minimal obstruction and discourage visitors from entering the floodplain, wetland, and vegetative corridor mitigation and enhancement areas. The natural materials of the rustic fence, as detailed on Sheet L7.07 in Exhibit C, complement the natural resource area. The height and openness of the fence do not impede wildlife.

Structural retaining walls are proposed along the northern boundary of the stormwater facility and the natural resource area in the southeastern corner of the Town Center development as illustrated on the Preliminary Grading Plans, Sheets 8.2 and 8.4 in Exhibit C. A 3.5-tall semi-transparent fence is proposed on the top of these walls to provide fall protection. The decorative fence provides minimal visual obstruction and complements the urban design of the Town Center development, as detailed on Sheet L7.07 in Exhibit C.

A 4.5-foot-tall chain link fence is proposed along the top of the retaining walls adjacent to CWS' pump station. A retaining wall is proposed in this location as identified on the Preliminary Grading Plan, Sheet 8.2 in Exhibit C. The height of the fence, measured from the base of the retaining wall will exceed 8-feet along the northern boundary. The fence will be constructed to meet CWS' Design and Construction Standards.

- 4. For fences or walls that are located along the top of a retaining wall or change in grade, a maximum height of three feet may be permitted, even if the total height exceeds eight feet as measured in subsection (A)(3) of this section.**

Response: A 36-inch-tall split rail fence is proposed along the retaining wall along the south side of the multi-use trail adjacent to the natural resource area in the southern portion of the Town Center development. The location of the retaining wall and fence are shown on the Preliminary Grading and Fencing Plan, Sheets 8.4 and L7.01 in Exhibit C. Fence details are provided on Sheet L7.07 in Exhibit C.

- 5. When a side yard abuts the front yard of an adjoining lot, the maximum fence height for that side yard shall be three feet.**

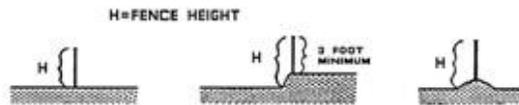
Response: The Fencing Plan, Sheet L7.01 in Exhibit C, illustrates that no fencing proposed

alongside yard lot lines abut adjoining front yards; therefore, this standard is not applicable.

6. Visual clearance requirements may require elimination or height reduction of a proposed fence.

Response: Vision clearance triangles are accounted for at all intersections and pedestrian crossings as illustrated in The Site Plan, Sheets 2.17 through 2.20 in Exhibit C. Placement of fences and walls proposed within the Town Center development comply with the vision clearance standards of Chapter 16.144.

B. The prescribed heights of fences or walls shall be measured from the base to the top of the fence as illustrated below.



Response: Heights of fences and walls proposed within the Town Center development are measured from the base to the top as required.

C. Visual clearance standards in Chapter 16.144 of this title.

Response: Vision clearance triangles are accounted for at all intersections and pedestrian crossings as illustrated in The Site Plan, Sheets 2.17 through 2.20 in Exhibit C. The Site Plan, Sheets 2.17 through 2.20 in Exhibit C, illustrates that placement of fences and walls proposed within the Town Center development comply with the vision clearance standards of Chapter 16.144.

D. Landscaping and beautification standards in Chapter 16.124 of this title.

Response: The fences and walls proposed in the Town Center development comply with the landscape and beautification standards of Chapter 16.124 as previously demonstrated in this report.

E. Fences and walls shall be constructed of wood, chain link, brick, wrought iron, decorative metal or similar material approved by the city manager.

Response: Fencing and walls proposed in the Town Center development are designed with decorative brick and aluminum, cedar and split rail as identified on the Fencing Plan, Sheet L7.01 and Fencing Details, Sheets L7.05 through L7.07 in Exhibit C. Chain link is proposed along the boundary of CWS' pump station.

F. The unfinished or structural side of the fence shall face the owner's property.

Response: The structural side of the proposed fencing will face the owner's property.

G. The owner must assume all responsibility for accurately determining property boundaries, and for any excavating within designated utility easements.

Response: The applicant will be responsible to accurately determine property boundaries and excavation of any utility within the proposed development.

H. Fences and walls shall be located within private property and shall not be placed on public property or rights-of-way.

Response: Fences and walls will be located outside of public rights-of-way and public property boundaries.

16.180.050 - Standards for maintenance.

A. The residents of the existing attached single-family and multi-family housing units in planned unit developments are permitted to repair or replace fences and walls in keeping with the original design concepts of those planned unit developments in lieu of the standards contained in this section.

B. Fences and walls shall be maintained in a safe condition by the property owner.

Response: Maintenance of fences located on private lots will be the responsibility of the homeowner. Maintenance of fences and walls located on tracts owned a management company or homeowners' association will be the responsibility of the applicable management company or association.

16.180.060 - Restrictions.

A. No fence, wall or other structure shall be placed or maintained in any rear yard abutting the golf course.

Response: This is no golf course proposed in the Town Center development.

B. No barbed wire fence shall be constructed or maintained along a sidewalk, public way or an adjoining property except such wire may be placed above the top of other fencing that is six feet in height. The total fence height, including the barbed wire, shall not exceed seven feet.

Response: No barbed wire fences are proposed in the Town Center development.

C. Electric fence shall not be constructed or maintained along a sidewalk, public way or an adjoining property.

Response: No electric fences are proposed in the Town Center development.

CHAPTER 16.196 SUBDIVISION

16.196.020 General provisions.

A. An application for a subdivision shall be processed through a two-step process: the preliminary plat and the final plat.

1. The preliminary plat shall be approved by the planning commission before the final plat can be submitted for approval consideration; and

2. The final plat shall reflect all conditions of approval of the preliminary plat.

Response: The applicant is requesting approval of a preliminary plat to be processed under a Type III Planning Commission review.

c. All subdivision proposals shall be in conformity with all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.

Response: The Preliminary Plat illustrated in Sheets 7.1 - 7.13 in Exhibit C conforms to the applicable regulations of ORS Chapter 92, Subdivisions and Partitions.

D. When subdividing tracts into large lots, the planning commission shall require that the lots be of such size and shape as to facilitate future redivision in accordance with the requirements of the zoning district and this title.

Response: The size and shape of the lot created for the future municipal building facilitates future redivision per the requirements of the applicable zoning district and this title.

E. All subdivision proposals shall be consistent with the need to minimize flood damage.

Response: As illustrated on the Floodplain Alteration Plan (Exhibit C, Sheet 14), the residential dwelling lots to be created within the proposed subdivision are located outside of the proposed floodplain expansion.

F. Where landform alteration and/or development are allowed within and adjacent to the one hundred-year floodplain outside the zero-foot rise floodway, the planning commission shall require the designation of open land area as provided in Chapter 16.140. This area shall include portions at a suitable elevation for the construction of a pedestrian walkway within the floodplain to connect to the city's trail system.

Response: As shown in the Floodplain Alteration Plan (Exhibit C, Sheet 14), the floodplain area will be designed as open space with a multi-modal trail along the northern boundary providing a pedestrian and bicycle connection between SW Roy Rogers Road to SW Elsner Road.

G. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

Response: As illustrated on the Preliminary Utility Plans (Exhibit C, Sheets 9.1 - 9.4), the public utilities and facilities that will serve the proposed subdivision are located outside of the proposed floodplain expansion and existing floodplain areas.

H. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

Response: The Preliminary Storm Plan Exhibit C, Sheet 9.1), details the proposed storm drainage management system that will serve the subdivision. As noted on the plan, the design includes flow control structures and high-flow bypasses to reduce exposure to flood damage.

I. Where base flood elevation has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty lots or five acres (whichever is less).

Response: The site includes Flood Hazard Areas identified in FEMA panel 0538E shown within Zone A with no elevation data. Exhibit H of the application is a Floodplain Analysis report completed to assess the floodplain elevation at the subject property. As noted on page 3 of the report *"A HEC-RAS analysis with accompanying Santa Barbara Urban Hydrology methodology, performed in accordance with standard engineering practices, is provided as required in Chapter 16.140 of the King City Development Code."*

As noted on page 3 of the report, *“In the fall of 2022, a floodplain information request was made to Washington County to establish the floodplain elevation within the subject property (tax lots 2S1180001501, 2S1170000400). Based on the regulated analysis approach floodplain elevations were established; 134.5-feet at the downstream end of the floodplain (point #1) and 138-feet at the upstream end (point #2). These elevations were based on the 1988 NAVD Datum.”*

To match the datum used in topographic surveys and engineering design documents for the Town Center development, the base flood elevation of 134.5 feet (1988 NAVD), identified at the downstream end of the floodplain (point #1), was converted to 131.0 feet (NGVD 29) using NGS Coordinate Conversion and Transformation Tool (NCAT). Documentation of this conversion is provided in the February 2, 2024, memo prepared by Travis Jansen, PLS, PE in Exhibit H.

Additional analysis based on field survey data, field observations and historical mapping was provided to the County *“to support a lower floodplain elevation at the upstream end (point #2) and beyond.”* As explained in the report, topographic survey data was gathered at several sections of the existing floodplain area to create geometric cross sections of the floodplain for further analysis. The Hydrologic Engineering Center's River Analysis System (HEC-RAS) software program was used to identify velocities of runoff to determine the rise in water level throughout the floodplain.

