

**KING CITY PLANNING COMMISSION
MEETING**

Wednesday, January 29, 2020,
9:30 a.m.

City of King City – City Hall
Council Chambers
15300 SW 116th Ave
King City, Oregon

1. Call to Order:
2. Roll Call:
3. Consider Minutes: None

AGENDA

3. To CONSIDER:

- a. **PUBLIC HEARING: CASE NUMBER 19-02 (PONDEROSA PINES).**
- b. **ADU OVERVIEW AND DISCUSSION**

4. Commissioner Reports:
5. Staff Reports:
 - a. **UPCOMING PLANNING ITEMS**
6. Adjourn.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082

MEMORANDUM

TO: King City Planning Commission
FROM: Keith Liden, Planning Consultant
SUBJECT: Castle Oaks South Subdivision (Case No. 19-02)
Staff Report
DATE: January 21, 2020

GENERAL INFORMATION

Application

The proposal includes four land use actions:

1. Subdivision to create 12 residential lots.
2. Tree Removal Review to remove 62 trees on the site.
3. Goal 5 Safe Harbor Review regarding the drainageway and habitat on the west edge of the property.
4. Variance to create lots that is less than the 2,000 square-foot and lot width minimum standards.

Location

17435 SW 131st Avenue (Assessors Map No. 2S1 16DB, Tax Lot 01700). See map.

Comprehensive Plan and Zoning Designations

R-9, Small Lot and Attached Residential Zone

Owner/Applicant

James A. Gates
Pin Oaks Development Company, Inc.
17435 SW 131st Avenue
King City, OR 97224

Applicant's Representatives

Andrew Tull
3J Consulting, Inc.
9600 SW Nimbus Avenue, Suite 100
Beaverton, OR 97008

Figure 1 - Parcel Map

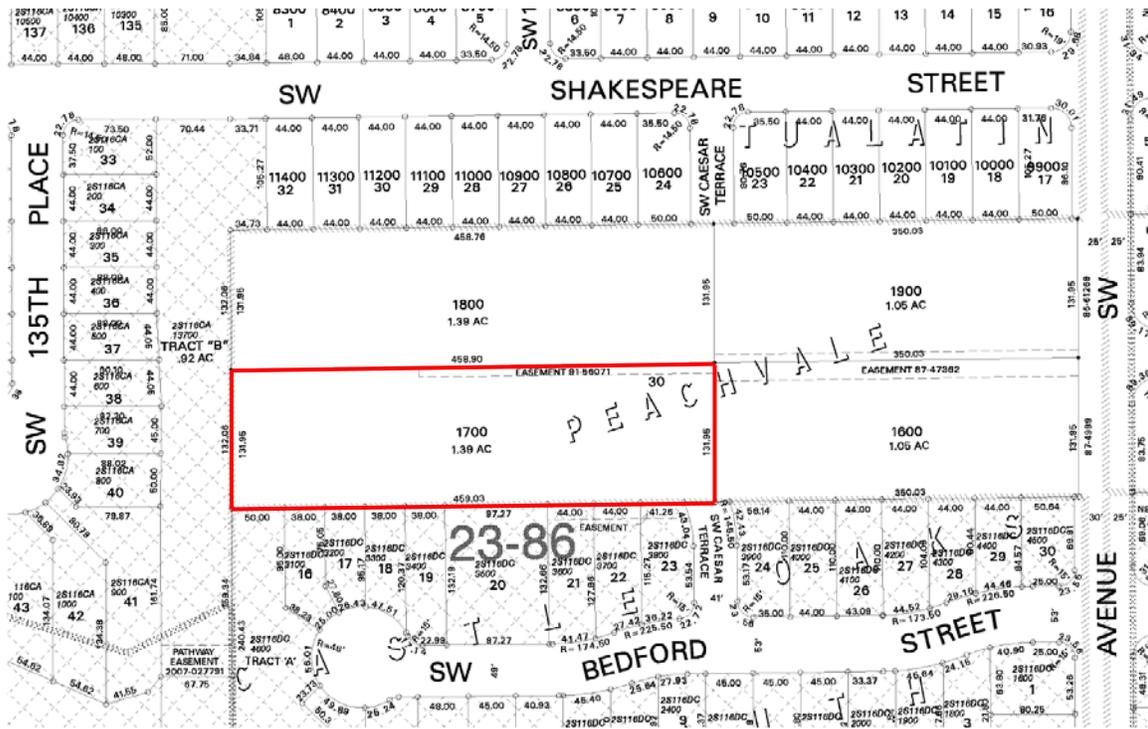
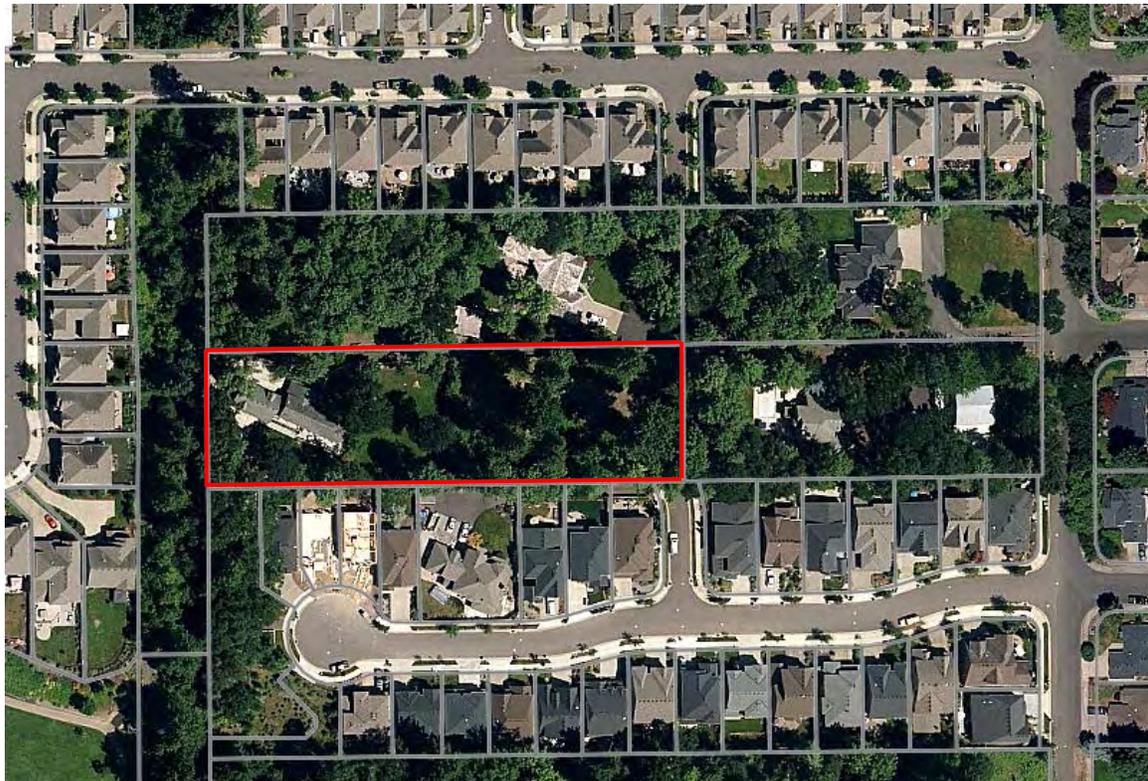


Figure 2 - Aerial Photo



BACKGROUND INFORMATION

Site Description

General Conditions

Figures 1 and 2 and Sheet C120 illustrate the existing conditions. A single-family house is located on the far western portion of the 1.39-acre property. The site is relatively flat, and the topography slopes down slightly from north to south from approximately 133 feet at the north property line to 131 feet near the southern and western boundaries.

It is important to note that there are two different survey datum references used in King City and vicinity, and these yield different topographic elevations. An older survey datum (NGVD 29) was used in the applicant's plans, and they are reflected in the topographic elevations noted. The Federal Emergency Management Agency (FEMA) has based its most recent floodplain maps on newer survey datum (NAVD 88), which yields topographic elevations that are approximately 3.481 feet higher. Therefore, the lower elevation of 131 feet shown on the applicant's plan sheets is approximately 134.5 feet as measured by the datum used by FEMA.

Wetlands, Riparian Corridors and Floodplain

Deer Creek is located to the west of the property. It is identified as a wetland, however, none of it is within the subject property. Deer Creek is subject to Clean Water Services (CWS) sensitive area buffer requirements (50 feet), which does include the western edge of the property. The property is above the Tualatin River 100-year flood elevation (approximately 134 feet - NAVD 88 datum) except for a very small area in the extreme southwest corner that may be within the 100-year flood plain.

Trees

The applicant indicates there are 83 mature trees found throughout the property. There is a significant number of additional trees, which are on adjacent properties. The trees and their locations are provided in the arborist's report and Sheets C 121 and C122).

Vicinity Description

The property is immediately north of Castle Oaks South, and it abuts three similarly sized properties on the north and east. Edgewater on the Tualatin lies farther to the north and on the west side of Deer Creek. The adjacent properties are all developed with single family residences (Figure 2).

A common driveway to SW 131st Avenue is shared with the three neighbors to the north and east. In addition, SW Caesar Terrace terminates at the southeast corner of the property, and the northern section of this street is improved for approximately 105 feet south of SW Shakespeare Street (Figures 1 and 2). These portions of SW Caesar Terrace are 22-feet wide with sidewalks on both sides. The city ultimately plans to connect SW Caesar Terrace between SW Bedford Street and SW Shakespeare Street.

Project Description

As noted above, the application consists of four parts, which are summarized below.

Subdivision

Lots and Phasing

The applicant proposes to divide the property into a 12-lot subdivision (11 new lots plus the existing home) in one phase. Including the 22,453 square-foot lot for the existing home, the average lot size is 3,872 square feet (Sheet C040). The average for the 11 developable lots is approximately 2,183 square feet. One lot is proposed to be 1,862 square feet, which is less than the 2,000 square foot minimum standards for the R-9 Zone. The remaining 10 lots range between 2,141 and 2,782 square feet. Dimensions for the 11 smaller lots range between 20 and 30 feet in width and approximately 88 feet in depth. The minimum lot width and depth standards for attached single family dwellings in the R-9 Zone are 24 and 60 feet, respectively.

With the exception of the large western lot, which will include the existing house, the remaining 11 lots are designed for what the applicant calls duplex and triplex units. Under the King City Community Development Code (CDC), they are defined as attached single family dwellings because each unit is proposed to be on a separate lot.

Street System

Access to the subdivision will be provided by the northerly extension of SW Caesar Terrace. This will be designed as a local street with a curb-to-curb width of 22 feet, curbs, and sidewalk and planter strip on the west side (Sheets C200 and C201). This improvement would extend to the northern property boundary. A subsequent northerly street extension would allow the planned connection with SW Shakespeare Street. The street alignment and design will allow for the installation of a sidewalk on the east side of the street should the properties to the east redevelop. Parking will be prohibited on this street due to its narrow width.

Access for the proposed subdivision lots will be provided by a new dead-end street. This street is proposed to be 28 feet wide with a turnaround at the west end (Sheets C201 and C260). Future residential development on the property to the north would also have access to this new street. The applicant illustrates the proposed street parking and emergency vehicle access on Sheet C260.

In response to West King City Plan and CDC requirements, the preliminary plat includes a neighborhood circulation plan. The circulation plan must show how streets within this subdivision could work as part of a future street system serving the surrounding (Sheet C041). The applicant has shown a potential subdivision layout for the property immediately to the north, which retains the existing house. It also illustrates how SW Caesar Terrace could be extended to SW Shakespeare Street. The properties to the east would have the option of using SW Caesar Terrace and/or SW 131st Avenue to serve future redevelopment.

It is the staff's understanding that maintenance responsibility for the existing common driveway currently is shared by the four benefiting property owners. The proposed future use of this driveway is

not described in the application. The plans suggest that residents in the 11 new homes would physically be able to use this driveway to travel between SW Caesar Terrace and SW 131st Avenue. In its current condition, this driveway would not meet city standards for either a private driveway or public street.

Street Trees

The preliminary plat application includes a street tree plan (Sheet L101). Two trees, Green Vase Zelkova, are proposed on the west side of the SW Caesar Terrace, and two additional trees, October Glory Maple, are proposed on the south side of the dead-end street. The applicant is requesting an exemption to allow fewer trees than would normally be required due to space constraints caused by driveways and street light fixtures.

Utilities

Water, sanitary sewer, and storm drainage facilities are shown on Sheet C300. These and other utilities shall be required for final design approval from the city engineer and/or appropriate agency or service provider prior to final plat approval.

Tree Removal Review

The applicant proposes to remove 57 of the 83 trees on the property. In addition, 6 trees are proposed for removal (Tree # 139-142, 159 and 216 shown on Sheets C121 and C122) on the abutting properties to the east and north to accommodate the extension of SW Caesar Terrace and the new dead-end street. In addition to streets, tree removal is proposed to allow for home construction and utilities. The existing trees and those identified for removal are described in the arborist's report and Sheets C121 and C122. Trees are proposed to be retained primarily along the southern property boundary and surrounding the existing house.

Goal 5 Safe Harbor Review (Wetlands and Riparian Corridors)

The vegetated corridor for Deer Creek is shown on several of the plan sheets (including C120 and C300). The Deer Creek vegetated corridor, which is located within the proposed 22,453 square-foot lot, will not be affected by any construction or improvements related to the subdivision.

Community Meeting

Chapter 16.46 of the King City Community Development Code (CDC) requires applicants to hold a community meeting to introduce a development proposal to neighboring property owners prior to submitting a formal application. As described in the application, this meeting was held on December 9, 2019 in compliance with the requirements stipulated in Chapter 16.46.

Agency Comments

The City Engineer's comments are in Exhibit A of this report. The memorandum presents a number of development requirements that will apply to the subdivision.

Washington County Department of Land Use and Transportation has reviewed the application and has no comment.

Tualatin Valley Fire and Rescue (TVFR) submitted comments regarding the application (Exhibit B). TVFR lists a number of requirements that will be expected as plans are finalized and the subdivision is developed. TVFR specifically does not approve of the proposed on-street parking shown on the fire access plan (Sheet C260).

Clean Water Services (CWS) has issued a memorandum with comments and a number of conditions that will apply to the subdivision. The memorandum indicates that compliance with Service Provider Letter No. 17-003928 is required. The memorandum and Service Provider Letter are provided in Exhibit C.

No other agency comments have been received.

FINDINGS AND CONCLUSIONS

The King City Community Development Code (CDC) contains the applicable review standards. The relevant evaluation criteria related to this application are found in CDC Chapters:

- 16.46 Requirements for Community Meetings;
- 16.84 Small Lot and Attached Residential Zone (R-9);
- 16.124 Landscaping and Beautification;
- 16.128 Tree Removal;
- 16.132 Parking and Loading;
- 16.142 Goal 5 Safe Harbor Review;
- 16.144 Vision Clearance;
- 16.146 Residential Density Calculation;
- 16.148 Signs;
- 16.164 Variance;
- 16.196 Subdivision;
- 16.204 Solar Access Standards for New Development
- 16.208 Improvements; and
- 16.212 Neighborhood Circulation.

Chapter 16.46 – Requirements for Community Meetings

This chapter of the CDC requires the applicant to sponsor a community meeting for a subdivision and other major developments.