16.196.030 Administration.

A. Preliminary plat applications shall be administered and reviewed as a planning commission review in accordance with Article II of this title.

Response: The applicant is requesting approval of a preliminary plat to be processed under a Type III Planning Commission review.

16.196.040 Phased development.

A. The planning commission may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without reapplying for a preliminary plat.

Response: Construction of the Town Center development is proposed to be phased as illustrated on the construction Phasing Plans (Exhibit C, Sheets 15.1 and 15.2). Mass grading of Phases 1 and 2 are anticipated to begin Spring/Summer 2024. Construction of Phase 1 is anticipated to begin in 2024, and construction of Phase 2 will follow in 2025. While full build-out of the development will take time, construction of each phase individually is not expected to take more than 2 years. In the event that a phase takes longer than 2 years, the Developer will reapply for a preliminary plat.

B. The following criteria for approving a phased site development review proposal shall be:

- 1. The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;**

Response: Phasing Plans (Exhibit C, Sheets 15.1 and 15.2) identify the public facilities

required to serve each phase of the Town Center development.

- 2. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities. (For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable city or district standard); and**

Response: Phasing Plans (Exhibit C, Sheets 15.1 and 15.2) detail the public improvements proposed with each phase of the Town Center development.

- 3. The phased development shall not result in requiring the city or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat.**

Response: As illustrated on the Phasing Plans (Exhibit C, Sheets 15.1 and 15.2) no phase of the Town Center development is dependent upon construction of public facilities by the city or another property owner.

- C. The application for phased development approval shall be heard concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.**

Response: The applicant is requesting the proposed phasing plan to be reviewed and approved concurrently with the preliminary plat application.

16.196.060 Approval standards—Preliminary plat.

- A. The planning commission may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:**

- 1. The proposed preliminary plat and the neighborhood circulation plan (Section 16.212.040) comply with the applicable provisions of this title;**

Response: The applicant's narrative, this report, and the supporting exhibits demonstrate that the preliminary plat and proposed neighborhood circulation plans (Exhibit C, Sheets 11.1 - 11.7) comply with applicable standards.

- 2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92;**

Response: Kingston Terrace Town Center is the proposed subdivision name, and it is presumed to not duplicate another (Exhibit T).

- 3. The proposed streets and accessways are designed in accordance with Chapter 16.212;**

Response: The applicant's narrative, this report, and the supporting exhibits demonstrate that the proposed streets and accessways are designed in compliance with applicable standards of Chapter 16.212.

- 4. Parks shall be conveniently located so as to provide direct public access and availability from a public street;**

Response: The Open Space Calculations Maps & Tables (Exhibit C, Sheet 4) illustrate how the Town Center development is designed to include a park block, urban park, urban plazas, a natural open space, and pocket parks. Parks and open spaces located throughout the

development have direct public access from a public street.

- 5. Parks shall be bordered by at least one public street for a sufficient distance to encourage public use and provide visual access.**

Response: The Open Space Calculations Maps & Tables (Exhibit C, Sheet 4) illustrate how the Town Center development is designed to include a park block, urban park, urban plazas, a natural open space, and pocket parks. All parks and open spaces are bounded by a public street to encourage public use and provide visual access.

- B. The planning commission may attach such conditions as are necessary to carry out the provisions of this title and may require:**

- 1. Reserve strips be granted to the city for the purpose of controlling access to adjoining undeveloped properties.**

Response: The applicant will provide necessary reserve strips as required by a condition of approval.

CHAPTER 16.200 MAJOR AND MINOR LAND PARTITIONS AND LOT LINE ADJUSTMENTS

16.200.020 Applicability of provisions.

- A. A major land partition approval is required when a division of land creates three lots or less within one calendar year and a public street or road.**
- B. A minor land partition approval is required when three lots or less are created without the creation of a public street or road, within one calendar year.**
- C. A lot line adjustment approval is required for any adjustment to a property line which does not create an additional lot of record nor make the existing lots in violation of the base zone minimum lot requirements.**

Response: The applicant is requesting approval of a minor land partition to create two legal lots, tax lot 2S1180001501 and 2S1180001502 as illustrated on the Preliminary Partition Plat, Sheet 7 in Exhibit C.

16.200.030 Administration.

Response: Although a partition is normally a Type II City manager review, it being reviewed as part of the Type III process because it is an integral part of the application.

16.200.050 Partition approval criteria.

A request to partition land shall meet all of the following criteria:

- A. The proposed partition complies with all statutory requirements and provisions of this title;**

Response: This report and the attached exhibits demonstrate compliance with the applicable requirements and provisions of this title.

- B. Adequate public facilities are available to serve the proposal;**

Response: The minor land partition is requested as part of a consolidated development

review application for the Town Center development. Preliminary grading plans, utility plans, and circulation plans in Exhibit C illustrate how development of the Town Center on tax lot 1501 will extend to and serve tax lot 1502. The Construction Phasing Plan, Sheet 15.1 in Exhibit C, details how water and sanitary sewer will be extended in Phase 1 of the construction to serve tax lot 1502 in the future. Redevelopment of tax lot 1502, which currently contains Al's Garden Center, is not proposed at this time.

C. All proposed lots conform to the size and dimensional requirements of this title; and

Response: The minor land partition is being requested as part of a consolidated development review application for the Town Center development. This report and the Preliminary Plat and typical lot plans (Exhibit C) illustrate how development of the Town Center on tax lot 1501 will conform to applicable development and dimensional standards. Future redevelopment and/or subdivision of tax lot 1502 will be able to conform with the required size and dimensional standards.

D. The proposed streets and accessways are designed in accordance with Chapter 16.212; and

Response: The minor land partition is being requested as part of a consolidated development review application for the Town Center development. This report and the Circulation Plans (Exhibit C) illustrate how streets and accessway proposed in the Town Center development on tax lot 1501 comply with applicable standards. Streets and accessway connections will allow for efficient redevelopment of tax lot 1502 in a manner that can conform applicable design standards.

E. All proposed improvements meet city and applicable agency standards.

Response: The minor land partition is being requested as part of a consolidated development review application for the Town Center development. This report and engineering and landscape architecture plans (Exhibit C) illustrate the proposed Town Center development on tax lot 1501 complies with applicable city and agency standards. A Development Plan Review application will be required at the time of redevelopment of tax lot 1502.

16.200.060 Special provisions for lots created through partition process.

A. Lot Width. The minimum width of the building envelope area shall meet the lot requirement of the applicable zoning district.

B. Lot Area. The lot area shall be as required by the applicable zoning district.

C. Lot Frontage. Each lot created through the partition process shall front a public right-of-way by at least forty feet.

D. Setbacks. Setbacks shall be as required by the applicable zoning district.

Response: The applicant is requesting the minor land partition to create two legal lots. Creating tax lot 1501 as a legally separate parcel (the tax lot is related to a ground lease and currently is not legally separate) easily exceeds the minimum dimensional standards listed above.

CHAPTER 16.212 NEIGHBORHOOD CIRCULATION

16.212.020 - Applicability of provisions.

The neighborhood circulation standards in this chapter shall apply to the following development applications:

- A. Partitions and subdivisions, which result in a lot or parcel of less than ten acres (Chapters 16.196 and 200);**
- B. Site plan review, subject to Chapter 16.152; and**
- C. Conditional uses, subject to Chapter 16.156.**

Response: As noted in Section 16.114.120, the neighborhood circulation requirements and approval standards of Chapter 16.212 apply to the Town Center development proposed in the Kingston Terrace District, except for the street, sidewalk, accessway, and trail circulation standards.

16.212.030 - Administration.

Neighborhood circulation provisions of this chapter shall be administered and reviewed in conjunction with the related site plan review, conditional use, partition and/or subdivision application in accordance with Article II of this title.

Response: This consolidated Development Plan Review application includes both a minor lot partition and subdivision therefore this section applies. Neighborhood circulation specifically for the Kingston Terrace District is addressed in Section 16.114.120 earlier in this report.

16.212.050 - Approval standards—On-site street and accessway circulation

Response: This proposed Town Center development is located within the Kingston Terrace District; therefore, subject to the on-site street and circulation standards of Section 16.114.120. Compliance with those standards is demonstrated in an earlier section of this report. Compliance with the construction standards will be assured as part of final plan approval.

16.212.060 - Approval standards—Internal pedestrian circulation

Response: This proposed Town Center development is located within the Kingston Terrace District; therefore, subject to the internal pedestrian circulation standards of Section 16.114.120. Compliance with those standards is demonstrated in an earlier section of this report, except for 16.212.060 A. 5. that requires connections to be as direct as possible. As noted above, the east-west pedestrian access between the neighborhoods and SW River Terrace must be amended to satisfy this criterion. Compliance with the construction standards will be assured as part of final plan approval.

16.212.070 - Approval standards—Accessway and greenway design standards.

Response: This proposed Town Center development is located within the Kingston Terrace District; therefore, subject to the accessway design standards of Section 16.114.120. Compliance with those standards is demonstrated in an earlier section of this report. One greenway is proposed along the southern edge of the development. This greenway satisfies the

relevant greenway standards in 16.212.070 P. by: 1) being situated in common tracts over 30 feet wide; 2) a 12-foot-wide multiuse path (Exhibit C, Sheet 11.7) exceeding 300 feet, which is allowed.