The applicant hosted a community meeting on December 9, 2019 as required by this chapter. The information and results related to the meeting were provided as part of the application.

Chapter 16.84 – Small Lot and Attached Residential Zone (R-9)

Section 16.84.020 Permitted Uses lists single family detached residences.

The proposed single family lots are consistent with the R-9 Zone.

Section 16.84.040 Dimensional and Density Requirements states that lots for attached single family residences must be a minimum of 2,000 square feet with a minimum average of 2,400 square feet. Each lot must have a minimum average width and depth of 24 feet (attached)/30 feet (detached) and 60 feet respectively. The maximum density is 9 units per gross acre, and the minimum is 80% of the maximum (7.2 units/acre).

Lot 2 is the smallest with a proposed area of 1,862 square feet and 20-foot width. The remaining 11 lots are equal to or larger than 2,141 square feet and have minimum widths of 23 feet (Lots 3-10), 30 feet (Lot 1), and 24 feet (Lot 11). The average size of 3,872 square feet for the 12 lots satisfies the average minimum lot size standard of 2,400 square feet. The lot dimensional standards must be satisfied for each individual lot, and not averaged. Therefore, only Lots 1 and 11 satisfy the minimum lot width standard of 24 feet for attached single family residences. For Lot 12 and the existing detached home, a

minimum width of 30 feet is easily satisfied. All lots exceed the minimum lot depth of 60 feet. Variance approval is necessary for the proposed size of Lot 2 and the widths for Lots 2-11. The variance standards are addressed later in this report.

With a gross buildable area of 1.39 acres, the project is required to have between 10 and 12 units. The subdivision is proposed to have 12 units (11 new units plus the existing house). Additional findings regarding density are provided under Chapter 16.146 Residential Density Calculation.

Chapter 16.124 - Landscaping and Beautification

Section 16.124.050 requires street along all public street frontages.

Street trees are shown on Sheet L101. Two Green Vase Zelkova are proposed along the SW Caesar Terrace frontage, and two October Glory Maple are proposed along the new dead-end street. The CDC requires a maximum spacing of 40 feet for large trees, which includes the varieties chosen. This standard is met on SW Caesar Terrace, but the maples are over 90 feet apart. Five trees would be required to meet the spacing standard.

CDC 16.124.090 allows for an exemption to the street tree requirements. The applicant requests an exemption to the spacing standards to allow for the necessary driveways and street light fixtures. CDC 16.124.060 B. 8 requires a 20-foot distance between street trees and light poles. Given the circumstances, an exemption is warranted because there is insufficient room to meet the tree spacing standards.

Section 16.124.060 requires street trees to be a minimum of 2 inches in diameter at 4 feet with maximum spacing of 30 feet for medium sized mature street trees. This section also includes planting requirements.

The applicant proposes that the trees will be a minimum of 2-inch caliper. Trees meeting these standards will be required for the final plat.

Chapter 16.128 – Tree Removal

Section 16.128.050 B. requires consideration of the following criteria:

- 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.*

The primary issue is a significant number of the trees will interfere with construction of the subdivision.

- 2. The necessity to remove trees in order to construct proposed improvements, or to otherwise utilize the applicant's property in a reasonable manner.*

For virtually any urban density development, it is very difficult to retain a significant percentage of the existing trees. Construction requirements and standards for streets, utilities, proper site

drainage, required densities, and homes all contribute to the need to clear much of a construction site. In this case, retaining all or most of the trees on the site would prohibit development as envisioned in the West King City Plan.

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.*

As shown on the Sheets C121 and C122, the trees within the 50-foot buffer area for Deer Creek will not be affected by the development. The retention of these trees will minimize the potential for erosion and slope instability. The remainder of the site and surrounding properties have minimal slope and potential for erosion and related problems due to tree removal.

4. *The number and density of trees existing in the neighborhood, the character and property uses in the neighborhood, and the effect of the tree removal upon neighborhood characteristics, beauty and property values.*

The removal of the trees proposed and the development to follow will obviously change the present semi-rural character of the property. However, the potential adverse impact on the neighborhood will be reduced by:

- Retaining the Deer Creek buffer, which will continue to provide an important forested backdrop for the development and the neighborhood;
- Retaining the trees that are on the southern boundary or have driplines within the subject property (with the exception of the ___ neighboring trees removed for street improvements); and
- Planting street trees and additional homeowner landscaping.

5. *The tree(s) is necessary to comply with conditions of development approval or compliance with provisions of Chapter 16.124.*

None of the existing trees are specifically required to be retained through previous approvals or Chapter 16.124.

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.*

As noted in this application, the development will include retaining trees near Deer Creek and providing street trees. In addition, homeowners will have the option of planting new trees after construction is complete.

Chapter 16.132 – Parking and Loading

Section 16.132.030 has been recently amended to comply with Metro Functional Plan requirements. The minimum parking standard for a single family residence is 1 space.

All of the lots will allow for house designs and driveways that will provide a one car garage, and an additional space on the driveway. The one parking space per residence standard will be satisfied.

Previous residential developments have experienced on-street parking issues where there has been a combination of narrower streets (e.g., 22-28 feet), single car garages, and no alley-loaded lots. This has occasionally led to problems with illegal parking and restricted emergency access. The proposed 22- and 28-foot wide streets will provide limited on-street parking opportunities through the development. The parking plan shown on Sheet C260 shows 11 on-street spaces, but it is not approved by TVFR, as noted in this agency's comments (Exhibit B). A revised on-street parking plan is required as a condition of approval.

Chapter 16.142 - Goal 5 Safe Harbor Review

Section 16.142.060 A. allows the following uses and activities within riparian corridors and wetland boundaries (Safe Harbor areas), which includes Deer Creek:

- 1. Maintenance and repair of buildings, structures, yards, gardens or other activities or uses that were in existence prior to the effective date of these regulations.*

Not applicable – none proposed.

- 2. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area.*

Not applicable – none proposed.

- 3. Alterations of buildings or accessory structures, which do not increase building coverage.*

Not applicable – none proposed.

- 4. Enhancement and mitigation of a riparian corridor or wetland as approved by the City and other appropriate regulatory authorities.*

In accordance with CWS buffer requirements, the Deer Creek Vegetated Corridor will be enhanced and protected.

- 5. Streets, roads, and paths.*

Not applicable – none proposed.

- 6. Drainage facilities, utilities, and irrigation pumps.*

Not applicable – none proposed. All utilities and stormwater will be directed to SW Caesar Terrace and the existing systems.

- 7. Grading for the purpose of enhancing the resource site.*

Not applicable – none proposed.

- 8. Water-related and water-dependent uses.*

Not applicable – none proposed.

Section 16.142.060 B. includes the following general criteria

1. *Riparian and wetland vegetation shall not be removed, except for the following circumstances:*
 - a. *Removal of non-native vegetation and replacement with native plant species; and*
 - b. *Removal of vegetation necessary for uses and activities listed in Section A above.*

As noted in this report, the city purview in this CDC chapter only pertains to the Deer Creek wetland. Vegetation shall only be removed within the Deer Creek wetland and buffer area under the direction of CWS.

2. *Each tree removed shall be replaced with a native tree species.*

Not applicable – no tree removal proposed within the buffer area.

3. *The applicable provisions of Chapter 16.140, Flood Plain and Drainage Hazard Areas are satisfied.*

Not applicable – not in the 100-year floodplain.

4. *The Division of State Lands has been notified of the application, as provided by ORS 227.350, and all necessary permits shall be obtained from those local, state, and/or federal governmental agencies from which approval is also required.*

As noted in the CWS memorandum, ODSL will be notified to provide any authorization as necessary for activities in the Deer Creek corridor as directed by CWS.

Section 16.142.060 C. includes the following supplemental criteria:

For activities or development listed in Subsections 16.142.060 (A)(5) through (A)(8) (NOTE: This includes streets, drainage facilities, utilities, and grading for this application), the following criteria shall apply in addition to Section B above:

1. *A wetland scientist or other professional competent in biology prepares a report which:*
 - a. *Identifies and maps the ecological and habitat resource values of the wetland and/or riparian areas on the site and the immediate area (based on field observations); and*
 - b. *Demonstrates that equal or better protection for the identified resource values will be ensured through restoration of wetlands, riparian areas, enhanced buffer treatment, or similar measures.*

This will be done to the extent necessary under the direction of CWS.

2. *Alterations in Tualatin River riparian area shall not occupy more than 50% of the width of the riparian area measured between the opposite upland edges of the corridor.*

Not applicable - this riparian corridor and associated 75-foot buffer is south of the subject property.

Section 16.142.060 D. An applicant may propose to inventory and protect wetlands under the procedures and requirements for wetland conservation plans administered through by ODSL. A wetland conservation plan approved by the director of ODSL shall be deemed to comply with relevant provisions of this Chapter.

As noted above, CWS shall require ODSL involvement as deemed necessary.

Chapter 16.144 – Vision Clearance

The requirements in this chapter are intended to ensure adequate sight and vision clearance at street and driveway intersections.

This chapter will apply as the lots are developed and landscaped.

Chapter 16.146 – Residential Density Calculation

This chapter sets forth the methodology for calculating development density. The R-9 Zone requires a density range between 7.2 and 9 units per acre.

The applicant has provided information to verify the proposed density of the subdivision. The total gross area is 1.39 acres. The minimum density allowed is equal to $7.2 \times 1.39 = 10$ units and the maximum allowable is $9 \times 1.39 = 12.5$ units. The proposed 12 units (11 including the existing house) meet the density requirements of the R-9 Zone.

Chapter 16.148 – Signs

Section 16.148.050 identifies when residential identification signs shall be permitted. Phased subdivisions shall be considered a single subdivision for determining permitted signs under this section.

No sign has been proposed. Should the applicant apply for a sign under a separate permit process, any sign identifying the subdivision must meet the criteria in Chapter 16.148.050. One sign will be allowed for the subdivision.

Section 16.1148.060 identifies signs that do not require permits.

If any signs allowed without a permit are required, the standards of Chapter 16.148.060 must be met.

Chapter 16.164 – Variance

This chapter of the CDC contains the approval criteria for granting variances. The application requires the approval of two variances for 1) creating a lot of 1,862 square feet where a minimum of 2,000 square feet is required; and 2) creating 9 lots that have widths of 20 or 23 feet where 24 feet is required. The criteria and findings are below:

- 1. The proposed variance will equally or better meet the purpose of the regulation being modified and any associated policies of the comprehensive plan;*

The purpose of the minimum lot width is to provide a building site that will be able to successfully accommodate a residence that meets the other applicable CDC requirements for property development and especially residences in this case. The proposed 20-foot width and 1,862 square-foot area is the only one intended for a dwelling that will be attached on both sides. Because there will be no side yard, the available building width will be comparable to the remaining lots, which will have a minimum 3-foot side yard on one side. The R-9 Zone (applicable here) and the R-12 Zone both allow this type of attached housing. However, because higher density is allowed in the R-12 Zone, the minimum attached single family lot size is 1,600 square feet. The reduced size for Lot 2 is consistent with the type of residential unit it is designed for, and it is equal to what is required for similar residences in the R-12 Zone.

The proposed 23-foot wide lots (3 – 11) will only be 1-foot shy of the 24-foot standard and they satisfy the minimum lot size standard. They will be able to accommodate building widths of 20 feet and will be capable of meeting the other applicable dimensional standards and building design requirements of the R-9 Zone.

- 2. There are special circumstances, such as peculiar lot size or shape, topographic constraints or limitations caused by existing development, over which the applicant has no control, and which are not applicable to other properties in the same zoning district;*

When redeveloping a property and retaining an existing home, it can be more challenging than an undeveloped property to meet all of the dimensional requirements of the CDC. The available developable property is further diminished due to the required alignment of SW Caesar Terrace, which was skewed to the west in Castle Oaks South. This was done to accommodate the owners with the highest apparent development interest (Gates and Bruce), but it does mean that this development is responsible for a greater share of the total width of SW Caesar Terrace. This in turn, has reduced the east-west dimension available for this subdivision. Finally, without the participation of the property to the north (Bruce), the turn around had to be provided solely on the applicant's property, further constraining the east-west dimension of the developable area. This all resulted in the need for a variance to the size of Lot 2 and the reduced lot width for Lots 2 – 11.

- 3. The use proposed is a permitted or conditional use as allowed in the applicable zoning district, and the standards of this code must be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;*

The attached single family buildings are permitted in the R-9 Zone. These are the only two variances requested, and the remainder of the development is proposed to meet, or will be conditioned to meet all other CDC standards.

4. *Existing physical and natural systems, such as but not limited to, transportation facilities, utilities and sensitive lands, must not be adversely affected any more than would occur if the use or structure were developed in accordance with the provisions of this title; and*

As noted above, part of the need for the lot area and lot width variances relates to the provision of public street access that meets city standards. All utilities can be provided for this development. Finally, the development will totally avoid the sensitive lands associated with the Deer Creek corridor.

5. *The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.*

As indicated above there are special circumstances relating to the size and shape of the property, existing home, and street improvement and alignment requirements, which in turn limited development options. The proposed lot width and lot area variances represent the minimum necessary to alleviate the hardship.

Chapter 16.196 – Subdivision

Section 16.196.040 allows the Planning Commission to approve a subdivision in phases provided the construction period for any phase is not longer than two years.

The applicant indicates that the subdivision will be developed in one phase.

Section 16.196.060 contains the approval standards for preliminary plats.

1. *The proposed preliminary plat and the neighborhood circulation plan (Section 16.212.040) comply with the provisions of this title.*

The applicant provided a neighborhood circulation plan (Sheet C041) as required by Chapter 16.212. It illustrates how a local street system could be developed in accordance with Chapter 16.212. The location and alignment of streets will provide appropriate access and development opportunity for adjoining properties. With the existing potential for redevelopment immediately north and east of the subject property, the proposed northerly extension of SW Caesar Terrace will allow suitable street access for the three abutting properties with the proposed and future connection of SW Caesar Terrace between SW Shakespeare Street and SW Bedford Street.

2. *The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92.*

The Washington County Surveyor's office shall ensure compliance with this requirement.

3. *The proposed streets and accessways are designed in accordance with Chapter 16.212, Neighborhood Circulation.*

This is satisfied as described under the findings for Chapter 16.212.

4. *Parks shall be conveniently located so as to provide direct public access and availability from a public street.*

No common open space is proposed. However, convenient pedestrian access will be provided via SW Caesar Terrace, SW Bedford Street, and an existing pathway to the community park that is located approximately ¼-mile to the southwest.

5. *Parks shall be bordered by at least one public street for a sufficient distance to encourage public use and provide visual access.*

No open space is proposed as part of this subdivision, but easy park access will be available as noted above.

Chapter 16.204 – Solar Access Standards for New Development

This chapter requires that where possible, lots should be platted so that future residences will have good solar orientation and more energy-efficient characteristics. These standards only apply to lots that are 4,000 square feet or larger. Lots may be exempted or standards may be adjusted to address special circumstances, such as avoidance of flood plains and wetland areas. Eleven of the 12 lots will be less than 4,000 square feet and the one lot over 4,000 square feet is developed. Therefore, this CDC chapter does not apply.

Chapter 16.208 - Improvements

This chapter requires that public improvements be made to support development. Basic municipal services must be provided as required by the city or agency with review and approval authority.

The provisions of this chapter shall be fulfilled through the conditions of approval contained herein.

Chapter 16.212 – Neighborhood Circulation

Section 16.212.050 contains the following approval standards for on-site street and accessway circulation.

- A. *The following review standards in this section shall be used to:*
 1. *Provide a generally direct and interconnected pattern of streets and accessways to ensure safe and convenient access for motor vehicles, pedestrians, bicyclists, and transit users; and*
 2. *Ensure that proposed development will be designed in a manner, which will not preclude properties within the circulation analysis area from meeting the requirements of this section.*

The proposed circulation on the property and the surrounding area will provide for a system of internal access for vehicles, pedestrians, and bicyclists. The continued northerly extension of SW Caesar Terrace will accommodate pedestrian traffic to SW Bedford Street, SW 131st Avenue, and the community park. This extension of SW Caesar Terrace will ultimately enable its future connection with SW Shakespeare Street.

The proposed street widths of 22 feet for SW Caesar Terrace and 28 feet for the dead-end street correspond with the anticipated vehicular traffic and on-street parking needs for each street, and the design of SW Caesar Terrace is consistent with the existing segments of this street to the north and south.

The application does not clearly describe how the existing access easement serving Tax Lots 1600, 1700, 1800, and 1900 (see Figure 1) will be dealt with. It is a private easement, and in its current condition and width of approximately 10 feet, it is not suitable or safe for public use. The plan for the final subdivision plat must include a method for prohibiting general public use of this easement.

B. On-site streets for residential, office, retail, and institutional development shall satisfy the following criteria:

- 1. Block lengths for local and collector streets shall not exceed 530 feet between through streets, measured along the nearside right-of-way line of the through street.*

The distance between SW Shakespeare Street and SW Bedford Street is approximately 530 feet. Therefore, once SW Caesar Terrace is completed with future development, this standard will be satisfied. In addition, future development to the east would have the option of extending the proposed dead-end street to SW 131st Avenue along the general alignment of the existing access easement. This would result in block lengths of less than 300 feet.

- 2. The total length of a perimeter of a block for local and collector streets shall not exceed 1,800 feet between through streets, measured along the nearside right-of-way line.*

This subdivision will complete its portion of the SW Caesar Terrace connection. Once completed, the block perimeter with SW Shakespeare Street, SW 131st Avenue, and SW Bedford Street will be less than 1,800 feet.

- 3. Streets shall connect to all existing or approved public stub streets, which abut the development site.*

The proposed subdivision continues the extension of SW Caesar Terrace, which is an existing public stub street to the north and south. The circulation plan indicates that this street alignment will ultimately provide a connection when (and if) the intervening properties redevelop.

- 4. Within the West King City Planning Area, local streets shall be located and aligned to connect with the planned neighborhood collector street extending west from SW Fischer*

Road and/or to SW 131st Avenue.

The subdivision will connect with SW 131st Avenue via SW Bedford Street. A future connection via SW Shakespeare Street to SW 131st Avenue is further enabled by this proposal.

5. *Within the West King City Planning Area, street system design shall include a minimum of two future local street connections to SW 137th Avenue and a minimum of one future local street connection to the property presently occupied by the Mountain View manufactured home park. If the location of the UGB or existing development precludes a street connection(s) at the time of development, the streets to SW 137th Avenue shall be fully dedicated and improved up to the city limit, or the western edge of the development, and a financial security acceptable to the City to ensure the streets' construction if SW 137th Avenue is brought into the UGB. The northern street shall be dedicated or otherwise reserved for future public street use. Reserve strips shall be provided on all future streets. The developer shall be responsible for installation of a sign at the terminus of each public street that clearly states that the street will be extended in the future.*

This code section is not applicable to this development.

6. *Although an interconnected street system is required by the provisions of this chapter, local street systems shall be designed to discourage motorists traveling between destinations that are outside of the neighborhood being served by the local streets.*

By necessity, one access route to SW 131st Avenue is proposed because it is not possible to extend SW Caesar Terrace to SW Shakespeare at this time. However, if redevelopment occurs north of the site, this alternate route via SW Shakespeare will become available.

7. *Cul-de-sacs and permanent dead-end streets shall be prohibited except where construction of a through street is found to be impractical according to the provisions of Section 16.212.080 A.*

The dead-end street is proposed because of Deer Creek, its wetland buffer and the existing developed properties to the north and west. Because of these factors, a dead-end street is warranted as explained under the modification criteria in 16.212.080.

8. *When cul-de-sacs are allowed, they shall be limited to 200 feet and no more than 25 dwelling units unless a modification is justified as provided in Section 16.212.080 A.*

The westerly extension of SW Bedford Street ends in a cul de sac, west of the northerly extension of SW Caesar Terrace. The distance between SW 131 Avenue and SW Caesar Terrace on SW Bedford Street is approximately 350 feet. The northerly extension of SW Caesar Terrace will obviously add to this distance. Until SW Caesar Terrace is connected to SW Shakespeare Street, this will constitute a cul-de-sac with 43 lots (30 in

Castle Oaks S. plus 12 proposed and 1 for the residence to the north). The appropriateness of these additional street length is addressed under 16.212.080.

C. *On-site sidewalks and accessways for residential, office, retail, and institutional development shall satisfy the following criteria:*

1. *For blocks abutting an arterial or major collector and exceed lengths of 530 feet, an accessway shall be provided to connect streets for every 330 feet of block length or portion thereof.*

The property does not abut an arterial or collector street.

2. *Accessways shall connect with all existing or approved accessways, which abut the development site.*

As noted, SW Caesar Terrace abuts the southeast corner of the property. The applicant proposes a northerly extension of this street, to enable a future connection with SW Shakespeare Street.

3. *Accessways shall provide direct access to abutting pedestrian oriented uses and transit facilities, which are not served by a direct street connection from the subject property. Accessways shall provide future connection to abutting underdeveloped or undeveloped property, which is not served by a direct street connection from the subject property, where the abutting property line exceeds 330 feet. Where the abutting property line exceeds 530 feet, additional accessways may be required by the approval authority based on expected pedestrian demand. In the case where the abutting properties are Limited Commercial and/or residential, the approval authority may determine that such a connection or connections are not feasible or present public safety issues. The approval authority may reduce the number of required accessways to abutting properties if:*
 - a. *Such a reduction results in spacing of streets and/or accessways of 330 feet or less; and*
 - b. *Reasonably direct routes are still provided for pedestrian and bicycle travel in areas where pedestrians and bicycle travel is likely if connections are provided.*

The applicant's proposed extension of SW Ceasar Terrace will satisfy this criterion, and accessways are not necessary or feasible. It will facilitate future access to SW Shakespeare Street.

4. *Direct connection of cul-de-sacs and dead-end streets to the nearest available street or pedestrian oriented use.*

In this case, a pedestrian accessway to the west of the dead-end street is not feasible or necessary. There are developed lots on the west side of Deer Creek with no potential to construct an accessway. In addition, east-west pedestrian access is available via SW Bedford Street and the accessway connection to the community park. Also, once the northerly connection of SW Caesar Terrace is made, pedestrians and vehicles will have good access in all directions.

5. *Accessways may be required to stub into adjacent developed property if the approval authority determines that existing development patterns or other constraints do not physically preclude future development of an accessway on the developed property and the adjacent developed property attracts, or is expected to attract, a greater than average level of pedestrian use.*

As noted above, pedestrian connections via accessways is not necessary or particularly desirable.

6. *The city design standards for neighborhood collector and local streets include sidewalks on both sides of the street.*

The local streets are designed to ultimately include sidewalks on both sides of the street. The applicant is proposing sidewalks on the west side of SW Caesar Terrace and the south side of the dead-end street, with sidewalk responsibility resting with future redevelopment of abutting properties.

- D. *The King City Comprehensive Plan includes capacity guidelines for neighborhood collector and local streets. To ensure that new development does not place undue traffic burdens on neighborhood streets, the following maximum dwelling unit standards shall apply to any subdivision, site plan review, or conditional use in the SF, AT, R-9, R-12, R-15, and R-24 zone:*

1. *A maximum of 300 single and/or multiple family dwellings shall be served exclusively by one neighborhood collector street to reach the regional street system of major collector and arterial streets. In the case of single family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.*

SW 131st Avenue south of SW Fischer Road is classified as a neighborhood collector street. Determining the number of lots that are “served exclusively by one neighborhood collector street” is a judgement call. There are approximately 219 lots that are dependent upon this segment of SW 131st Avenue for access, including properties in the county. This subdivision would add 11 new lots/residences for a total of 230. This is well below the maximum of 300 units, and it leaves room for future redevelopment in this area to rely upon SW 131st Avenue.

2. *A maximum of 120 single and/or multiple family dwellings shall be served exclusively by one local street to reach a neighborhood collector street or the regional street system of major collector and arterial streets. In the case of single family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.*

This subdivision will have a total of 12 dwellings (11 new plus the existing house). In addition, the property to the north (assuming the existing access easement to 131st is closed) and the 30 lots in Castle Oaks South all will use the same local street to reach SW 131st Avenue. This is well below the 120-unit threshold.

3. *The circulation analysis required in Section 16.212.040 shall demonstrate how the*

standards in subsections 1 and 2 above will be satisfied when full development or development phases are completed.

The subdivision is proposed in one phase and the development is consistent with the City's comprehensive plan.

Section 16.212.070 contains the approval standards regarding accessway and greenway design.

Not applicable a pedestrian accessway is not proposed or necessary.

Section 16.212.080 allows the Planning Commission to modify the circulation analysis review standards of Sections 16.212.050 through 070 through a planning commission review based upon the relevant approval criteria in this section. The following modifications should be considered by the Planning Commission:

1. Allowing a cul-de-sac from the northerly extension of SW Caesar Terrace of approximately 320 feet where 200 feet is the maximum;
2. A cul-de-sac street serving a total of 43 lots where a maximum of 25 is normally permitted; and
3. Not providing an accessway connection from the end of the dead-end street.

A. *On-Site Street and Accessway Circulation*

1. *On-site street and accessway circulation standards in Section 16.212.050 may be modified by the planning commission based on findings that:*

a. *The modification is the minimum necessary to address the constraint;*

1. Exceeding the maximum cul-de-sac length from SW Caesar Terrace by approximately 120 feet (approximately 220 feet if extended according to Sheet C041) is necessitated by the location of the SW Caesar Terrace extension and the Deer Creek wetland. Based upon the location of existing property boundaries, this additional street length is unavoidable.
2. Exceeding the maximum number of homes on a cul-de-sac is necessary due to property ownership pattern and a lack of alternatives. However, this subdivision will facilitate the future completion of SW Caesar Terrace to SW Shakespeare. Once this through street is completed, the proposed dead-end street will be in compliance with the 25-unit standard.
3. A pedestrian accessway connection from the dead-end street is not warranted because connections to the west, south, or north are prevented by existing development. In addition, the Deer Creek corridor is an environmentally sensitive area for which encroachments should be minimized. Convenient pedestrian access is available with the existing and proposed street and accessway system. This will be further enhanced by the future extension of SW Caesar Terrace to SW Shakespeare Street.

b. *The circulation analysis demonstrates that the proposed street and accessway system for the subject property and surrounding area will perform as well as or better than a system, which meets the standards in this chapter; and*

While cul-de-sac lengths over 200 feet are the goal, practical circumstances sometimes require additional length. The number of units served is acceptable to TVFR as long as sprinkler systems are included with the new homes.

- c. *The application of the standard is impractical due to one or more of the following circumstances:*
- (1) *Physical or topographic conditions make it impractical to satisfy the street or walkway connection requirements of this chapter. These conditions include, but are not limited to, controlled access streets, steep slopes, wetlands, flood plains, or water bodies where a connection could not reasonably be provided. Grades that are too steep for a street may not be too steep for an accessway.*
 - (2) *Buildings or other existing development on adjacent lands physically preclude a street or accessway connection now or in the future considering the potential for redevelopment. A modification to the maximum number of residential units or lots completely dependent upon a neighborhood collector or local street in Section 16.212.050 D, shall not be permitted without a corresponding amendment to the King City Comprehensive Plan to allow a greater maximum average daily traffic count and/or number of residences on these streets.*
 - (3) *Where streets or accessways would violate provisions of leases, easements, agency access standards, or similar restrictions that are demonstrated to be legally beyond the control of the applicant, developer, or property owner.*
 - (4) *Abutting undeveloped or underdeveloped property is within the 100-year flood plain.*
 - (5) *Arterial or collector street access restrictions.*

The cul-de-sac length is justified because the Deer Creek wetland buffer and surrounding development and properties prevent a through street or pedestrian accessway connection.

2. *When a cul-de-sac is justified as provided in Section 16.212.080 A. 1, an accessway shall be provided to connect with another street, greenway, school, or similar destination unless one or more of the circumstances listed in this section also apply to an accessway.*

As noted herein, an accessway from the west end of the dead-end street is not feasible or desirable. Also, the need for an accessway will be eliminated once the SW Caesar Terrace connection is made to SW Shakespeare Street.

3. *The approval authority may require a sidewalk on only one side of a 22-foot wide or 28-foot wide local street design options when it is determined that the existing or anticipated pedestrian traffic shall be safely and conveniently accommodated with one sidewalk.*

Not applicable – sidewalk standards are not being modified.

RECOMMENDATION

The recommendation is divided into four actions corresponding with the four applications submitted as part of this subdivision proposal. Based upon the above facts, findings, and conclusions, the planning consultant recommends that the Planning Commission APPROVE the proposed subdivision application and related applications subject to the following conditions:

Subdivision

1. Conditions 2 through 12 below shall be satisfied prior to recording the final subdivision plat with Washington County.
2. The final plat shall contain between 10 and 12 lots in a configuration that is consistent with the preliminary plat. The final plat shall be approved by the City Manager and the City Engineer as provided in CDC Section 16.196.070-130.
3. 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. TVFR requirements as identified in Exhibit B of this decision. Suitable emergency access shall be provided as determined by TVFR.
 - b. CWS requirements identified in Exhibit C of this decision.
 - c. Tigard Water District approval of public water facilities.
 - d. Utility facilities approved by the service providers including, but not limited to: electricity, street lighting, natural gas, cable access, and telephone.
 - e. Streets, curbs, and sidewalks designed to meet King City standards in the Comprehensive Plan. Construction techniques for streets, curbs, and sidewalks shall comply with the Washington County Uniform Road Improvement Design Standards.
4. The existing access easement currently serving Tax Lots 1600 (Locklin), 1700 (subject property), 1800 (Bruce), and 1900 (Deitchler) shall be closed to public use along SW Caesar Terrace. This may be accomplished in one of three ways, which must be approved by the City Manager:
 - a. Extension of the proposed eastern curb on SW Caesar Terrace to the northern edge of the easement and removal of the driveway pavement within the SW Caesar Terrace right-of-way by the applicant.
 - b. If the owner of Tax Lot 1800 wishes to retain access to the common driveway, a lockable gate shall be installed to prevent public access at the owner's expense.
 - c. An alternate solution proposed by the four property owners with an interest in the easement (Tax Lots 1600, 1700, 1800, and 1900) to prevent public access.
5. The design and alignment of streets and public utilities shall be approved by the City Engineer, including:
 - a. All final plans for construction of public improvements must be designed and stamped by a Professional Engineer (P.E.), licensed in the State of Oregon.
 - b. An on-street parking plan that satisfies access requirements of TVFR and Pride Disposal.
 - c. Street improvements consistent with city standards.