16.212.080 - Modification of standards

Response: The applicant is not requesting to modify the standards of Sections 16.212.050 through 16.212.070.

16.212.090 - Ownership, liability and maintenance of accessways.

To ensure that all accessways will be adequately maintained over time, the approval authority shall require the following:

- A. The developer shall incorporate the accessway in a recorded tract, and shall convey the tract to the city for ownership, liability and maintenance; or**
- B. The developer shall incorporate the accessway in a recorded easement or tract, which specifically requires the property owner and future property owner(s) to provide for the ownership, liability and maintenance of the accessway. In this case, the approval authority shall determine whether the accessway shall be recorded as an easement or as a tract.**

Response: If required as a condition of approval, the applicant will locate public accessways within tracts or easements and an ownership, liability, and maintenance agreement will be recorded by the applicable homeowners' association or management company.

V. RECOMMENDATION and CONDITIONS of APPROVAL

Based upon the above facts, findings, and conclusions, the city staff recommends that the Planning Commission APPROVE the proposed minor land partition, subdivision, development plan review, upland wildlife HCA review, Goal 5 safe harbor review, floodplain and drainage hazard review, and tree removal applications subject to the following conditions:

General

1. All public and private infrastructure construction plans submitted to date are considered preliminary only. Prior to construction of any public or private improvement authorized by this decision, detailed construction plans and specifications must be submitted to engineering that demonstrate compliance with applicable design and construction standards and regulations adopted by the City of King City and/or all other agencies that have jurisdiction over the improvements including Clean Water Services, Washington County, and Oregon Department of Transportation. All construction plans shall be consistent with this decision and conditions of approval.
2. The Applicant is to coordinate with the City and all appropriate utilities and agencies throughout the application, review, and construction process. Agency/utility coordination includes, but is not limited to, Clean Water Services (CWS) regarding sanitary and storm sewer system improvements, Tualatin Valley Fire & Rescue (TVF&R) regarding emergency access, City of Tigard Water for water system improvements, City of King City and Washington County for work relating to SW Beef Bend Rd, SW Roy Rogers Rd, and SW Elsner Rd, Pride Disposal Company for garbage and recycling collection, and the City of King City regarding planning, street improvements, surface water drainage improvements, and site development interests including on-site grading and other work requiring building permits. Throughout the land-use and development process the applicant is to provide copies of all agency or utility approvals and permits to the City for its permanent files. The City is to be notified of any potential design conflicts, and/or any other potential conflicts between the various utility and agency requirements.
3. Final Development Plans and Specifications containing design for construction of public facilities shall receive approvals (as applicable) from City of King City, Clean Water Services, Washington County, and other affected jurisdictional agencies. Developer is responsible for all submittals, approvals and permit acquisitions, unless advised otherwise by the City. Permits, if required, shall be secured by developer or authorized representative prior to start of construction (e.g. both on-site and off-site construction).
4. The Project Applicant shall be responsible for all work performed by any and all contractors and subcontractors.

5. It is the responsibility of the Applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from engineering must be received before any changes are constituted in site design, grading, building design, building colors or materials.
6. On-site public facilities serving the proposed development, including but not limited to, sanitary sewers, water, streets, storm sewers, electrical power facilities, and parks, shall be adequate and meet current City standards; or it is guaranteed that inadequate or nonexistent public facilities will be upgraded or constructed by the applicant prior to occupancy of the project.
7. Except as provided otherwise, in the City's conditions of approval or special specifications for construction of public improvements, the Design and Construction Standards for Sanitary Sewer and Surface Water Management by Clean Water Services shall apply in all matters concerning sanitary sewers and the management of storm and surface water runoff.
8. The recommendations of the traffic study, arborist report, geotechnical report, and drainage report shall be incorporated into the detailed construction plans and specification review describe in Condition 1 above.
9. The developer shall fund the City's Transportation Study of the intersections along Highway 99W at Beef Bend Road, Royalty Parkway and Fischer Road prior to development of phase 3.

Minor Land Partition

10. Conditions 11 through 14 shall be satisfied prior to recording the final minor partition plat with Washington County.
11. Minor Land Partition will comply with all requirements set forth in CDC 16.200
12. Right-of-Way shall be dedicated for county roads as follows:
 - A. SW Roy Rogers – 51 feet from centerline
 - B. SW Beef Bend Road – 45 feet from centerline
13. Upon the planning commission's approval of the proposed partition or lot line adjustment and the council's acceptance of any dedicated land to the city, the applicant shall record the partition or lot line adjustment with Washington County and submit the recordation numbers to the city to be incorporated into the record.

14. The partition must be consistent with the Preliminary Partition Plat that identifies the street and easements within and adjacent to the partition.

Subdivision Plat

15. The final plat shall contain lots in a configuration that is consistent with the preliminary plat:
 - A. Public streets shall be publicly dedicated and built to a sufficient width to satisfy City and TVFR standards.
 - B. The final plat shall be approved by the City Manager and the City Engineer as provided in CDC Section 16.196.070-130.
16. The applicant shall provide verification to the City Manager that all necessary permits and public facility improvements have been obtained and are financially assured. These shall include:
 - A. CWS requirements identified in the Service Provider Letter.
 - B. The applicant shall provide suitable access as determined by TVFR.
 - C. City Engineer requirements as identified in the Engineer's Technical Memorandum
 - D. Tigard Water District approval for domestic water facilities.
 - F. Utility facilities approved by the service providers including, but not limited to: electricity, street lighting, natural gas, cable access, and telephone.
17. The proposed tracts shown on the preliminary plat shall be designated on the final plat in a manner that is approved by the City Manager and/or CWS.
18. The phasing plan must coincide with the timing and phasing set forth in the Development Agreement between the Developer and the City.
19. A final plan for providing the street trees, as required by the CDC, shall be provided for City Manager approval, which includes:
 - A. Street trees that meet the CDC minimum size requirement of 2 inches at 4 feet above grade.
 - B. A plan for when the trees will be planted, by whom, and how they will be maintained.
 - C. A method for financially ensuring the installation and long-term survival of the trees.
 - D. City Manager or Designee review and approval of selected trees before they are planted.
20. Prior to issuance of any development or building permits, site and landscaping plans with supporting information shall be submitted for City Manager approval. The plans and related information shall include the following:
 - A. Final landscaping plan for all common tracts, including all applicable submittal requirements outlined in CDC 16.124.030
 - B. Final Grading Plan

21. Prior to occupancy of the residences, the improvements and landscaping described in Conditions 19 and 20 shall be installed or financially assured.
22. Signs shall be approved and permitted by the City prior to installation.
23. Development of this site will require public and private facility improvements designed and constructed in accordance with the Development Agreement, the current City-adopted Zoning and Development Ordinance and City design and construction standards. Current City Standards include the most recent version of the Washington County Uniform Road Improvement Design Standards and the American Public Works Association (APWA) Standard Specification for Public Works Construction. In addition, improvements must be designed and constructed in accordance with all City requirements and conditions of approval. All final design plans and documents must be stamped by a Professional Engineer (P.E.) licensed in the State of Oregon.
24. Construction plans will generally include but not be limited to the following:
 - A. Cover Sheet
 - B. Existing Site Conditions
 - C. Site Plan
 - D. Grading and Erosion Control Plan
 - E. Utility Plan
 - F. Landscaping Plan
 - G. Plan and Profile for Street and Storm
 - H. Plan and Profile for Sanitary and Water
 - I. Street Illumination Plan
 - J. Street Tree Plan
 - K. Signing Plan
 - L. Stormwater Quality Facility
 - M. Miscellaneous Details for street, sanitary, storm, signs, etc.
25. An electronic copy and three sets of complete construction plans shall be submitted to the City for preliminary review and comment. The design engineer shall submit a construction cost estimate for the required public improvements with the preliminary construction plans for review and comment. A deposit in the amount of five percent of the total accepted engineer's estimated value of public improvements must be provided to the City. The engineer's estimate is to be presented in a "schedule of unit prices" format, reflecting cost estimates for the various anticipated construction bid items.
26. Following receipt of City review and comment on preliminary construction plans and after required revisions are made, the applicant shall circulate construction plans to all utility service companies within the City and other agencies as required. Prior to final approval of construction plans, all proposed utility and agency comments, revisions, and drawings must be received and approved by the City. A revised engineer's construction

cost estimate for public improvements shall be submitted with the final construction plans for review and acceptance by the City prior to approval of the construction plans. A public improvements performance bond shall be provided to the City prior to construction in an amount equal to 125 percent of the final accepted engineer's estimate.

27. A maintenance bond in the amount of 20 percent of the final accepted engineer's estimate is required prior to final City acceptance of constructed public improvements. The maintenance bond shall remain in effect for a period of not less than one year after all public improvements are accepted by the City.
28. A Development Agreement between the Applicant and the City must be executed prior to construction of public improvements. Development must comply with conditions put forth in the Development Agreement throughout build-out.