- d. Public improvement performance bond.
 - e. Maintenance bond prior to construction.
6. A final plan for providing the street trees, which is consistent with the plan presented on Sheet L101, 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 review and approval of selected trees before they are planted.
7. The final subdivision plat and supplemental information, as required this decision and the CDC, shall be submitted within one year of this decision for approval by the City Manager.

Tree Removal

8. Prior to removal of any trees, the applicant shall identify the trees in the field for review and approval by the City Manager.
9. Prior to their removal, written authorization shall be provided to the City Manager for trees to be removed on adjoining properties.
10. In addition, a tree protection program and methods shall be submitted to the City Manager for approval prior to tree removal, grading, or construction. At a minimum, this program shall not allow work, construction, parking, storage, vegetation removal, or similar activities in identified areas necessary for tree survival and health. The protection program described in the January 10, 2020 memorandum from Teragan & Associates, Inc. Arboricultural Consultants shall be followed at all times during construction. Prior to approving any phase of the final plat, the applicant shall submit an arborist report to the City Manager confirming that the provisions of the protection program were followed during construction and that the trees are in healthy and stable condition.

Goal 5 Safe Harbor

11. Any work, improvements, or required restoration shall be conducted Deer Creek wetland and buffer area with the express authorization of CWS and/or ODSL. The applicant shall comply with all conditions described in the CWS memorandum and Service Provider Letter (Exhibit C of this decision).

Variance

12. The minimum dimensions for Lot 2 shall be a 20-foot width and minimum area of no less than 1,850 square feet. Lots 3 – 11 may have a minimum width of 23 feet.

EXHIBIT A
City Engineer Comments

Technical Memorandum

Date: January 10, 2020

Project: 92-0251.128
City of King City, Land Use Proposal, Tax Lot 1700

To: Michael Weston, City Manager
Keith Liden, City Planner
City of King City

From: Fulgence Bugingo, PE
Murraysmith

Re: City Engineer Review: Ponderosa Pines Subdivision, King City

Purpose

This Technical Memorandum presents City Engineer preliminary review comments for the proposed Ponderosa Pines Subdivision (Subdivision) proposed within the City of King City (City). This proposed development is located at 17435 SW 131st Avenue, Tax Lot 1700, Tax Map 2S1 16DB. The applicant is requesting approval of retention of existing detached home and a proposed 11 lot subdivision with Goal 5 Safe Harbor and Tree Removal approvals within an existing R-9 zone.

General

The City Development and Zoning Code require a developer to provide access and public services to all lots created through the land use and subdivision process in accordance with City Development Code, Standards, and policies. The Developer of the Subdivision is proposing the design and construction of public facilities or improvements to comply with these requirements. All public facility improvements are to be designed and constructed in accordance with the current City-adopted zoning and development codes and City design and construction standards. As of the date of this technical memorandum, City standards are the current versions of the Washington County Uniform Road Improvement Design Standards and the American Public Works Association (APWA) Standard Specifications for Public Works Construction. In addition to these Standards, public improvements must be designed and constructed in accordance with all City requirements and conditions of approval. All final plans for construction of public improvements must be designed and stamped by a Professional Engineer (P.E.), licensed in the State of Oregon.

The submitted application requests 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.

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.

An engineer's construction cost estimate for improvements is to be submitted with the engineered design plans. This estimate may require revisions after final review and approval 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. The estimate is to be presented in a "schedule of unit prices" format, reflecting estimates for the various anticipated construction bid items.

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.

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.

City/Agency Coordination

The Applicant is to coordinate with the City and all appropriate utilities and agencies throughout the application, engineering review, and construction process. Agency/utility coordination includes, but is not limited to, Clean Water Services (CWS) regarding sanitary sewer system improvements, surface water management, and erosion control, Tualatin Valley Fire & Rescue regarding fire protection and emergency access, City of Tigard Water for water system improvements, Pride Disposal for waste and recycling collection, and the City regarding planning, local street improvements, site grading, surface water drainage improvements, and other site development interests. The applicant is to provide copies of all agency/utility approvals and

permits to the City for its permanent files. The City is to be notified, at the time it becomes known, of any potential design conflicts, and/or any potential conflicts between the various utility and agency requirements and review comments. It is the responsibility of the Developer to resolve all conflicts prior to construction, as approved by the City Engineer.

Street Improvements

General street access is proposed from an extension of SW Caesar Terrace as constructed with the Castle Oaks South Subdivision directly south and adjacent to the Subdivision. Presently Caesar Terrace extends to the southerly property line of the proposed subdivision at the southeast corner of Lot 1. This will serve as the only ingress/egress to proposed lots 1 through 11 and to existing home (Lot 12) until future development of land north of the Subdivision.

The existing SW Caesar Terrace is a standard 22 foot paved public street within a 41 foot wide public right-of-way. The applicant proposes to extend SW Caesar Terrace for approximately 125 feet. This public street improvement includes 4 foot sidewalk with 4.5 foot planter strip between the curb and the sidewalk on the west side of the street. The City Engineer recommends that parking be restricted on both sides of SW Caesar Terrace and posted with no-parking signs.

Access to lots 1 thru 12 is proposed from new Unnamed Road through a 28 foot wide paved public street with 5 foot sidewalk and 4.5 foot planter strip on the south side. It is recommended that parking be restricted to one side of the 28 foot public street. Very limited parking may be allowed on the opposite side of the street as shown on the preliminary Fire Access Plan if approved by TVF&R. Areas of restricted parking to be posted with no-parking signs.

The proposed improvement also includes an 8-foot wide public utility easement (PUE) required along the frontage of all existing and proposed public streets.

Storm Drainage Improvements

The applicant is to coordinate with CWS to design and construct needed storm drainage improvements and erosion control protection in accordance with CWS and City requirements. Typically, both storm water quality provisions and storm water conveyance improvements are required. Private facilities are to be designed and constructed in accordance with all applicable City codes and standards. CWS approved and issued a Service Provider Letter (CWS File No. 17-003928) for development of this site. However, this letter expired on December 20, 2019 and the site plan that was included is inconsistent with the current proposed plan. A request for amendment of the Service Provider Letter is required. The Site Plan within the Service Provider Letter should be consistent with all other plans. Site development permit from CWS shall be required.

Sanitary Sewer Improvements

The applicant is to coordinate with Clean Water Services to design and construct needed sanitary sewer improvements in accordance with Clean Water Services requirements. Private facilities are to be designed and constructed in accordance with all applicable City codes and standards. Site development permit from CWS shall be required.

Water System Improvements

The applicant is to coordinate with City of Tigard Water to design and construct 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. Permits from City of Tigard Water shall be required.

FB:mrs

EXHIBIT B
TVFR Comments



January 7, 2020

Michael Weston, City Manager
City of King City
15300 SW 116th Avenue
King City, OR 97224

Re: Ponderosa Pines Subdivision Case #19-02
Tax Lot I.D: 1700

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. These notes are provided in regards to the plans received **December 2019**. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

FIRE APPARATUS ACCESS:

1. **DEAD END ROADS AND TURNAROUNDS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams can be found in the corresponding guide. <http://www.tvfr.com/DocumentCenter/View/1438> (OFC 503.2.5 & D103.1)
2. **ADDITIONAL ACCESS ROADS – ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS:** Developments of one- or two-family dwellings, where the number of dwelling units exceeds 30, shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3. Exception: Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the International Fire Code, access from two directions shall not be required. (OFC D107) ***Note: If fire sprinklers are installed and the system will be supported by a municipal water supply, please contact the local water purveyor for information surrounding water meter sizing.***
3. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Marshal), measured in a straight line between accesses. (OFC D104.3)
4. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1) ***The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided.***

5. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
6. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
 1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – **parking is allowed on one side. Plans provided show parking on both sides. Only parking on one side is allowed.**
 3. Greater than 32 feet road width – parking is not restricted
7. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
8. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1) **26" is not provided at hydrant on plans submitted. Relocate hydrant to meet this requirement.**
9. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced as to provide all-weather driving capabilities. (OFC 503.2.3)
10. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) **Radius shown on plans provided do not show that minimum radius is provided.**
11. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 15%.
12. **ANGLE OF APPROACH/GRADE FOR TURNAROUNDS:** Turnarounds shall be as flat as possible and have a maximum of 5% grade with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
13. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
14. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.
15. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
 1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
 2. Gates serving three or less single-family dwellings shall be a minimum of 12 feet in width.
 3. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
 4. Electric gates shall be equipped with a means for operation by fire department personnel
 5. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
16. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
17. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

FIREFIGHTING WATER SUPPLIES:

18. **FIREFIGHTING WATER SUPPLY FOR INDIVIDUAL ONE- AND TWO-FAMILY DWELLINGS:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2)
19. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)
20. **WATER SUPPLY DURING CONSTRUCTION IN MUNICIPAL AREAS:** In areas with fixed and reliable water supply, approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

FIRE HYDRANTS:

21. **FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES:** Where the most remote portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
22. **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Table C 105.1. (OFC Appendix C)
23. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)
 - Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
 - Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
 - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
 - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.
24. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
25. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)
26. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)

27. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)
28. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)

BUILDING ACCESS AND FIRE SERVICE FEATURES

29. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification, or would like to discuss, please feel free to contact me at **503-259-1504**.

Sincerely,



John Wolff
Deputy Fire Marshal II

John.wolff@tvfr.com

Cc:

A full copy of the New Construction Fire Code Applications Guide for Residential Development is available at <http://www.tvfr.com/DocumentCenter/View/1438>

EXHIBIT C
CWS Comments

MEMORANDUM

Date: January 13, 2020
To: Michael Weston, City Manager, City of King City
From: Jackie Sue Humphreys, Clean Water Services (CWS)
Subject: Ponderosa Pines Subdivision, 19-02, 2S116DB01700

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), or prior standards as meeting the implementation policy of R&O 18-28, 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.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- 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 Water Quality Facility 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.

- 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 the City.
- h. Applicant shall comply with the conditions as set forth in the Service Provider Letter No. 17-003928, dated December 20, 2017.
- i. 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.
- j. Detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.
- k. 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.
- l. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute CWS approval of storm or sanitary sewer compliance to the NPDES permit held by CWS. CWS, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.

Service Provider Letter

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 17-5).

Jurisdiction: Washington County Review Type: Minor Encroachment
 Site Address: 17435 SW 131st AVE SPL Issue Date: December 20, 2017
 / Location: King City, OR 97224 SPL Expiration Date: December 20, 2019

Applicant Information:

Name: HALEY SMITH
 Company: AKS ENGINEERING & FORESTRY LLC
12965 SW HERMAN RD SUITE 100
 Address: TUALATIN OR 97062
 Phone/Fax: (503) 563-6151
 E-mail: smithh@aks-eng.com

Owner Information:

Name: JIM GATES
 Company: 17435 SW 131ST AVENUE
 Address: KING CITY, OR 97224
 Phone/Fax: _____
 E-mail: gates.james@comcast.com

Tax lot ID

2S116DB01700 & 1800

Development Activity

Residential Subdivision

Pre-Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
 Vegetated Corridor Width: Variable
 Vegetated Corridor Condition: Marginal

Post Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
 Vegetated Corridor Width: Variable

Enhancement of Remaining
 Vegetated Corridor Required:

Square Footage to be enhanced: 5,606

Encroachments into Pre-Development Vegetated Corridor:

Type and location of Encroachment:	Square Footage:
<u>Stormwater outfall (Permanent encroachment; No mitigation required under 100 square feet)</u>	<u>60</u>
<u>Stormwater pipe (Temporary encroachment; Restoration and planting in-place required)</u>	<u>874</u>

Mitigation Requirements:

Type/Location	Sq. Ft./Ratio/Cost
<u>None</u>	<u>0</u>

Conditions Attached Development Figures Attached (1) Planting Plan Attached Geotech Report Required

This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 17-5, Chapter 3.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 17-5, Section 3.06.1 and per approved plans.
3. 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. **No Water Quality Sensitive Areas impacts proposed within this project.**
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. **Prior to ground disturbing activities, an erosion control permit is required. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.**
6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 17-5, Section 5.10.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. The water quality swale and detention pond shall be planted with Clean Water Services approved native species, and designed to blend into the natural surroundings.
10. **Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.**
11. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
12. **For Vegetated Corridors up to 50 feet wide, the applicant shall enhance the entire Vegetated Corridor to meet or exceed good corridor condition as defined in R&O 17-5, Section 3.14.2, Table 3-3.**
13. Removal of invasive non-native species by hand is required in all Vegetated Corridors rated ""good."" Replanting is required in any cleared areas larger than 25 square feet using low impact methods. The applicant shall calculate all cleared areas larger than 25 square feet prior to the preparation of the required Vegetated Corridor enhancement/restoration plan.
14. Prior to any site clearing, grading or construction, the applicant shall provide Clean Water Services with a Vegetated Corridor enhancement/restoration plan. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 17-5, Appendix A, and shall include planting specifications for all Vegetated Corridor, including any cleared areas larger than 25 square feet in Vegetated Corridor rated ""good.""
15. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Vegetation and Animal Management Guidance, 2003. During removal of invasive vegetation care shall be taken to minimize impacts to existing native tree and shrub species.

16. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Planting Requirements (R&O 17-5, Appendix A).
17. **Maintenance and monitoring requirements shall comply with R&O 17-5, Section 2.12.2. If at any time during the warranty period the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.**
18. **Performance assurances for the Vegetated Corridor shall comply with R&O 17-5, Section 2.07.2, Table 2-1 and Section 2.11, Table 2-2.**
19. For any developments which create multiple parcels or lots intended for separate ownership, Clean Water Services shall require that the sensitive area and Vegetated Corridor be contained in a separate tract and subject to a ""STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY"" to be granted to the City or Clean Water Services.
20. Clean Water Services shall require an easement over the Vegetated Corridor conveying storm and surface water management to Clean Water Services or the City that would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.
21. Final construction plans shall include landscape plans. In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required. Plantings shall be tagged for dormant season identification and shall remain on plant material after planting for monitoring purposes.
22. A Maintenance Plan shall be included on final plans including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
23. Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
24. Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage between the development and the outer limits of the Vegetated Corridors. Fencing and signage details to be included on final construction plans.

This Service Provider Letter is not valid unless CWS-approved site plan is attached.

Please call (503) 681-3653 with any questions.



**Lindsey Obermiller
Environmental Plan Review**

Attachments (3)

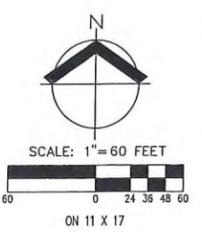


CWS File No. 17-003928
 Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW
 By Lo. Date 12/20/2017
 SPL Attachment 1 of 3.

LEGEND:

- REMAINING VEGETATED CORRIDOR TO BE ENHANCED TO GOOD CONDITION:
5,606 SF ± (0.13 ACRES ±)
- TEMPORARY VEGETATED CORRIDOR IMPACT TO BE REPLANTED TO GOOD CONDITION:
874 SF ± (0.02 ACRES ±)
- PERMANENT VEGETATED CORRIDOR IMPACT FOR RIP RAP OFFSITE:
60 SF
- X NATIVE TREE >6" DBH TO BE REMOVED

NOTE: TREE SURVEY INCLUDES ONLY TREES WITHIN THE VEGETATED CORRIDOR. SEE FIGURE 5 FOR THE COMPLETE TREE SURVEY ON SITE.



DATE: 11/27/2017

PRELIMINARY SITE PLAN NATURAL RESOURCE ASSESSMENT		FIGURE
131ST AVENUE SUBDIVISION		6
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: KMK CHKD: SAR AKS JOB: 5889

SW 131st Avenue – Tier 2 Natural Resource Assessment Vegetated Corridor Enhancement Planting Specifications

SPL Attachment 2 of 3

Planting specifications for the enhancement of existing remaining *marginal* condition vegetated corridor, and temporarily impacted vegetated corridor to *good* condition.

Total vegetated corridor enhancement planting area = 6,480 square feet/0.15 acres.

Scientific Name	Common Name	Size*	Spacing/Seeding Rate	Quantity
**Trees (total 40)				
<i>Alnus rubra</i>	Red alder	2 gallon	10 feet on center	25
<i>Pseudotsuga menziesii</i>	Douglas-fir	2 gallon	10 feet on center	15
Shrubs (total 324)				
<i>Mahonia nervosa</i>	Cascade Oregon grape	1 gallon	4-5 feet on center	68
<i>Polystichum munitum</i>	sword fern	1 gallon	4-5 feet on center	68
<i>Rosa gymnocarpa</i>	bald-hip rose	1 gallon	4-5 feet on center	60
<i>Sambucus racemosa</i>	red elderberry	1 gallon	4-5 feet on center	60
<i>Symphoricarpos albus</i>	common snowberry	1 gallon	4-5 feet on center	68
Upland Seed Mix				
<i>Agrostis exarata</i>	spike bentgrass	seed	1 lb pls/acre	As needed for bare soil areas >25 square feet
<i>Elymus glaucus</i>	blue wild rye	seed	2 lb pls/acre	

*Bare root plants may be substituted for container plants based on availability. If bare root plants are used, they must be planted during the late winter/early spring dormancy period.

**Note, lesser quantities of trees recommended due to portions of site with existing native tree canopy. No trees will be placed in re-planted utility line impact area. Space new tree plantings 10 feet on center from existing trees.

Planting Notes (per CWS Design & Construction Standards, Appendix A Planting Requirements, June 2007):

- Plantings should preferably be installed between February 1 and May 1 for bare roots and between October 1 and November 15 for containers. Plants may be installed at other times of the year; however, additional measures may be necessary to ensure plant survival during the two-year maintenance period. Bare root plants must be installed during the late winter/early spring dormancy period.
- All non-native invasive vegetation shall be removed from planting areas prior to installing native enhancement plantings. Invasive species control shall be consistent with Clean Water Services' *Integrated Vegetation and Animal Management Guide*.
- Irrigation may be necessary for the survival of the vegetated corridor enhancement plantings. Irrigation or other water practices (i.e. polymer, plus watering) is recommended during the two-year maintenance period. Watering shall be provided at a rate of at least one inch per week between June 15 and October 15.
- Plantings shall be mulched a minimum of three inches in depth and 18 inches in diameter to retain moisture and discourage weed growth around newly installed plant material.
- Tree and shrub plantings shall be protected from wildlife damage (e.g., beaver, nutria) by installing tree-protector tubes or wire mesh cylinders around newly installed plantings.

Maintenance Plan

- 1) Clean Water Services requires a two-year maintenance period for vegetated corridor mitigation. The enhanced vegetated corridor is to be inspected annually and a minimum of two times during the growing season, by June 1 and September 30.
- 2) Plant Survival: Clean Water Services' success criterion for vegetated corridor enhancement is 80% survival of tree and shrub plantings during the two years following planting. If any mortality is noted on the site, the factor likely to have caused mortality of the plantings is to be determined and corrected if possible. If survival falls below 80% at any time during the two-year maintenance period, the plantings shall be replaced and other corrective measures, such as mulching or irrigation, may need to be implemented. If replanting is necessary, the maintenance period will be extended for two years from the date of replanting.
- 3) Invasive species control is to be conducted as needed based on the site inspections. Invasive species include Himalayan blackberry (*Rubus armeniacus*), reed canarygrass (*Phalaris arundinacea*), teasel (*Dipsacus fullonum*), Canada and bull thistle (*Cirsium arvense* and *C. vulgare*), Scotch broom (*Cytisus scoparius*), purple loosestrife (*Lythrum salicaria*), Japanese knotweed (*Polygonium cuspidatum*), morning glory (*Convolvulus* species), giant hogweed (*Heracleum mantegazzianum*), English ivy (*Hedera helix*), nightshade (*Solanum* species), and clematis (*Clematis ligusticifolia* and *C. vitalba*).

CWS File No. 17-003928
Approved
Clean Water Services
FOR ENVIRONMENTAL REVIEW
By LO. Date 12/20/2017
SPL Attachment 3 of 3

Public Notices Posted or Published.

CERTIFICATION OF POSTED AND MAILED NOTICES

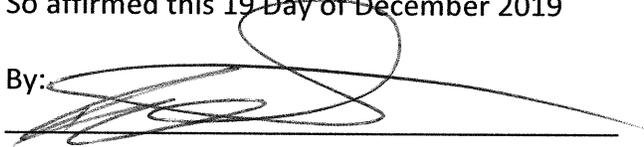
STATE OF OREGON
COUNTY OF WASHINGTON
CITY OF KING CITY

RE: REQUEST FOR COMMENTS
CASE NUMBER 19-02
SUBDIVISION, TREE REMOVAL, GOAL 5
SAFE HARBOR REVIEW, AND VARIANCE

RECITALS

I, Ronnie L. Smith certify that I mailed the request for comments and notice of public hearing to public agencies and resident 250 feet from 17435 SW 131st ave, King City, OR 97224. I have also posted the notice to the city website.

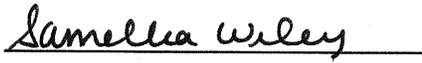
So affirmed this 19 Day of December 2019

By: 

Ronnie L. Smith – City Recorder

State of OREGON
County of WASHINGTON

Signed and sworn before me on December 19, 2019 by Ronnie Lee Smith.


Notary Public – State of Oregon



Document Description:

This certificate is attached to page of one (1) of CERTIFICATION OF POSTED AND MAILED NOTICES, dated December 19, 2019, consisting of pages 22.

REQUEST FOR COMMENTS

The King City Planning Commission, at its meeting on January 29, 2020, at 9:30 a.m., shall conduct a public hearing to consider the following land use application:

FILE TITLE

Case No. 19-02
Subdivision, Tree Removal, Goal 5 Safe Harbor Review, and Variance

APPLICANT

James A. Gates
Pin Oaks Development Company, Inc.
17435 SW 131st Avenue
King City, OR 97224

ZONING

R-9 Small Lot and Attached Residential Zone

REQUEST

Approval of: a subdivision to create 12 residential lots; a tree removal permit to remove 62 trees on the site; Goal 5 Safe Harbor review regarding the drainageway and habitat on the west edge of the property; and variance to create a lot that is less than the 2,000 square-foot minimum standard.

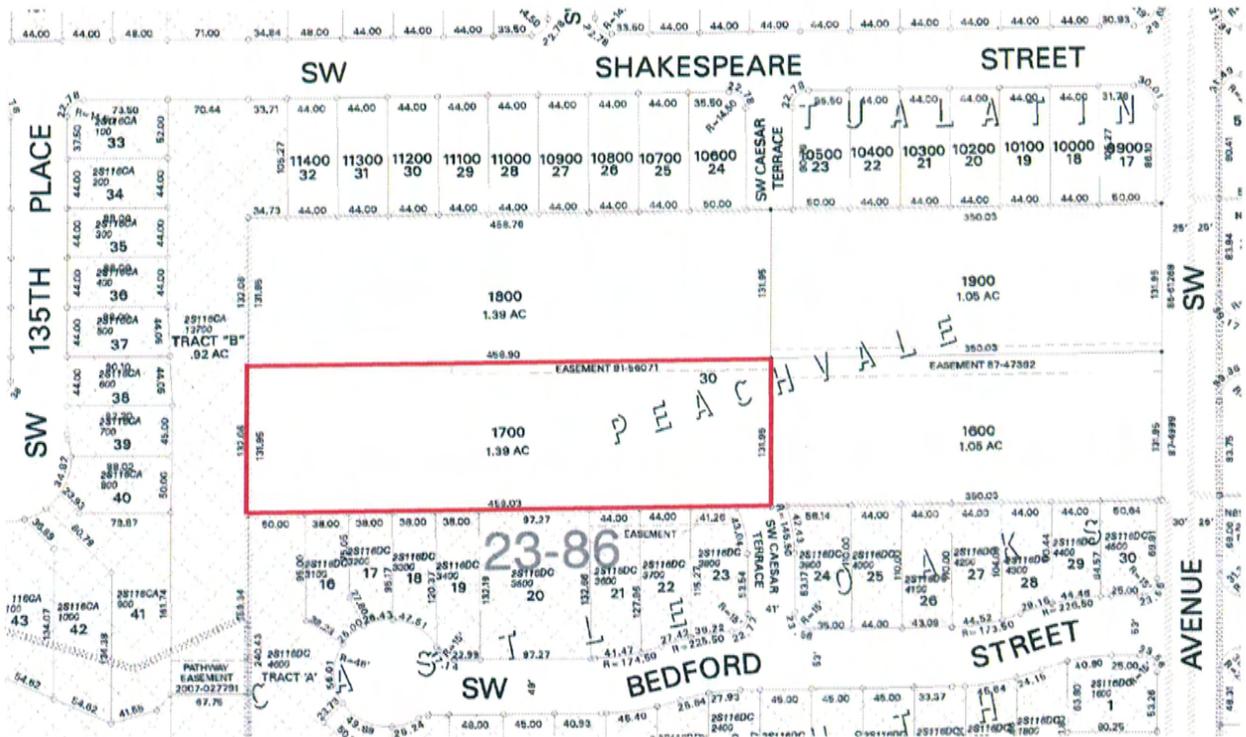
LOCATION

17435 SW 131st Avenue (Assessors Map No. 2S1 16DB, Tax Lot 01700). See map.

APPLICABLE REVIEW CRITERIA

King City Community Development Code Chapter 16.46 Requirement for Community Meetings; Chapter 16.84 Small Lot and Attached Residential Zone (R-9); Chapter 16.124 Landscaping and Beautification; Chapter 16.128 Tree Removal; Chapter 16.132 Parking and Loading; Chapter 16.136 Circulation and Access; 16.144 Vision Clearance; Chapter 16.142 Goal 5 Safe Harbor Review; Chapter 16.146 Residential Density Calculation; Chapter 16.164 Variance; Chapter 16.196 Subdivision; Chapter 16.208 Improvements; and Chapter 16.212 Neighborhood Circulation.

Parcel Map



PUBLIC HEARING PROCESS

The Planning Commission shall review the application to make a decision regarding the application. The hearing shall be held in the City Council Chambers of the City Hall, 15300 SW 116th Avenue, King City, Oregon 97224. The public hearing on this matter will be conducted in accordance with the rules contained in the King City Community Development Code, which is available at City Hall.

The application and all relevant documents are available at City Hall. At least seven days prior to the hearing, a copy of the staff report will also be available. All documents may be examined at no cost or copies can be obtained for 25 cents per page.

Interested persons are invited to testify before the Planning Commission or to submit written testimony prior to the close of their respective hearings. Approval or disapproval of the requests by the commission or council will be based only upon the criteria included in this notice. At the hearing it is important that comments relating to the request pertain specifically to the applicable criteria listed. Failure to raise an issue in person or by letter precludes an appeal, and failure to specify the criterion from the relevant city ordinances or comprehensive plan at which a comment is directed precludes an appeal based on that criterion.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

For further information please contact King City Hall, at 503-639-4082, 15300 SW 116th Avenue, King City, Oregon 97224.

REQUEST FOR COMMENTS

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17435 SW 131st Avenue
King City, OR 97224

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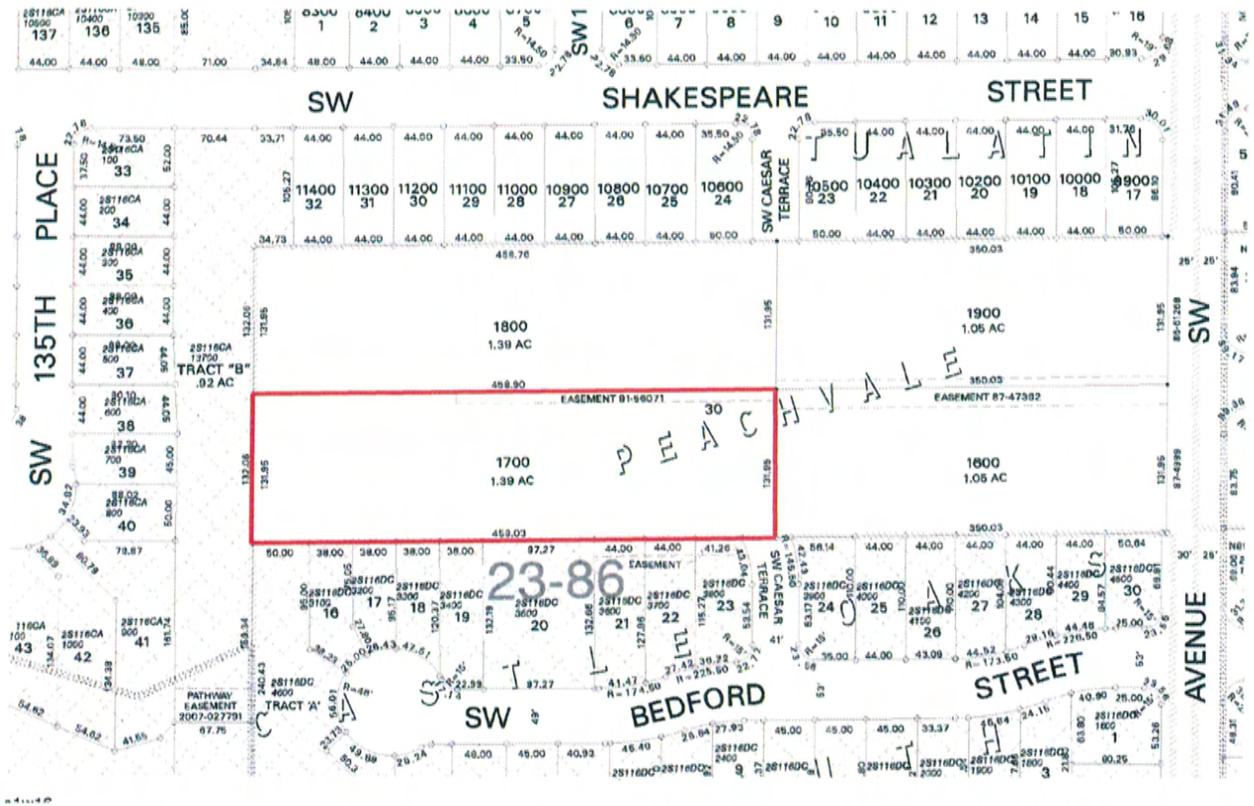
REQUEST

Approval of: a subdivision to create 12 residential lots; a tree removal permit to remove 62 trees on the site; Goal 5 Safe Harbor review regarding the drainageway and habitat on the west edge of the property; and variance to create a lot that is less than the 2,000 square-foot minimum standard.