Street and Pathway Improvements

29. All street and pathway improvements must comply with requirements as outlined in the Development Agreement, City Engineer's Technical Memorandum, King City Transportation System Plan, Kingston Terrace Master Plan, and Washington County Conditions of Approval.
30. Substantial completion of all streets to include the first lift of asphalt concrete.
31. Raised AC with stamped concrete crosswalks located at the SW Pomelo Dr and SW River Terrace Blvd Intersection. The stamped concrete will mimic the shape, texture, and color of terracotta brick.
32. Stamped concrete crosswalks located across River Terrace Boulevard at each commercial plaza space. The stamped concrete will mimic the shape, texture, and color of terracotta brick.
33. Sidewalk bulb-outs at all four corner plaza spaces along the edges of the intersection at SW Pomelo Dr and SE River Terrace Boulevard.
34. A standard 8-foot-wide public utility easement (PUE) required across all lot and tract frontages adjacent to public right-of-way. Where 8-foot-wide PUE cannot be achieved, City may consider allowing a minimum 6-foot-wide PUE on a case-by-case basis.

Storm Drainage Improvements

35. The applicant is to coordinate with Clean Water Services to design needed storm drainage improvements in accordance with Clean Water Services requirements. Typically, both storm water quality provisions as well as storm water conveyance provisions are required. Private facilities and connections are to be designed and constructed in accordance with all applicable City codes and standards.

Sanitary Sewer Improvements

36. The applicant is to coordinate with CWS to determine sanitary service availability and to design and construct needed sanitary sewer improvements in accordance with CWS requirements. Privately owned facilities are to be designed and constructed in accordance with all applicable City codes and standards.

Water System Improvements

37. New public water system improvements are to be constructed in accordance with the current City of Tigard Water adopted design and construction standards. Permits from City of Tigard Water will be required.

Sensitive Area/Wetland Mitigation

38. The applicant shall coordinate with CWS to provide a wetland and vegetated corridor mitigation plan, if required. Typically, CWS requires review and permits separate from the City. An approved SPL, in accordance with CWS design and construction standards (R&O 19-5), shall be required prior to land use approval for the Subdivision.
39. A state removal fill permit must be obtained from the Oregon Department of State Lands per the DSL Wetland Land Use Notice Response #WN2024-0172.

Financial Assurance

40. The applicant shall provide verification to the City Manager that all necessary permits and public facility improvements have been obtained and are financially assured. These shall include Washington County, CWS, Division of State Lands, Tigard Water, TVFR, and Pride Disposal.

Time Limit

41. The Developer is authorized to construct up to six (6) model homes in Phase 1 prior to the completion of the Phase 1 transportation improvements but not prior to Fire, Life, & Safety access approval from TVFR.

42. Development shall progress in accordance with the requirements as outlined in the Development Agreement
43. The final subdivision plat (or first phase if platted in phases) and supplemental information, as required by this decision and the CDC, shall be submitted within one year of this decision for approval by the City Manager. Each subsequent final subdivision plat shall be submitted in a manner that aligns with the respective development time frame.

Development Plan Review

44. East-West pedestrian corridors must be completed as planned in the development proposal and in accordance with the requirements in CDC 16.212.060 and the Development Agreement.
45. Final Building Plan and design to be approved as part of the building permit review.
46. Walls aligning the rear facing side of single dwelling units along SW Elsner Rd must conform to designs put forth in this application.
47. Major amendments to this Development must be submitted to and reviewed by the City Planning Commission for approval.
48. Minor amendments to this Development must be submitted to and reviewed by the City Manager's Office for approval.

Upland Wildlife HCA Review

49. Impact mitigation of HCA's located within the project site must be performed as proposed in this application.
50. A letter of concurrence from a licensed landscape architect or METRO vegetation specialist will be provided at the time of submittal of final and concurrent landscape plans.
51. Revegetation must be completed in conformance to this application, adhere to the criteria within the CDC, METRO planting list, and any other applicable requirements.

Kingston Terrace Goal 5 Safe Harbor Review

52. Provide the City with evidence of all necessary approvals from CWS, State, and Federal agencies and regulations.

53. Impact mitigation of wetland areas located within the project site must be completed in conformance with this application, the Development Agreement, or as approved by CWS, State, and Federal agencies.

Floodplain and Drainage Hazard Review

54. All development must be in conformance with plans as proposed in this application, the Development Agreement, and accompanying materials.

Tree Removal Permit

55. Replacement tree plan must be completed in conformance with plans as proposed in this application, the Development Agreement, and accompanying materials.

56. Tree protection measures outlined in the Arborist Report and Construction Management Plan must be followed.

Appendices:

Attachment 1 - City Engineers Memo.....169
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Technical Memorandum

Date: April 8, 2024

Project: D221161OR.04
City of King City, Land Use Proposal 24-01, Tax Lots 2S1180001501,
2S1180001502, 2S1170000203, 2S1170000204, 2S1170000208, 2S1170000400

To: Mike Weston, City Manager
Maxwell Carter, City Planner
Keith Liden, City Planner
City of King City

From: Fulgence Bugingo, PE, City Engineer
Consor

Re: City Engineer Review: Kingston Terrace Town Center Development, King City

Purpose

This Memorandum presents City Engineer’s preliminary review comments in response to the City of King City Land Use Action Referral City File 24-01, requesting approval for a 1,186-home subdivision of mixed residential density. Requested approval is specifically for Development Plan Review, Preliminary Subdivision, Upland Wildlife HCA Review, Kingston Terrace Goal 5 Safe Harbor Review, Floodplain Drainage Hazard Review, and Minor Land Partition applications to support development of the Kingston Terrace Town Center. This site was recently annexed (January 2024) into the City of King City. Six phases are proposed for the Kingston Terrace Town Center development. Phased development in this area is proposed to meet the City designated Kingston Terrace District Code, with a master planned community mix of commercial and low to high density residential development with open space/parks. Development shall comply with the standards and requirements of the Transportation System Plan, TSP, adopted in June 2023 and the Kingston Terrace Master Plan, KTMP, adopted in July 2023. The overall proposed area of the site to be developed features approximately 136 gross acres, a net developable area of 59 acres, and is presently undeveloped.

General

Each phase of development will be submitted and reviewed as a single subdivision. Kingston Terrace Town Center – Phase 1 is proposed as the first phase of development within the northwest quadrant of the Kingston Terrace Town Center Area and is proposed to include Phase 2 mass grading as depicted on the “Construction Phasing Plan” submitted in the application.

The Development will require full public services, including streets, drainage, water, and sewer as well as mitigation for traffic impacts and any environmentally sensitive areas. A Service Provider Letter (SPL) in accordance with Clean Water Services (CWS) standards is required prior to approval of the Development. At the time of this application, Applicant has secured and submitted the CWS SPL.

The submitted application requests preliminary subdivision approval. The following review comments include additional development review details that are being provided from preliminary review of engineered plans submitted in support of this subdivision. A full review of the engineered plans will be completed once a land use decision is final, and detailed construction plans are submitted.

1. Planning, design, and construction of all required public improvements shall be in accordance with current City adopted Zoning and Development Ordinances, City of King City Design Standards, and City Transportation System Plan. Current City Standards include the most recent version of the Washington County Uniform Road Improvement Design Standards and the American Public Works Association (APWA) Standard Specification for Public Works Construction.
2. Improvements shall be planned, designed, and constructed in accordance with all City requirements and conditions, Development Agreement between the City and Developer dated April 17, 2024, and the final design plans must be stamped by a Professional Engineer (PE) licensed in the State of Oregon. In addition to City approvals, water, sewer and surface water management facilities and street improvements shall require the appropriate approvals of other agencies.
3. Each phase of the development will be considered a separate subdivision. For each subdivision, engineered construction plans will generally include but not limited to the following:
 - a. Cover sheet
 - b. Existing site conditions
 - c. Site plan
 - d. Grading and erosion control plan
 - e. Utility plan
 - f. Plan and profile for street and storm
 - g. Plan and profile for sanitary and water
 - h. Street illumination plan
 - i. Street tree plan
 - j. Signing plan
 - k. Stormwater quality facility
 - l. Miscellaneous details for street, sanitary, storm, signing, etc.
4. An engineer's construction cost estimate for improvements is to be submitted with the engineered design plans for each subdivision or phase of Development. This estimate may

require revisions after final review and approval of plans prior to construction. A deposit in the amount of 5 percent of the total approved estimated value of public and private improvements must be provided to the City with the plans submittal. If requested by Applicant, the City may consider accepting a certain percentage of the full deposit at the time of construction plan submittal, with the balance due before the first building permit. The estimate is to be presented in a “schedule of unit prices” format, reflecting estimates for the various anticipated construction bid items. Applicant is responsible for reimbursing the City for actual costs if the 5 percent is not sufficient to cover those costs.

5. A public improvements performance bond shall be provided to the City prior to construction in an amount equal to 125 percent of the final accepted engineer’s estimate. Applicant shall contact the City to request the performance bond release once public improvements are completed. Any reduction or final release of the bond requires an inspection and acceptance of the completed improvements by the City.
6. Upon completion of the street improvements, Developer shall notify City Engineer in writing that the street improvements are complete. Within 15 days of receipt of such notice, the City Engineer shall notify Developer in writing of any work yet to be performed. When the work has been performed to the satisfaction of City Engineer, they shall submit to Developer, City Manager, and City Council a written Letter of Acceptance of the completed work, and a recommendation that the City Council authorize release of Developer’s performance bond or other surety.
7. City Engineer shall be City’s representatives during construction and shall observe and inspect the work in progress on behalf of City. City shall inspect each segment of work before rock is placed on subgrades, before curbs are poured, before asphalt is placed, and at such other times as the City Engineer shall deem necessary so as to assure that the street improvements meet City standards. In connection with such inspections, Developer shall give City Engineer 24-hour advance notice of scheduled completion of the street improvements to allow City timely inspection of the improvements, and City shall, where practical, begin all necessary inspections within two working days of receipt of notice by Developer. City Engineer shall have the authority to stop work whenever such stoppage may be necessary to assure the proper execution of the construction of the improvements. The Engineer shall also have authority to reject all work and materials which do not conform to specifications. City Engineer shall have authority to require Developer to replace or repair any unsatisfactory or faulty construction resulting from defects in materials or workmanship discovered during construction or within one year from the date of the completion of the street improvements. Such repairs or replacements shall be made at the expense of Developer.
8. A maintenance bond in the amount of 20 percent of the final accepted engineer’s estimate is required prior to final City acceptance of constructed public improvements. The maintenance bond shall remain in effect for a period of not less than one year after all public improvements are accepted by the City. Applicant shall contact the City to request the maintenance bond release. Any final release of the bond requires an inspection and acceptance of the completed improvements by the City.

City/Agency Coordination

9. The Applicant is to coordinate with the City and all other appropriate utilities and agencies throughout all planning, application, review, and construction processes. Agency and utility coordination includes, but is not limited to, CWS regarding sanitary sewer, water quality, and storm drainage system improvements; Tualatin Valley Fire & Rescue (TVF&R) regarding fire apparatus emergency access and fire protection; Washington County for work relating to all county right-of-way, including SW Roy Rodgers Road and SW Beef Bend Road, and any infrastructure requirements outside of the Kingston Terrace Town Center Development; Tigard Water regarding water system improvements; U.S Army Corps of Engineers and Oregon Department of State Lands for work in wetlands, ponds, and tributary/ditches; the City of King City regarding planning, on-site grading and other work requiring building permits, surface water drainage improvements, and site development interests; and other utilities or agencies that may have an interest in this site development. Throughout the land-use and development process, the Applicant is to provide copies of all agency/utility requirements, comments, approvals, and other correspondence regarding development within or in support of the proposed Subdivision. The City is to be notified of any potential conflicts or concerns that may be identified. It is the responsibility of the Applicant to resolve all conflicts to the satisfaction of the City.

Street Improvements

10. The Subdivision is fronted by SW Beef Bend Road on the north, SW 161 ST on the east, transitioning to SW Elsner Road on the east and south, and SW Roy Rogers Road on the west. Access to lots in phase 1 and phase 2 of the development is by way of the proposed SW River Terrace Blvd from SW Beef Bend Road, presented as collector street being 76-foot-wide public right-of-way transitioning to 90 ft south of SW Pomelo Drive. Access from SW Roy Rogers Road is by SW Kingston Terrace Blvd, a collector street proposed as being 85-foot-wide public right-of-way, transitioning to 78 feet east of SW River Terrace Blvd. The proposed SW Damselby Avenue and SW Pomelo Dr, both presented as neighborhood routes being 79-foot-wide public right-of-way, will provide primary access to lots in Phase 3, 4, and 5. The proposed SW 161 ST Avenue being 77 foot wide right of way, and SW Elsner Rd, presented as being 61.50-foot right of way, both collector streets, will provide primary access to the remaining future phased development of the site. All modifications and improvements within these rights-of-way are to be coordinated with City of King City. In addition to City requirements and approvals, Washington County requires separate approvals and permits for all work within County right-of-way. The City shall have the reviewing and approval authority for SW Elsner Road within the Kingston Terrace Town Center development area.
11. Local streets with pedestrian and bicycle considerations are required and presented in accordance with the City of King City Development Code, the Kingston Terrace Master Plan, and Transportation System Plan. In addition, a standard 8-foot-wide public utility easement (PUE) shall be required across all lot and tract frontages adjacent to public right-of-way.

Where 8-foot-wide PUE cannot be achieved, City may consider allowing a minimum 6-foot-wide PUE on a case-by-case basis. Alleys may have a 3-foot-wide PUE.

Storm Drainage Improvements

12. The Applicant shall construct a permanent public storm drainage system to serve development of the site. The required Facility Plan shall address surface drainage management and conveyance of runoff from all impervious areas including public streets, roofs, area and footing drains, and off-site improvements to an approved point of discharge.
13. All storm drainage improvements must be coordinated with CWS and designed in accordance with all current CWS design and construction standards. It is anticipated that CWS will require both storm water quality and storm water conveyance facilities and a drainage analysis to determine capacities of existing and proposed drainage systems in accordance with CWS current standards. Approvals and development permits separate from the City will be required by CWS and Washington County. Private facilities are to be planned, designed, and constructed in accordance with all applicable City requirements, codes, and standards. Improvements to certain limited surface water drainage features, such as ditches, are to be coordinated with the City.

Sanitary Sewer Improvements

14. The Applicant shall plan, design, and construct a public sanitary sewer collection system for the Subdivision in accordance with CWS current design and construction standards. New 12-inch gravity sewer trunk lines are proposed to be installed and connected to an existing 24-inch diameter sanitary sewer stub located at the CWS pump station near Roy Rogers Road. Applicant is to coordinate with CWS to verify that the existing sanitary facilities have the capacity to serve development of the entire Kingston Terrace Town Center Development area. The Applicant shall identify and coordinate both on-site and off-site improvements, if any, with CWS during the planning, approvals, design, and construction processes. Approvals and development permits separate from the City are required by CWS.

Water System Improvements

15. The applicant is to coordinate with City of Tigard Water to design needed water system improvements. New public water system improvements are to be constructed in accordance with the current City of Tigard Water adopted design and construction standards. It is anticipated that the Applicant shall design and construct a looped water transmission system, with minimal 8-inch diameter pipes. It is anticipated that as part of the design and construction plan review process and prior to any on-site development, flow calculations shall be verified by Tigard Water to demonstrate that the proposed water system meets all applicable City and State requirements and is consistent with the current

City water distribution model. A Service Provider Letter (SPL) for water is required prior to approval of the Development. At the time of this application, Applicant has secured and submitted the Tigard Water SPL. Permits from City of Tigard Water will be required.

Pedestrian and Bicycle Improvements

16. A complete pedestrian and bicycle circulation system is proposed throughout and around the Kingston Terrace Town Center Development area. Additionally, open space and park blocks are proposed to provide recreational opportunities including sport courts, dog parks, play areas, picnic tables and seating areas. The mid-block pedestrian and accessways should not exceed 530 feet on collectors, neighborhood routes, and local streets, and 330 feet on public easements or rights-of-way if full street connection cannot be provided. The pedestrian pathways, sidewalk, furnishings and landscape zone dimensional and design standards shall meet the City designated Kingston Terrace District Code.



Date: March 25, 2024

To: Max Carter – City Planner

From: David Flemings – Building Official

Subject: Request for Comments - LU-2024-01 - Kingston Terrace Town Center

After reviewing the initial submittal documents, we offer the following notes and comments on the proposed development plan.

1. Construction of the building structures will be regulated under the current edition of the ORSC or OSSC and other adopted construction codes as appropriate for the building based on date of building permit application.
2. Some of the building plans indicate side yard setbacks as small as 3' 0". Please note that ORSC Section 302.1 requires fire rated construction for projections such as roof eaves that extend into the 3' setback.
3. Row houses will either need to comply with the provisions of townhouses constructed under Section 302 of the ORSC or will need to comply with construction provisions of the OSSC including fire sprinklers.
4. Elevator permits will be required from the State of Oregon Building Codes Division.
5. Mixed Use and Multi-Family Buildings will need to comply with Accessibility provisions or the ORSC and ICC A117.1.
6. A general site grading permit will be required for initial site work. The plans for this phase of the project will be required for review and should adequately address all proposed demolition work, cuts and fills proposed for the site, undocumented fill areas, removal of on-site wells and septic systems, subgrade improvement, settlement monitoring plans, inspection/observation monitoring and other requirements of the geotechnical reports.
7. Additional comments will be provided with the review of construction drawings prior to permit issuance.



Response Page

Department of State Lands (DSL) WN# *

WN2024-0172

Responsible Jurisdiction

| | | |
|--|----------------------------------|----------------------------------|
| Staff Contact Maxwell Carter | Jurisdiction Type City | Municipality King City |
| Local case file # LU-2024-01 | County Washington | |

Activity Location

| Township | Range | Section | QQ section | Tax Lot(s) |
|----------|-------|---------|------------|-----------------------------------|
| 02S | 01W | 18 | | 203,204,2 08,400,15 01,1502 |

Street Address

17147 SW Elsner Rd

Address Line 2

City

Sherwood

Postal / Zip Code

State / Province / Region

Country

Washington

Latitude

45.394477

Longitude

-122.846062

Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- Local Wetlands Inventory shows wetland, waterway or other water features on the property
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Your Activity

- It appears that the proposed project **will** impact wetlands and **requires** a State Permit.