LOCATION

17435 SW 131st Avenue (Assessors Map No. 2S1 16DB, Tax Lot 01700). See map.

Parcel Map



Please submit comments by Monday, January 13, 2020, to:

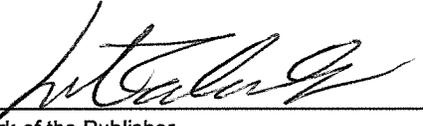
Michael Weston, City Manager
City of King City
15300 SW 116th Avenue
King City, OR 97224
503.639.4082
mweston@ci.king-city.or.us
cc: rsmith@ci.king-city.or.us

AD#: 0009451433

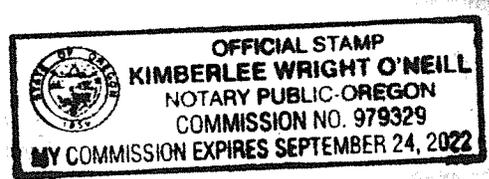
State of Oregon,) ss
County of Multnomah)

Justin Eubanks being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

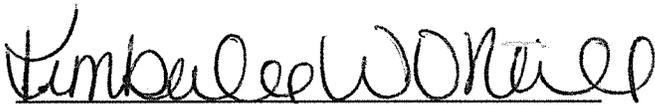
The Oregonian 12/27/2019



Principal Clerk of the Publisher



Sworn to and subscribed before me this 27th day of December 2019



Notary Public

REQUEST FOR COMMENTS

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FILE TITLE: Case No. 19-02, Subdivision, Tree Removal, Goal 5 Safe Harbor Review, and Variance

APPLICANT: James A. Gates, Pin Oaks Development Company, Inc., 17435 SW 131st Avenue, King City, OR 97224

ZONING: R-9 Small Lot and Attached Residential Zone

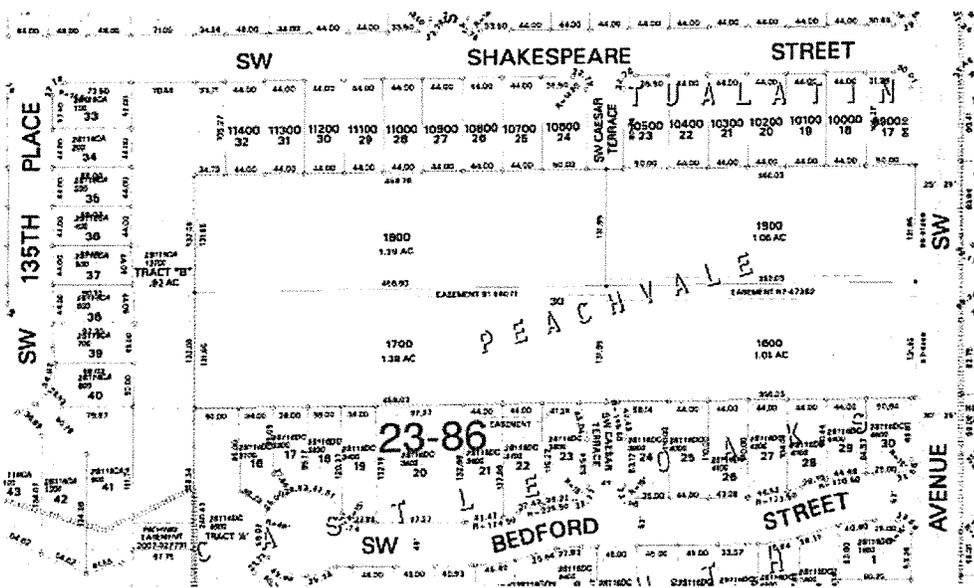
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Parcel Map



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PUBLIC NOTICES

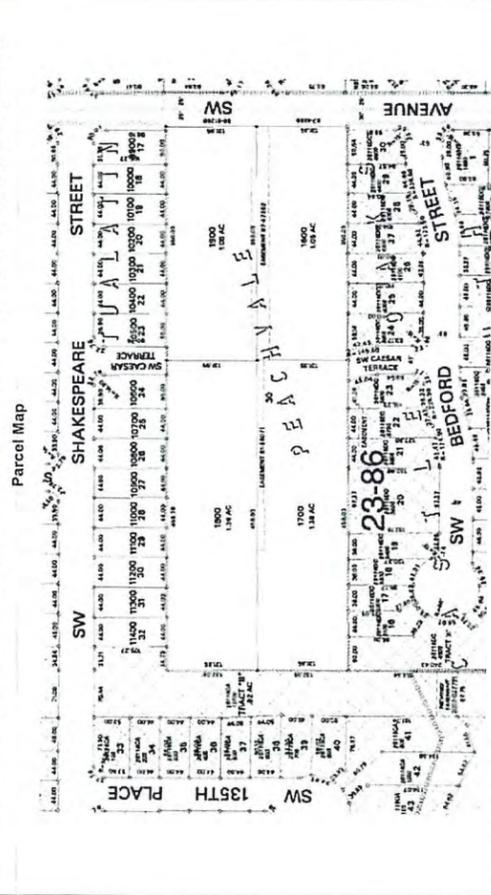
PUBLIC NOTICES GENERAL

TRUSTEE'S NOTICE OF SALE TS No.: 088176-OR Loan No.: *****187V Reference is made to that certain trust deed (the "Deed of Trust") executed by FRANK EDWARD LONG, as Grantor, to NORTHWEST TRUSTEE SERVICES INC, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS DESIGNATED NOMINEE FOR GUILD MORTGAGE COMPANY, A CALIFORNIA CORPORATION, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS, as Beneficiary, dated 1/4/2018, recorded 1/5/2018, as Instrument No. 2018-000089, in the Official Records of Wasco County, Oregon, which covers the following general property situated in Wasco County, Oregon: ALL OF LOT 7, AND THAT PORTION OF LOT 6, BLOCK 1 OF JUNIPER ADDITION, WASCO COUNTY, OREGON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 6, SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY OF CEDAR STREET; THENCE NORTH 62 DEGREES 05 MINUTES 06 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 6 A DISTANCE OF 92.67 FEET; THENCE LEAVING THE SAID SOUTHWESTERLY LINE OF LOT 6 NORTH 30 DEGREES 07 MINUTES 54 SECONDS EAST 78.09 FEET TO THE COMMON LOT LINE BETWEEN LOT 7, BLOCK 1 OF SAID JUNIPER ADDITION; THENCE S 84 DEGREES 51 MINUTES 00 SECONDS WEST ALONG LOT 7, BLOCK 1 OF SAID JUNIPER ADDITION, TO THE POINT OF BEGINNING. APN: 10624 / 04S3 E03C0D2000 00. Commonly known as: 576662 JUNIPER CANYON WAY TYGH VALLEY, OR 97063. The current beneficiary is: GUILD MORTGAGE COMPANY, A CALIFORNIA CORPORATION. Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default, for which the foreclosure is made is the grantor's failure to pay when due, the following sums:

<i>Delinquent Payments:</i>	
<i>Due Dates:</i>	<i>Amount</i>
07/01/19 thru 11/01/19	\$787.95
<i>Late Charges:</i>	\$3,809.75
<i>Beneficiary Advances:</i>	\$120.80
	Total:
	\$3,930.55

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including the principal sum of \$114,689.34, together with interest thereon at the rate of 4.625 % per annum, from 6/1/2019 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust. Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP, whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on 4/3/2020, at the hour of 10:00 AM, standard time, as established by ORS 187.110, At the front entrance of the building located at 511 Washington Street, The Dalles, OR 97058, sell at public auction to the highest bidder in the form of cash equivalent (certified funds or cashier's check) the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.776 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by paying to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by lending the performance of representations or warranties, Oregon law requires the trustee to state in this notice that the potential components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale. In constituting this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by the Deed of Trust, the trustee and beneficiary. Includes their respective successors in interest, if any. Dated: 11/21/2019 CLEAR RECON CORP 111 SW Columbia Street #950 Portland, OR 97201 Phone: 856-750-7600 866-931-0036 Sheila Domitios, Authorized Signatory of Trustee

REQUEST FOR COMMENTS
The King City Planning Commission, at its meeting on January 29, 2020, at 9:30 a.m., shall conduct a public hearing to consider the following land use application:
FILE TITLE: Case No. 19-02, Subdivision, Tree Removal, Tree Removal, Goal 5 Safe Harbor Review, and Variance
APPLICANT: James A. Gates, Pin Oaks Development Company, Inc., 17435 SW 131st Avenue, King City, OR 97224
ZONING: R-9 Small Lot and Attached Residential Zone
REQUEST: Approval of: a subdivision to create 12 residential lots; a tree removal permit; and variance to create a lot that is less than the 2,000 square-foot minimum standard.
LOCATION: 17435 SW 131st Avenue (Assessors Map No. 2S1 16DB, Tax Lot 01700). See map.
APPLICABLE REVIEW CRITERIA: King City Community Development Code Chapter 16.46 Requirement for Community Meetings; Chapter 16.84 Small Lot and Attached Residential Zone (R-9); Chapter 16.124 Landscaping and Beautification; Chapter 16.128 Tree Removal; Chapter 16.132 Parking and Loading; Chapter 16.136 Circulation and Access; 16.144 Vision Clearance; Chapter 16.142 Goal 5 Safe Harbor Review; Chapter 16.146 Residential Density Calculation; Chapter 16.164 Variance; Chapter 16.196 Subdivision; Chapter 16.208 Improvements; and Chapter 16.212 Neighborhood Circulation.
For further information please contact King City Hall, at 503-639-4082, 15300 SW 116th Avenue, King City, Oregon 97224.



PUBLIC HEARING PROCESS: The Planning Commission shall review the application to make a decision regarding the application. The hearing shall be held in the City Council Chambers of the City Hall, 15300 SW 116th Avenue, King City, Oregon 97224. The public hearing on this matter will be conducted in accordance with the rules contained in the King City Community Development Code which is available at City Hall. The application and all relevant documents are available at City Hall. At least seven days prior to the hearing, a copy of the staff report will also be available. All documents may be examined at no cost or copies can be obtained for 25 cents per page prior to the close of their respective hearings. Interested persons are invited to testify before the Planning Commission or to submit written testimony prior to the close of their respective hearings. Approval or disapproval of the requests by the Commission or council will be based only upon the criteria included in this notice. At the hearing it is important that comments relating to the request pertain specifically to the applicable criteria listed. Failure to raise an issue in person or by letter precludes an appeal, and failure to specify the criterion from the relevant city ordinances or comprehensive plan at which a comment is directed precludes an appeal based on that criterion.
NOTICE TO MORGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 216 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.
For further information please contact King City Hall, at 503-639-4082, 15300 SW 116th Avenue, King City, Oregon 97224.

ACES ON BRIDGE

Continuing from yesterday's report of the face-off between Norway and USA! in the 2007 World Championships, held in Shanghai, Zia Mahmood had his own back on this deal. A swing was guaranteed when the Norwegians bid up to three no-trump, since Steve Garner and Howard Weinstein had settled in three diamonds in the other room.
Zia's (West) two-spade call was wide-ranging facing a passed partner. You or I might not bid it on this hand, but I suspect the partnership agreement for East-West here was that it would always be a decent hand at this form of scoring when vulnerable.
So, how would you rate declarer's chances in three no-trump? The match was being broadcast in front of a live audience, and the Yugraph commentators had noticed that the contract would be simple on a spade lead. After either a low club lead or an unlikely heart lead, declarer would almost be forced to rely on the heart finesse, but there was no doubt that declarer would take it and bring home his game.
However, they had not counted on Zia's ability to occasionally conjure IMPs out of thin air. He did indeed lead a club, but he selected the king! Do you blame declarer for assuming that West had started with the club king-queen?
Declarer won in hand, took six rounds of diamonds and played a club. Zia had already disposed of the club 10, so East took three tricks in the suit and played a spade. One down, minus 100 and a remarkable six IMPs to USA!

PUBLIC NOTICES

PUBLIC NOTICES GENERAL

Citation-Freedom from Parental Custody and Control
IN THE MATTER OF PETITION OF:
HAY'S V. BOATMAN
Case #FCV519900014
To Andre Boatman and to all persons claiming to be the father or mother of minor Person(s) named Alden J. Hay's. By order of this court, you are hereby cited and advised that you may appear before the Judge Presiding in Department V-12, Victoria Superior Court, 14455 Civic Dr., Victoriaville, CA, 92392, Feb. 7, 2020 at 1:30 p.m. of that day, then show cause, if any you have, why said person should not be declared free from the control of (his/her) (their) parents according to the petition on file herein.
Dec. 27, 2019; Jan. 3, 10, 17, 2020

Martin Investors LLC Notice of Dissolution of Limited Liability Company
Notice is hereby given pursuant to ORS 63.644 that Martin Investors, LLC, an Oregon limited liability company (the "Company"), has dissolved. Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within four years after the publication of this notice. Any person having a claim against the Company should send a written notice thereof, including the name of the claimant, the claimant's telephone number and the claiming address, the amount of the claim and date the claim was incurred, together with copies of all contracts, invoices and other documentation upon which the claim is based, to: Sean Martin, 6823 SW Gate Post Ct, Wilsonville, OR 97070.

PUBLIC NOTICES

PUBLIC NOTICES GENERAL

Citation-Freedom from Parental Custody and Control
IN THE MATTER OF PETITION OF:
HAY'S V. BOATMAN
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INFORMATION & EDUCATION

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Items of value left on TriMet, Max, buses and lift. (Including jewelry, cash and electronics) can be claimed with an accurate description within 90 days of the item being found. To inquire about a lost item contact TriMet Lost & Found at trimet.org under the contact tab and click on Lost & Found or call 503-962-7655.
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DOGS

PERSONAL MESSAGES

May the Sacred Heart of Jesus be adored, glorified, loved, and preserved throughout the world now and forever. Sacred Heart of Jesus pray for us. May the Immaculate Heart of Mary be adored, glorified, loved, and preserved throughout the world now and forever. Immaculate Heart of Mary pray for us. St. Jude worker of miracles pray for us. St. Jude help you St. Jude for prayers answered. MPC

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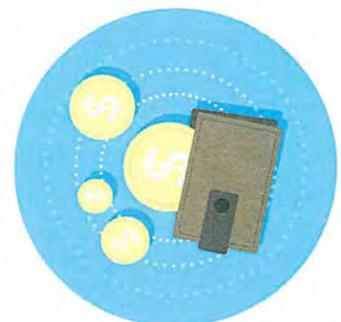


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AFFIDAVIT OF PUBLICATION

State of Oregon, County of Washington, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of the **The Times**, a newspaper of general circulation, serving Bvtn/Tigard/Tualatin/Sherwood in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

**City of King City
REQUEST FOR COMMENTS
Case No. 19-02
Subdivision, Tree Removal, Goal 5 Safe
Harbor Review, and Variance**
Ad#: 146251

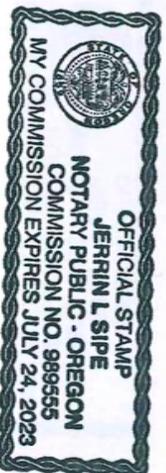
A copy of which is hereto annexed, was published in the entire issue of said newspaper(s) for 1 week(s) in the following issue(s):
01/02/2020

Charlotte Allsop
Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this
01/02/2020.

Jerrin L. Sipe
NOTARY PUBLIC FOR OREGON

Acct #: 101497
Attn: Romie Smith
KING CITY, CITY OF
15300 SW 116TH AVE
TIGARD, OR 97224



REQUEST FOR COMMENTS

The King City Planning Commission, at its meeting on January 29, 2020, at 9:30 a.m., shall conduct a public hearing to consider the following land use application:

FILE TITLE

Case No. 19-02
Subdivision, Tree Removal, Goal 5 Safe Harbor Review, and Variance

APPLICANT

James A. Gates
Pin Oaks Development Company, Inc.
17435 SW 131st Avenue
King City, OR 97224

ZONING

R-9 Small Lot and Attached Residential Zone

REQUEST

Approval of: a subdivision to create 12 residential lots; a tree removal permit to remove 62 trees on the site; Goal 5 Safe Harbor review regarding the drainage way and habitat on the west edge of the property; and variance to create a lot that is less than the 2,000 square-foot minimum standard.

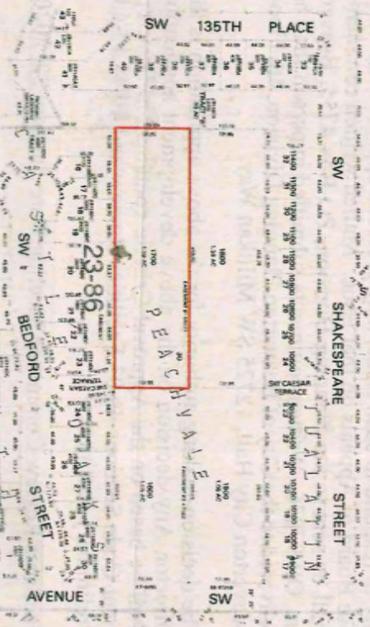
LOCATION

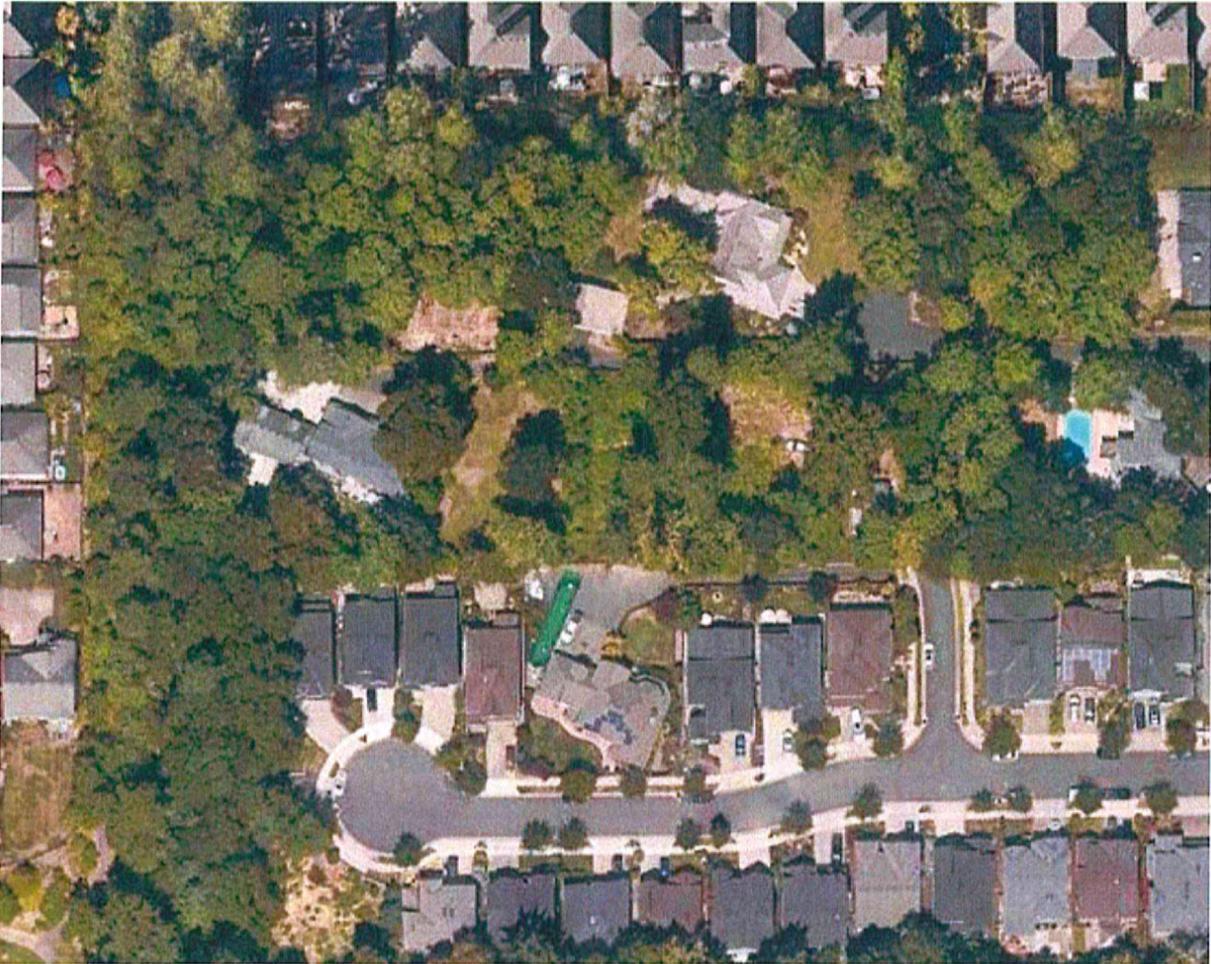
17435 SW 131st Avenue (Assessors Map No. 2S1 16DB, Tax Lot 01700). See map.

APPLICABLE REVIEW CRITERIA

King City Community Development Code Chapter 16.46 Requirement for Community Meetings; Chapter 16.84 Small Lot and Attached Residential Zone (R-9); Chapter 16.124 Landscaping and Beautification; Chapter 16.128 Tree Removal; Chapter 16.132 Parking and Loading; Chapter 16.136 Circulation and Access; 16.144 Vision Clearance; Chapter 16.142 Goal 5 Safe Harbor Review; Chapter 16.146 Residential Density Calculation; Chapter 16.164 Variance; Chapter 16.196 Subdivision; Chapter 16.208 Improvements; and Chapter 16.212 Neighborhood Circulation.

Parcel Map





PONDEROSA PINES SUBDIVISION

17435 SW 131ST AVE | CITY OF KING CITY

TYPE III SUBDIVISION

DECEMBER 2019

OWNER | APPLICANT

PIN OAKS DEVELOPMENT COMPANY, INC.

17435 SW 131ST AVE

KING CITY, OR 97224

CONTACT: JAMES A. GATES

PHONE: (503) 707-1880

APPLICANT'S REPRESENTATIVE:

3J CONSULTING, INC

9600 SW NIMBUS AVE, SUITE 100

BEAVERTON, OR 97008

CONTACT: ANDREW TULL

PHONE: (503) 545-1907

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- Attachment A – Application Form
- Attachment B – Pre-application Meeting Materials
- Attachment C – Community Meeting Materials
- Attachment D – Technical Reports
- Attachment E – Land Use Plans

GENERAL INFORMATION

Property Owner and Applicant: **Pin Oaks Development Company, Inc.**
17435 SW 131st Avenue
King City, OR 97224
Contact: James A. Gates
Phone: 503-707-1880
Email: gates.james@comcast.net

Applicant's Representative: **3J Consulting, Inc.**
9600 SW Nimbus Avenue, Suite 100
Beaverton, OR 97008
Contact: Andrew Tull
Phone: 503-545-1907
Email: andrew.tull@3j-consulting.com

SITE INFORMATION

Parcel Number: 2S116DB01700
Address: 17435 SW 131st Avenue
Size: 1.39 acres
Zoning Designation: Small Lot and Attached Residential Zone (R-9)
Existing Use: Single-family detached dwelling

INTRODUCTION

APPLICANT'S REQUEST

The applicant requests approval of a Subdivision and Variance for the development of 11 single-family attached homes and retention of the existing single-family detached home. The proposed homes consist of four duplex-style attached homes and one triplex-style attached corner home. To serve the proposed subdivision, the applicant proposes the dedication of a 41' right-of-way on the eastern portion of the property and a 39' dedication of right-of-way on the northern portion of the property to create a new half-street. Lot 2 of the proposed subdivision does not meet the minimum lot size of 2,000 SF in the R-9 zone. The applicant requests a variance to this standard, described in greater detail in this narrative.

SITE DESCRIPTION/SURROUNDING LAND USE

The subject site (tax map 2S116DB lot 01700) consists of a 1.39 acre parcel zoned Small Lot and Attached Residential (R-9) with an existing single-family detached dwelling and detached garage on the western edge of the property. The property is served by a shared driveway and access easement along the northern portion of the parcel extending to the east. The site is fairly flat, gently sloping to the southwest with steeper sloping just east of the parcel leading to the adjacent creek. To the east of the property is Deer Creek, which is separated from the subject parcel by a chain link fence. The subject site is adjacent to a tract which contains a creek. A vegetative corridor has been shown on the proposed site plan which follows the edge of pavement surrounding the property's patios and paved surfaces. No construction activity is proposed near or adjacent to the existing creek or within the vegetative corridor.

To the north and east of the properties are similarly large lots developed with detached single-family homes. To the south is a stub (SW Caesar Terrace) connecting to the southeast corner of the subject parcel and eight smaller tax lots developed with single-family detached dwellings. All surrounding properties are zoned identically to the subject site (R-9).

APPLICABLE CRITERIA

The following sections of King City's Community Development and Zoning Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Subdivision application.

Title 16 - Community Development and Zoning Code

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:

- A. Site plan review;**
- B. Conditional use; and**
- C. Subdivision.**

Applicant's Findings: The applicant proposes a subdivision. Therefore, the requirements of this section are applicable.

16.46.020 Proof of meeting.

The applicant shall be required to hold at least one community meeting prior to submitting an application for approval of one of the application types listed in Section 16.46.010. Applications for development shall not be complete until substantiation of the community meeting has been submitted to the city manager. Substantiation shall include:

- 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.**

Applicant's Findings: The applicant has scheduled a neighborhood meeting to take place December 9, 2019. A copy of meeting minutes and notes taken at the community meeting will be submitted after the scheduled community meeting.

Attached to this application is are copies of notice for the scheduled community meeting that were posted and mailed to neighbors on November 15, 2019. A notarized affidavit signed by the applicant confirming that notice was mailed and posted is attached. The requirements of this section can be met.

16.46.030 Purpose of meeting.

The purpose of the community meeting is to provide an opportunity for neighbors to review a development proposal and identify issues that may be addressed in a manner consistent with the King City code and to address the issues prior to submission of the application. The community meeting shall occur within one hundred eighty days before submitting a land development application.

Applicant's Findings: The applicant has scheduled a neighborhood meeting to take place in December to provide neighbors an opportunity to review the proposed subdivision and raise issues. The applicant addresses all issues raised consistent with the King City code as part of this submittal. The requirements of this section are met.

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.

Applicant's Findings: As shown on the attached copies of notice (Attachment C), the applicant provided notice on November 15, 2019 about a community meeting scheduled for December 9, 2019. Notice was mailed to the city manager and all neighbors within two hundred and fifty feet of the property. Notice included the tax lot number of the subject site, site address, acreage, current land use designation, and a brief description of the proposed subdivision. The requirements of this section are met.

Chapter 16.84 Small Lot and Attached Residential Zone (R-9)

16.84.020 Permitted uses.

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, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the R-9 zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, single-family attached;
- C. Duplex;

- D. Manufactured home on an individual lot;
- E. Residential home;
- F. Manufactured/Mobile home parks and subdivisions;
- G. Family day care (family care);
- H. Park and open space created as part of a subdivision or planned development; and
- I. Dwelling, accessory.

Applicant's Findings: The proposed subdivision is to accommodate the future development of single-family attached homes on individual lots, which is a permitted use in the R-9 zone. The requirements of this section are met.

16.84.030 Conditional uses.

A conditional use is a use, which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-9 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space not created as part of a subdivision or planned development;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home (family care); and
- H. Recreation vehicle and boat storage serving only the residents within the development.

Applicant's Findings: The applicant does not propose a conditional use. Therefore, the requirements of this section do not apply.

16.84.040 Dimensional and density requirements.

The dimensional and density requirements of the R-9 district are:

Dimensional Requirements Table	
Min/Avg Lot Size - single-family attached	2,000 min/2,400 avg SF
Min Avg Lot Width - single-family attached	24 feet
Min Avg Lot Depth - single-family attached	60 feet
Setbacks	
Front	12 feet minimum and 26 feet maximum to front building wall.

	<p>8 feet minimum and 20 feet maximum to front porch.</p> <p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards:</p> <p>10 feet minimum for a side yard facing a street.</p> <p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>0 feet, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases,</p> <p>0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.</p> <p>10 feet minimum for residential building.</p> <p>0 feet for a detached accessory building less than 18 feet in height.</p> <p>0-6 feet or ≥ 18 feet to a garage entrance to an alley.</p>
Front corner	
Side – interior	
Rear	
Height – single-family and duplex dwellings	35 feet
Density standards	
Maximum	9 units per gross acre
Minimum	7.2 units per gross acre

Applicant's Findings: As shown in the attached Tentative Plat (Sheet C040), the proposed partition meets all of the dimensional standards listed above with the exception of Lot 2 not meeting the minimum lot size of 2,000 SF. The applicant has submitted a variance request to the required minimum lot size for lot 2, described in greater detail later in this narrative.

The proposed subdivision features eleven lots with an average lot size of 3,872 SF and a minimum lot size of 1,862 SF at a density of 9 units per acre (12 units total). Lots feature an average depth of 93.1 feet with no variation in depth and an average width of 35.7 feet ranging between 20 and 30 feet. The area of the lot 2 is limited by

the provision of a 41-foot right-of-way on the eastern edge of the subject site and a hammerhead turnaround on the western edge of the site to accommodate a fire apparatus. Lot 2 matches the depth of adjacent parcels, and the width of the parcel is constrained by the intended future building design, which all feature a unit width of 20 feet. Increasing the width would require the development of a unit type inconsistent with the design of the other parcels.

The proposed attached dwellings feature a front setback of 18 feet from the sidewalk. Side setbacks are 0 feet at shared walls, 3 feet at interior side setbacks (6 foot separation between buildings), 4 feet at exterior side setbacks, and ten feet at corner side setbacks. All lots accommodate a ten-foot rear setback. The applicant does not propose the construction of a dwelling at this time.

The requirements of this section are met.

16.84.050 Design requirements.

In addition to the dimensional requirements in Section 16.84.040, the following design requirements shall apply:

Applicant's Findings: The applicant does not propose the construction of dwelling units as a part of this development application. Future development proposals including the construction of dwelling units will conform to the requirements of this section.

Chapter 16.124 Landscaping 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.**

Applicant's Findings: The proposed application is subject to one or more chapters in Article V of this title. Therefore, the requirements of this section are applicable.