Applicable Oregon Removal-Fill Permit Requirement(s)



- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information



Additional Comments

Fig. 2.16 overall site plan appears to impact wetlands as depicted in WD2023-0197. Therefore, a state removal fill permit is needed. Please contact Michael DeBlasi (michael.deblasi@dsl.oregon.gov), Resource Coordinator for Washington County if you have not done so already.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

4/10/2024

Response by:

Matthew Unitis

Response Phone:

503-986-5262



4/12/24

ODOT # 13253

ODOT Formal Response

| | |
|---|--|
| Project Name: Kingston Terrace Town Center | Applicant: New Home Company |
| Jurisdiction: City of King City | Jurisdiction Case #: LU-2024-01 |
| Site Address: 17147 SW Elsner Road | State Highway: OR 99W |

The site of this proposed land use action is in the vicinity of OR 99W. A significant number of vehicular trips generated by the proposed development are likely to utilize OR 99W in the vicinity of Beef Bend Rd, Royalty Pkwy, and Fischer Rd. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

All ODOT permits and approvals must reach 100% plans before the District Contact signs off on a local jurisdiction building permit or other necessary requirement before construction. **The applicant should contact the District Contact indicated below to determine permit requirements and to obtain application information.**

These comments, standards, and requirements are current as of the date of this letter. If the project scope and/or timeline is modified, the applicant should contact the ODOT Region 1 Development Review program (ODOT_R1_DevRev@odot.oregon.gov) for an updated letter as updated comments may be necessary.

LAND USE PROPOSAL

The proposed Town Center development encompasses 134.5 acres. The development will provide a variety of uses including 151 traditional single-detached homes, 358 smaller rear-loaded single-detached homes, 80 unique single-detached small-lot cottage-style homes, 197 rowhomes, 544 multi-dwellings in 4 residential-only and 8 mixed-use buildings, and 33,912 square feet of commercial area suitable for retail sales and service or office space on the ground floor of the 8 mixed-use buildings, and over 28 acres of public parks and open space.

COMMENTS/FINDINGS

Traffic Impacts

ODOT engineering staff have review the Traffic Impact Analysis (TIA) dated February 5th, 2024 prepared by Kittleson and Associates for the proposed development. Most notably, the TIA does not include OR 99W intersections in the vicinity of the study area. Based on our review, ODOT anticipates over 350 PM peak hour vehicle trips at OR 99W intersections in the vicinity of Beef Bend Rd, Royalty Pkwy, and Fischer Rd.

Safety

Ensuring the safety of the State highway system for the traveling public is ODOT's highest priority. ODOT has created the Safety Priority System (SPIS) to rank the locations on the system that scores every 0.1 mile segment of a roadway based on number of crashes, severity of crashes and roadway volume. SPIS is based on 3 years of crash history. Along OR 99W, the intersection of Beef Bend Rd is a top 10% SPIS site, Royalty Pkwy is a top 5% SPIS site, and Fisher Rd is a top 15% SPIS site. These ranking indicate that ODOT has a relatively high level of concern for safety at these intersections. A safety analysis of these locations was not included in the TIA.

Contact the ODOT Traffic Contact identified below and the local jurisdiction to scope the updated Traffic Impact Analysis (TIA) and confirm travel modeling assumptions.

ODOT Technical Review Requirements

All alterations within the State highway right of way are subject to ODOT standards. Alterations along the State highway but outside of the ODOT right of way may also be subject to ODOT review pending its potential impact on the safe operation of the State highway.

The following ODOT manuals may apply:

- ODOT Traffic Manual
- ODOT Highway Design Manual
- ODOT Hydraulics Design Manual

The ODOT Traffic Manual (TM) identifies items that require ODOT Region Traffic Engineer (RTE) approval. Items requiring RTE approval must be prepared by an Oregon-registered Professional Engineer (P.E.) and will be reviewed by the ODOT Region 1 Technical Center. See the TM for information on authorities and required approvals. Some approvals require a unique request form (Traffic Approval).

Deviations from ODOT Standards

Proposed alterations that deviate from ODOT standards will require a Design Exception/Deviation prepared by an Oregon-registered Professional Engineer (P.E.) for review by the ODOT Region 1 Technical Center. ODOT can only determine if design elements will require a Design Exception/Deviation or RTE approval once detailed plans have been reviewed.

Note: A Design Exception/Deviation or RTE approval items may take **6 months or longer to process**. The preparation of a Design Exception or RTE approval does not guarantee its ultimate approval.

ODOT RECOMMENDED CONDITIONS OF APPROVAL FOR LOCAL JURISDICTION

Traffic and Safety Impacts

- The applicant shall update the Traffic Impact Analysis (TIA) to include a safety and operational analysis of the OR 99W intersections at Beef Bend Rd, Royalty Pkwy, and Fischer Rd. The TIA shall include mitigation recommendations as appropriate. If mitigations are identified and accepted by ODOT, the applicant shall construct the mitigations. Recommendation for traffic control devices will require either ODOT Region Traffic Engineer (RTE) or State Traffic-Roadway Engineer (STRE) approval and shall be constructed as necessary to be consistent with the ODOT Traffic Manual.

Note: RTE and STRE approval items may take **6 months or longer** to process.

Permits and Agreements to Work in State Highway Right of Way

- An ODOT Miscellaneous Permit must be obtained for all work in the State highway. When the total value of improvements within the State highway is estimated to be \$100,000 or more, a Cooperative Improvement Agreement (CIA) with ODOT is required. A CIA will address the transfer of the improvements to ODOT and any associated technical and administrative costs for projects that meet this improvement threshold. Agreements shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

Note: If a CIA is required, it may take **6 months or longer** to process.

Contact the ODOT Development Review Planner identified below for further coordination or questions regarding ODOT comments and requirements during the land use process.

Please send a copy of the Notice of Decision/Staff Report with conditions of approval to:

[ODOT R1_DevRev@odot.oregon.gov](mailto:ODOT_R1_DevRev@odot.oregon.gov)

| | |
|---|-----------------------------------|
| Development Review Planner: Marah Danielson | Marah.b.danielson@odot.oregon.gov |
| Traffic Contact: Avi Tayar, P.E. | Abraham.tayar@odot.oregon.gov |
| District Contact: District 2B | D2bup@odot.oregon.gov |



WASHINGTON COUNTY

OREGON

April 16, 2024

To: Max Carter – City Planner

From: Naomi Vogel – Project Manager

RE: Kingston Terrace Mixed-Use Development

City File Number: LU-2024-01

County File Number: CP24-904

**Tax Map and Lot Number(s): 2S1180001501, 2S1180001502, 2S1170000203,
2S1170000204, 2S1170000208 & 2S1170000400**

Location: SW Roy Rogers Road/SW Beef Bend Road/SW Elsner Road

Washington County Department of Land Use and Transportation has reviewed this development application to construct a variety of uses including 151 traditional single-detached homes, 358 smaller rear-loaded single-detached homes, 80 unique single-detached small-lot cottage-style homes, 197 rowhomes, 544 multi-dwellings in 4 residential-only and 8 mixed-use buildings, and 33,912 square feet of commercial area for retail sales and service or office space on the ground floor of the 8 mixed-use buildings, and over 28 acres of public parks and open space. The development will be constructed in five (5) phases (refer to Sheets 15.1/15.2). All new street connections are proposed to County-maintained streets. The proposed development will provide access to SW Elsner Road, SW Beef Bend Road and SW Roy Rogers Road via new public streets, Kingston Terrace Blvd, River Terrace Blvd, and SW Damselby Avenue.

The applicant has submitted a Traffic Impact Analysis (TIA) dated February 5, 2024 and a supplemental memo dated April 11, 2024. The TIA meets the criteria set forth in R&O 86-95, “Determining Traffic Safety Improvements” and County Road Standards. County traffic engineering concurs with the recommendations noted on page 23 of the TIA and supplemental memo. All traffic mitigation requirements have been included in the County’s conditions of approval.

**Department of Land Use & Transportation
Operations and Maintenance**

1400 SW Walnut Street, MS 51, Hillsboro, OR 97123-5625
phone: 503-846-7623 • fax: 503-846-7620
www.co.washington.or.us/lut • lutops@co.washington.or.us

CONDITIONS OF APPROVAL

I. PRIOR TO ISSUANCE OF A CITY SITE DEVELOPMENT PERMIT FOR PHASE 1:

- A. Obtain a Washington County Facility Permit for all public improvements on SW Roy Rogers Road and SW Beef Bend Road as noted below.
1. Submit to Washington County Public Assurance Staff: A completed "Design Option." form (original copy), City's Notice of Decision (NOD) and County's Letter dated April 12, 2024.
 2. **\$20,000.00** Administration Deposit

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and permit processing. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. Electronic submittal of engineering plans, geotech/pavement report, engineer's estimate, preliminary sight distance certification, construction TCP and the "Engineer's Checklist" (Appendix 'E' of County Road Standards) for construction of the following public improvements:

Note: Improvements within the ROW may be required to be relocated or modified to permit the construction of public improvements. All new public improvements shall tie into existing public infrastructure per the County Engineer. All public improvements and modifications shall meet current County and ADA standards. Public improvements that do not meet County standards shall submit a design exception to the County Engineer for approval.

SW Beef Bend Road:

- a. Construct an interim County 3 Lane Arterial half-street to include a 12' multi-use path and a 5.5-foot planter strip (includes curb) with street trees. The eastbound travel lane shall be 15 feet unless stormwater reports show that a 14-foot wide travel lane can accommodate stormwater needs. ROW shall be located 1 foot back of multi-use path. Street trees to City standards but shall utilize the County's root barrier detail. Placement of trees shall not encroach into the Vision Triangle area, conflict with street lighting requirements, and obstruct traffic control signs/devices. Note: Street trees shall be maintained by the Developer/Owner.

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- b. Construct an eastbound decel right-turn lane with 50 feet of storage on SW Beef Bend to serve River Terrace Blvd.
- c. Construct a left-turn lane on Beef Bend Road with 100 feet of storage to serve River Terrace Blvd.
- d. Construct a stop-controlled public street, River Terrace Blvd, per the TIA and County Engineer. Curb returns to County standards and turning templates. ADA ramps and street lighting shall be included as required by the County Engineer. Provide corner vision triangle at the intersection with Beef Bend Road.
- e. Installation of continuous street lighting and traffic signal communication conduit along the site's frontage of SW Roy Rogers Road to County standards.
- f. Closure of all existing access on SW Beef Bend Road not approved with this development.
- g. Preliminary Sight Distance Certification for the intersection of River Terrace Blvd./SW Beef Bend Road.

SW Roy Rogers Road:

- a. Construct a County 5 lane Arterial half-street to include a 6-foot bike lane with a 2-foot buffer, 14-foot multi-use path with a 5-foot planter strip (includes curb) and street trees up to tax lot 1502. Street trees to City standards but shall utilize the County's root barrier detail. Placement of trees shall not encroach into the Vision Triangle area or impede street lighting requirements. The sidewalk shall be located 1 foot from ROW. Mid-block connections of bike lane to the multi-use path subject to County Engineer approval. Note: Street trees shall be maintained by the Developer/Owner.
- b. Installation of continuous street lighting and traffic signal communication conduit along the site's frontage of SW Roy Rogers Road to County standards.
- c. Closure of all existing access on SW Roy Rogers Road not approved with this development.
- d. Reconfigure Roy Rogers Road/Beef Bend Road intersection to include a northbound left, through and through/right lane. Increase the southbound left turn lane storage to 400 feet and the westbound through/left lane to 250 feet. Include ADA ramps, upgrades to pedestrian equipment, crosswalks, and signal equipment per County Engineer. Protected intersection design elements subject to County Engineer approval. Signal equipment shall be located to ultimate location if ROW is available.

e. Preliminary Sight Distance Certification for the intersection of SW Roy Rogers Road/SW Beef Bend Road.

f. Construct an emergency access to County standards.

II. PRIOR TO CITY ISSUANCE OF OCCUPANCY OF THE FIRST DWELLING OF PHASE 1:

A. The road improvements required in condition I.A.3. above shall be completed and accepted by Washington County, including final sight distance certification for all access to County streets.

III. PRIOR TO ISSUANCE OF A CITY SITE DEVELOPMENT PERMIT FOR PHASE 2:

A. Prior to issuance of a County Facility Permit for Phase 2, an agreement between the owner/developer to modify Al's Garden Center's existing access shall be in place, subject to review of a traffic analysis by the County Engineer. Access to Al's Garden Center shall be provided through the newly constructed Kingston Terrace internal streets.

B. Obtain a Washington County Facility Permit for all public improvements on SW Roy Rogers Road and SW Beef Bend Road as noted below.

1. Submit to Washington County Public Assurance Staff: A completed "Design Option" form (original copy), City's Notice of Decision (NOD) and County's Letter dated April 12, 2024.

2. **\$35,000.00** Administration Deposit

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and permit processing. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. Electronic submittal of engineering plans, geotech/pavement report, engineer's estimate, preliminary sight distance certification, construction TCP and the "Engineer's Checklist" (Appendix 'E' of County Road Standards) for construction of the following public improvements:

Note: Improvements within the ROW may be required to be relocated or modified to permit the construction of public improvements. All new public improvements shall tie into existing public infrastructure per the County Engineer. All public improvements and modifications

shall meet current County and ADA standards. Public improvements that do not meet County standards shall submit a design exception to the County Engineer for approval.

SW Roy Rogers Road:

- a. Construct an interim County 3 Lane Arterial half-street to include a 12' multi-use path and a 5.5-foot planter strip (includes curb) with street trees. The eastbound travel lane shall be 15 feet unless stormwater reports show that a 14-foot wide travel lane can accommodate stormwater needs. ROW shall be located 1 foot back of multi-use path. Street trees to City standards but shall utilize the County's root barrier detail. Placement of trees shall not encroach into the Vision Triangle area, conflict with street lighting requirements, and obstruct traffic control signs/devices. Note: Street trees shall be maintained by the Developer/Owner.
- b. Preliminary sight distance certification for the intersection of SW Roy Rogers Road/Kingston Terrace Blvd and SW Elsner Road/SW Roy Rogers Road.
- c. Construct a signalized collector street, Kingston Terrace Blvd, at the intersection of SW Roy Rogers Road. The access shall include a three-way traffic signal with associated equipment, ADA/pedestrian equipment and lane configurations with storage lengths/tapers per the TIA and County Engineering. Include turning templates. Note: The signalized intersection shall be designed to include a future 4th leg. The signal cannot be operational until signal warrants are met.
- d. Closure of existing access not approved with this development, including the emergency access constructed with Phase 1.
- e. Construct a northbound right-turn lane with 50 feet of storage on SW Roy Rogers Road at SW Elsner Road.
- f. Installation of continuous street lighting and traffic signal communication conduit along the site's frontage of SW Roy Rogers Road to County standards. Include installation of street illumination at the intersection of SW Elsner Road/SW Roy Rogers Road.
- g. Access modifications to AI's Garden Center per the owner/developer agreement. Note: Any access that is maintained shall meet county design and construction standards, including sight distance and adequate street illumination.

IV. PRIOR TO ISSUANCE OF CITY OCCUPANCY OF THE FIRST DWELLING FOR PHASE 2:

The road improvements required in condition **III.B.3** above shall be completed and accepted by Washington County, including final sight distance certification for all access to County streets.

V. PRIOR TO ISSUANCE OF A CITY SITE DEVELOPMENT PERMIT FOR PHASE 3:

A. Obtain a Washington County Facility Permit for all public improvements on SW Beef Bend Road as noted below.

1. Submit to Washington County Public Assurance Staff: A completed "Design Option." form (original copy), City's Notice of Decision (NOD) and County's Letter dated April 12, 2024.
2. **\$20,000.00** Administration Deposit

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and permit processing. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. Electronic submittal of engineering plans, geotech/pavement report, engineer's estimate, preliminary sight distance certification, construction TCP and the "Engineer's Checklist" (Appendix 'E' of County Road Standards) for construction of the following public improvements:

Note: Improvements within the ROW may be required to be relocated or modified to permit the construction of public improvements. All new public improvements shall tie into existing public infrastructure per the County Engineer. All public improvements and modifications shall meet current County and ADA standards. Public improvements that do not meet County standards shall submit a design exception to the County Engineer for approval.

SW Beef Bend Road:

- a. Construct an interim County 3 Lane Arterial half-street to include a 12' multi-use path and a 5.5-foot planter strip (includes curb) with street trees. The eastbound travel lane shall be 15 feet unless stormwater reports show that a 14-foot wide travel lane can accommodate stormwater needs. ROW shall be located 1 foot back of multi-use path. Street trees to City standards but shall utilize the County's root barrier detail. Placement of trees shall not encroach into the Vision Triangle area, conflict with street lighting requirements, and obstruct traffic control signs/devices. Note: Street trees shall be maintained by the Developer/Owner.
- a. Construct SW Damselby Avenue as a right-in/right-out access on SW Beef Bend Road.

- c. Construct an eastbound decel right-turn lane with 50 feet of storage on SW Beef Bend to serve SW Damselby Avenue.
- d. Construct a stop-controlled public street (SW 161st Avenue/SW Elsner Road) connection to SW Beef Bend Road. Include street illumination, curb returns and ADA ramps to County standards. Note: King City shall initiate a transfer of jurisdiction of SW Elsner Road up to the limits of Phase 5 OR annexation limits.
- e. Construct a left-turn lane on Beef Bend Road with 100 feet of storage to serve SW 161st Avenue (SW Elsner Road).
- f. Installation of continuous street lighting and traffic signal communication conduit along the site's frontage of SW Beef Bend Road to County standards.
- g. Preliminary Sight Distance Certification for the intersection of SW Damselby Avenue/SW Beef Bend Road and SW 161st Avenue/SW Beef Bend Road.
- h. Closure of all existing access on SW Beef Bend Road not approved with this development.

VI. PRIOR TO CITY ISSUANCE OF OCCUPANCY OF THE FIRST DWELLING FOR PHASE 3:

The road improvements required in condition **V.A.3** above shall be completed and accepted by Washington County, including final sight distance certification for all access to County streets.

VII. PRIOR TO ISSUANCE OF A CITY SITE DEVELOPMENT PERMIT FOR PHASE 4 AND 5:

- A. Obtain a County Facility Permit for connection to the County-maintained section of SW Elsner Road per the County Engineer.

VIII. PRIOR TO APPROVAL OF THE SUBDIVISION PLAT BY WASHINGTON COUNTY/KING CITY:

- A. The following shall be recorded with Washington County Survey Division (503.846.8723) per Phasing Plan:
 - 1. Provision of a non-access restriction along the site's frontage of SW Beef Bend Road and SW Roy Rogers Road except for the accesses approved with this land use approval.
 - 2. Dedication of right-of-way to meet 51 feet the centerline of SW Roy Rogers Road including adequate corner radius at the intersection with SW Beef Bend Road and Kingston Terrace Blvd. Note: All signal/pedestrian crossing equipment shall be located within County rights-of-way.

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3. Dedication of right-of-way to meet 45 feet from the centerline of SW Beef Bend Road including adequate corner radius at the intersection with SW Roy Rogers Road, River Terrace Blvd, Damselby Avenue and SW 161st Avenue (SW Elsner Road). Note: All signal/pedestrian crossing equipment shall be located within County rights-of-way.

4. Dedication of right-of-way to meet 37 feet from the centerline of SW Elsner Road. Note: Dedication per the County is required if road will not be transferred to King City.

Cc: Road Engineering Services
Traffic Engineering Services
Assurances Section
Transportation File

MEMORANDUM

Date: April 11, 2024

To: Max Carter, City Planner, City of King City

From: Jackie Sue Humphreys, Clean Water Services (CWS)

Subject: Kingston Terrace Town Center, LU-2024-01, 2S1170000203, 00204, 00208, 00400, 2S1180001501, 01502

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE AND PLAT RECORDING

A Clean Water Services (CWS) Site Development Permit must be obtained prior to plat approval and recordation. Application for CWS Site Development Permit must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order Nos. 19-5 as amended by R&O 19-22 (CWS Standards), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer. As development commences, extension of public conveyance systems to service adjacent uphill and/or upstream properties is required per R&O 19-5, Section 5.02, and consistent with regional master plans.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 19-5, Section 4.04. Access shall be provided for maintenance of facility per R&O 19-5, Section 4.07.6.

- e. If use of an existing offsite or regional Stormwater Management Approach is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility. Updates to the stormwater strategy for this project that become part of the Kingston Terrace Master Plan are to be incorporated into the design.
- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to Clean Water Services.
- h. Conditions of development may be altered to include requirements of subsequent Development Agreements.
- i. Application may require additional permitting and plan review from CWS Source Control Program. For any questions or additional information, please contact Source Control at (503) 681-5175.
- j. Applicant shall comply with the conditions as set forth in the Service Provider Letter No. 24-000078, dated March 22, 2024.
- k. Developer may be required to preserve a corridor separating the sensitive area from the impact of development. The corridor must be set aside in a separate tract, not part of any buildable lot and, shall be subject to a “Storm Sewer, Surface Water, Drainage and Detention Easement over its entirety”, or its equivalent.
- l. Clean Water Services shall require an easement over the Vegetated Corridor conveying storm and surface water management to Clean Water Services that would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.
- m. Detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.
- n. If there is any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits.
- o. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

PRIOR TO SEWER CONNECTION PERMIT ISSUANCE

1. The above noted improvements must be completed to CWS satisfaction.
2. The as-constructed drawings (as-builts), or a bond guaranteeing the as-builts, shall be submitted and accepted by CWS.



1220 N Pacific Hwy. Woodburn, OR 97071 ☎ (503) 981-1245

Maxwell Carter
City Planner, King City
15300 SW 116th
King City, OR 97224

April 8, 2024

Dear Mr. Carter,

I am writing to express my enthusiastic support for the proposed development of the Kingston Terrace Town Center, which includes additional housing, parks, and community spaces. As an owner of Al's Garden and Home, I am deeply invested in the well-being and growth of our area, and I believe this development aligns perfectly with the needs of our growing population.

Firstly, the addition of new housing is imperative given the increasing demand for residential spaces in our community. With population growth comes the need for more housing options to accommodate individuals and families looking to settle in our vibrant area. Providing diverse housing opportunities not only fosters inclusivity but also supports economic development by attracting new residents and businesses to our locality.

Furthermore, the inclusion of parks and community spaces within this development is paramount for nurturing a sense of belonging and well-being among our residents. Green spaces serve as essential retreats from urban life, offering opportunities for recreation, relaxation, and socialization. As a garden center owner, I understand the profound impact that nature, plants and green spaces have on our mental and physical health, and I am encouraged by the planning of this development and how it includes parks and community spaces for the residents.

Moreover, community spaces play a pivotal role in fostering social cohesion and connectivity within neighborhoods. These spaces serve as hubs for cultural events, gatherings, and collaborative initiatives that strengthen bonds among residents and promote a sense of unity. By integrating such spaces into the fabric of the Kingston Terrace Town Center, we can cultivate a thriving community where people feel connected, supported, and empowered to contribute to the common good. I would be thrilled to have our garden center as a part of this type of community.

In conclusion, I believe that the proposed development of the Kingston Terrace Town Center, with its emphasis on additional housing, parks, and community spaces, is not only necessary but also highly beneficial for our growing population.

Thank you for considering my perspective, and I eagerly anticipate witnessing the positive impact of this development on our community.

Sincerely,

Mark Bigej
Co-owner, COO
Al's Garden and Home

I'm writing to you, City Planner of King City, OR in support of the New Home Company's application for the Kingston Terrace Town Center application.

We have been tracking the City's progress in the area, as we live it daily. From the development of Roy Rogers Road and all the residential development happening along it from Scholls Ferry Rd in Beaverton to HWY 99 in Sherwood.

My family is third generation farmer and have been in the area for as long. We have seen the changing of the landscape of our area and approve the proposed development anticipated on the Beef Bend/Elsner/Roy Rogers Rd triangle.

Thank you,
Cori Amstad
503-781-3768

Maxwell Carter,
Planner, King City

April 9, 2024

Dear Mr. Carter,

I am submitting this letter in support of the King City – Kingston Terrace Master Plan on behalf of my three brothers and myself. We are the owners of the 40+ acre farm at 15822 SW Beef Bend Road known as Sharlin Farm.

The O'Halloran family has lived in and farmed this area for 100 years, our grandfather bought a small farm on what is now Hall Boulevard near Bonita Road in 1924. Our parents purchased the Land for Sharlin Farm in the 1960's. We have watched the steady growth of the region, and we see the clear need for additional housing.

My brothers and I are all members of the "Baby Boomer" generation. We are part of the largest population explosion in the history of the country. And that Post World War 2 baby boom generation is entering retirement and looking for homes that support their special needs for accessibility and retirement. The boomers want homes built to current standards with doors wide enough for wheelchairs. Accessible parks and trails for walking, staying active, and enjoying nature. They want community spaces to gather with friends and family and easy access shopping, restaurants, and services. And I might note, with the shift to more people working from home, what the Boomers want aligns with what younger generations would like.

The days of farming along Beef Bend are numbered and we are moving to the next phase of development. The Kingston Terrace Master Plan address the needs of the community. It is well designed with plenty of parks, trails, and access to services. And something important to my brothers and myself, it preserves and enhances the extraordinary natural resources of the Tualatin River ecosystem.

Michael O'Halloran
Manager,
Sharlin Farm

Good morning,

Having reviewed the Planning Commission documents I have the following comments to provide a public input.

Please circulate to Planning Commission members.

1. The materials provided indicate a well-considered buildout plan.
2. Appreciate the level of specificity regarding environmental impacts and intention to provide substantial open space public access while preserving/enhancing the existing wetlands.
3. Public space will be inviting if developer stays with the plan.
4. Street profiles: having experienced bike lanes inside street parking, my opinion is this is the most unsafe location. Multiple interactions with passenger side exits due to unfamiliarity even when those bike lanes have been in place for extended periods of time (my bike commute included SW Broadway along PSU). Add neighborhood younger riders I would ask that you consider bike lanes on the sidewalk side of the planting strip - acts as a buffer against "door prizes".
5. Transportation plan doesn't indicate alignment with River Terrace 2
6. Transportation plan doesn't indicate south side of Beef Bend Road improvements and integration with the planning site. What will those improvements look like? They are the responsibility of the developer are they not?
7. I urge the PC and City Council to consider requiring solar installation on, at least as a minimum, multi-family dwellings, if not all living units. Please set a precedent as an approving body to address power demands that a community this size may have.
8. I urge the PC and City Council to require "purple" lines for CWS Reuse Water to all public areas and municipal spaces. I didn't see anything in the submission regarding future demand. Again, King City has opportunity to set a precedent as an environmentally responsible community.

Thank you for taking my comments into consideration.

Mike Dahlstrom

16043 SW 130th Terrace

King City, 97224