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;**
 - 2. Location and height of fences, buffers and screenings;**
 - 3. Location of terraces, decks, shelters, recreational areas and common open spaces;**

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

Applicant's Findings: Attached to this application is a Tree Preservation Plan (Sheet C121) detailing the proposed retention of existing trees on site and a Grading and Erosion Control Plan (Sheet C230) meeting the requirements listed above.

16.124.040 General provisions for land development.

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

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- E. 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.
- 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.
- 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.
- H. Appropriate methods for the care and maintenance of street 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.
- 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.
- 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.
- 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 landscaped industry. Lawns shall be one hundred percent coverage and weed free.

- 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.**

Applicant's Findings: Submitted in this application is a Landscape Plan (Sheet L101) detailing the proposed landscaping along the frontage of proposed lots, including street trees. The applicant proposes the provision of 830 square feet of landscaped area in the planter areas between the sidewalk and curb as well as the provision of four street trees, discussed in greater detail below.

All landscaped materials are designed to conform to the planting standards listed above and to avoid conflicts with pedestrian or vehicular travel or utility maintenance. Irrigation and further landscaping conforming with the requirements above will also be provided at the time of dwelling unit development.

The requirements of this section can be met.

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.**
- 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.**

Applicant's Findings: Submitted in this application is a Landscape Plan (Sheet L101) detailing the proposed landscaping along the frontage of proposed lots, including street trees. Proposed street trees are suitable street tree species (*Acer rubrum* and *Zelkova serrata*) that will not damage surrounding utilities, streets, or sidewalks.

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).**
- 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 be spaced 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.
- 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.

Applicant's Findings: Submitted in this application is a Landscape Plan (Sheet L101) detailing the proposed landscaping along the frontage of proposed lots, including street trees. Proposed street trees are suitable street tree species (*Acer rubrum* and *Zelkova serrata*) that will not damage surrounding utilities, streets, or sidewalks.

The selected species are large species that will exceed forty feet in height and thirty five feet in branching at full size. Therefore, the minimum required spacing between trees is forty feet. The proposed street trees exceed this spacing in order to maintain a clear vision area around the corner of SW Caesar Ter and the new road, to facilitate the installation of street lighting in accordance with Section 16.208, and to avoid conflicts with proposed utilities. The applicant requests an exemption to this standard as detailed below.

No tree will be located in such a manner to inhibit appropriate vision clearance of driveways or intersections, nor will they be located in a manner that would interfere with utilities, hydrants, overhead power lines, or permanent hard surfaces. The pruning and maintenance of trees will be the responsibility of the property owner.

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.
- 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.

Applicant's Findings: There are no existing street trees on the subject parcel. Therefore, the requirements of this section do not apply.

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.
- 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.

Applicant's Findings: There are currently no street trees on the subject parcel. Therefore, the requirements of this section do not apply.

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.

Applicant's Findings: The applicant requests an exemption to the street tree spacing standard. The selected species are large species that will exceed forty feet in height and thirty five feet in branching at full size. Therefore, the minimum required spacing between trees is forty feet. The proposed street trees exceed this spacing in order to maintain a clear vision area around the corner of SW Caesar Ter and the new road, to facilitate the installation of street lighting in accordance with Section 16.208, and to avoid conflicts with proposed utilities.

16.124.110 Buffering/screening requirements.

- A. A buffer consists of an area within a required interior setback adjacent to a property line containing a length equal to the length of the property line of the abutting use or uses.

- 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~~ accept where an accessway has been approved by the city.**
- C. A buffer/screening area shall be provided between different types of land uses (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.**
- 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.**
 - 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.**
 - 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.**
- E. Where screening is required the following standards shall apply in addition to those required for buffering:**
- 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 planning, 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.**

- F. Buffering and screening provisions shall be superseded by the vision clearance requirements as set forth in Section 16.144.030(C).
- G. 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.
- H. 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.
- I. 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).

Applicant's Findings: The proposed subdivision does not include different types of land uses abutting the subject site; therefore, the requirements of this section do not apply.

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.
- 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;
 - 2. Are permitted outright in side yards behind the front yard setback or rear yards to a height of six feet; and

3. Located on corner lots must preserve a visual clearance area in conformance with Section 16.144.030 of this code.

Applicant's The applicant does not propose the construction of fences or walls at this time.
Findings: Fences and walls will be reviewed at the time of dwelling unit development.

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.**
- B. An earthen berm and fence or wall combination shall not exceed the six foot height limitation for screening.**

Applicant's The applicant does not propose the construction of fences or walls at this time.
Findings: Therefore, the requirements of this section do not apply.

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:**

Applicant's The proposed subdivision is residential and does not include a commercial use.
Findings: Therefore, the requirements of this section do not apply.

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.**
- 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.**
- C. Methods of Revegetation.**
 - 1. Acceptable methods of revegetation include hydro-mulching or the planting of rye grass, barley or other seed with equivalent germination rates, and:**

- a. 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;
- b. Other revegetation methods offering equivalent protection may be approved by the approval authority;
- c. Plant materials are to be watered at intervals sufficient to ensure survival and growth; and
- d. The use of native plant materials is encouraged to reduce irrigation and maintenance demands

Applicant's Findings: In order to mitigate potential erosion impacts associated with grading, the applicant proposes the reseeded of graded topography to ensure adequate revegetation. Cover plantings will be watered and maintained to ensure survival and growth. As shown in the Grading and Erosion Control Plan (Sheet C230), topsoil removed during grading will be kept on site to minimize soil loss during construction. The requirements of this section are met.

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).
- 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.

Applicant's Findings: As shown on the attached Tree Preservation Plan and Notes (Sheets C121 and C122), there are a total of 83 trees on the subject parcel. The applicant is proposing the removal of 62 total trees - 57 on the subject parcel and 5 on adjacent parcels to accommodate the proposed right-of-way; therefore, a tree removal permit will be 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.**

Applicant's The proposed subdivision is subject to one or more chapters of Article V of this title.

Findings: Therefore, the requirements of this section are applicable.

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.**
- 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.**

Applicant's Attached to this application is a Tree Preservation Plan (Sheet C121) identifying trees

Findings: proposed for retention and removal. The plan maximizes the retention of trees as much as practicable. Trees proposed for removal are located within building areas or in an area that conflicts with the provision of public services and utilities. Trees will be removed by the site's general contractor during clearing and grading. The attached Tree Protection and Removal Plan (Attachment D) outlines the proposed removal method ensuring the safe and efficient removal of trees.

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 purposes of this chapter.

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.
2. The necessity to remove trees in order to construct proposed improvements, or to otherwise utilize the applicant's property in a reasonable manner.
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.
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.
5. The tree(s) is necessary to comply with conditions of development approval or compliance with provisions of Chapter 16.124.
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.

Applicant's Findings: Attached to this application is a Tree Preservation Plan (Sheet C121) and Tree Protection and Removal Plan (Attachment D) identifying trees proposed for retention and removal. The plans maximize the retention of trees as much as practicable. There is a total of 83 trees within the subject parcel. The applicant proposes the retention of 27 and removal of 61 trees – 56 trees within the property boundary and 5 outside of the boundary in order to accommodate the provision of right-of-way and improvements. Trees proposed for removal are located within building and/or grading areas or in an area that conflicts with the provision of public services and utilities. Additionally, one proposed tree for removal is hazardous and another competes with an existing Ponderosa Pine.

The applicant is willing to accept a condition of approval requiring the preparation of a plan exhibiting proposed replacement trees prior to building permit submittal.

16.128.060 Illegal tree removal.

The city retains the authority to require the applicant to replace any illegally removed trees pursuant to a plan and meet any conditions as set forth by the city manager. No future permits or approvals for any use of the subject property shall be granted without compliance with the

plan. Appeal of the replacement plan and its conditions shall be directed to the planning commission.

Applicant's Findings: The applicant acknowledges the authority of the City to require the applicant to replace illegally removed trees.

16.128.070 Revocation of permit.

The city manager may revoke a tree removal permit if the conditions are not satisfied as required by the original permit.

Applicant's Findings: The applicant acknowledges the authority of the city manager to revoke a tree removal permit if conditions are not appropriately satisfied.

16.128.080 Notice of decision.

A notice of decision shall be provided to the applicant. The manager's decision may be appealed by the applicant as provided in Article II.

Applicant's Findings: The applicant acknowledges the notice of decision process outlined above.

16.128.090 Penalties.

Violation of any provision or requirement of this chapter shall be enforced as provided in Chapter 16.76.

Applicant's Findings: The applicant acknowledges the enforcement procedures outlined in Chapter 16.76.

Chapter 16.132 Parking and Loading

16.132.020 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 increases the on-site parking or loading requirements.
- B. **Landscaping.** All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in Chapter 16.124.
- C. **Availability.** Required parking spaces must be available for the use of residents, customers or employees of the use. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking situations. Required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.
- D. **Location.** Required parking spaces for residential uses must be located on the site of the use. Required parking spaces for nonresidential uses and residential uses in the LC Zone

must be located on the site of the use or in parking areas whose closest point is within three hundred feet of the site.

- E. **Shared Parking.** Shared parking between two or more nonresidential uses is permitted when all the following criteria are satisfied:
 - 1. The hours of operation of the uses do not overlap;
 - 2. Satisfactory legal evidence is presented to the city manager in the form of deeds, leases or contracts to establish the shared use;
 - 3. The other standards of this title can be met; and
 - 4. If a joint use arrangement is subsequently terminated, the requirements of this title shall then apply separately to each use.
- F. **Change in Use.**
 - 1. When an existing structure is changed in use from one use to another use as listed in Section 16.132.030, and the parking requirements for each use are the same, no additional parking shall be required.
 - 2. Where a change in use results in an intensification of use in terms of the number of parking spaces required, additional parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the new, more intensive use.
- G. **D.E.Q. Permit.** All parking areas which are designed to contain two hundred fifty or more parking spaces or to contain two or more levels, shall obtain a Department of Environmental Quality (D.E.Q.) indirect source construction permit and shall install oil and grease separators.
- H. **Calculation of Required Parking.**
 - 1. Where building square footage is specified, the area measured shall be the gross floor area within the exterior walls of the structure, excluding interior space devoted to off-street parking or loading.
 - 2. Where several uses occupy a single structure or parcel of land or a combination of uses are included in one business, the total off-street parking spaces and loading area shall be the sum of the separately computed requirements for each use, unless shared parking is approved as provided in Section 16.132.020.E.
 - 3. When a building is planned or constructed in such a manner that a variety of uses is possible and a choice of parking requirements could be made, the use(s) which requires the greater number of parking spaces shall govern.
- I. **Parking Space Markings.**
 - 1. Except for single-family and two-family residences, any parking spaces that are intended to be used to meet the off-street parking requirements contained in this chapter shall have all parking spaces clearly marked using a permanent paint; and
 - 2. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.

- J. Employee Parking.** Employee parking shall be designated for commercial developments. ~~The employee spaces should be located in a manner that provides preferential treatment to business patrons.~~
- K. Short Term Parking Spaces.** When deemed appropriate by the approval authority, short-term parking spaces shall be provided that enhance convenience and accessibility of the business for patrons. Said spaces shall be identified with signs and time limits.

Applicant's Findings: While the development of dwelling units is not proposed at this time, the applicant anticipates the provision of at least one off street parking space per unit via an attached garage. These garages will also be able to support tandem parking via the driveway.

Additionally, submitted in this application is a Fire Access Plan (Sheet C260) detailing the proposed on-street parking configuration. The new road will be able to accommodate up to 11 on-street parking spaces.

Final confirmation of the proposed parking configuration will occur prior to building permit submittal. The requirements of this section are met.

16.132.030 Minimum off-street parking requirements.

Minimum Off-Street Parking Requirements	
Single-family attached	1 space per unit

Applicant's Findings: While the development of dwelling units is not proposed at this time, the applicant anticipates the provision of one off street parking space per unit via an attached garage. The requirements of this section are met.

16.132.040 Parking dimensional standards.

A. Table of Standards.

1. Minimum standards for a standard parking stall's length and width, aisle width, and maneuvering space shall be determined from the following table. Dimensions for designated compact spaces are noted in parenthesis:

Minimum Off-Street Parking Requirements				
Angle from Curb	Stall Width	Channel Width	Aisle Width	Curb Length
90	9'0"	18'0"	24'0"	9'0"

2. Sample Illustration
3. The width of each parking space includes a four-inch wide stripe which separates each space.

B. Aisle Width.

1. Aisles accommodating two direction traffic, or allowing access from both ends shall be twenty-four feet in width.
- C. **Angle Parking.**
1. Angle parking is permitted; provided, that each space contains a rectangle of not less than nine feet in width and eighteen feet in length or eight and one-half feet in width and fifteen feet in length for compact spaces, and an appropriate aisle width as determined by interpolation of the table in Section 18.106.050(B).
- D. **Compact Parking.** The compact parking spaces described in this title shall not be used to satisfy no more than fifty percent of the total required number of parking spaces.

Applicant's Findings: Any future dwelling unit development proposal will conform to the dimensional standards listed above, to be confirmed prior to building permit approval. The requirements of this section can be met.

16.132.050 Parking design standards.

- A. **Parking for Handicapped.** All parking lots in conjunction with government and public buildings, as defined by Chapter 31 of the uniform building code, are to include parking for the handicapped as set forth below. These spaces may be included to satisfy the total number of parking spaces required.
1. One space for the first fifty spaces or fraction thereof; and one additional space for each additional fifty spaces or fraction thereof.
 2. Parking lot and parking spaces shall conform to the requirements of Chapter 31 of the uniform building code.
 3. Spaces shall be located nearest to the main pedestrian access point from the parking area to building or use serviced by the parking, and are to be designed so persons using wheelchairs or assisted walking are not compelled to pass behind parked vehicles.
 4. Parking for the handicapped shall be identified in accordance with the international symbol of accessibility for the handicapped.
- B. **Lighting.** Any lights provided to illuminate public or private parking areas or vehicle sales areas shall be arranged to reflect the light away from any neighboring residential district.
- C. **Pavement.** All parking spaces and access drives shall be paved to specifications approved by the city manager.
- D. **Drainage.**
1. Off-street parking and loading areas shall be drained in accordance with specifications approved by the city manager to ensure that ponding of storm water does not occur.
 2. Except for single-family and two-family residences, off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks and streets.
- E. **Wheel Stops.**

1. ~~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 four inches high located three feet back from the front of the parking space.~~
 2. The front three 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 requirements.
- F. **Maintenance of Parking Areas.** All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

Applicant's Findings: The proposed subdivision is not in conjunction with government or public buildings; therefore, the provision of accessible spaces is not required. The requirements of this section do not apply.

16.132.060 Minimum bicycle parking requirements.

Applicant's Findings: Bicycle parking is not required for single-family development. Therefore, the requirements of this section do not apply.

16.132.070 Bicycle parking design standards.

Applicant's Findings: The applicant does not propose the provision of bicycle parking. Therefore, the requirements of this section do not apply.

16.132.080 Loading area standards.

Applicant's Findings: The applicant does not propose the provision of a loading area. Therefore, the requirements of this section do not apply.

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.
- B. **Availability of Improvements.** All required circulation and access improvements must be available for use prior to occupancy of any structure.
- 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.
- 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.

Applicant's Findings: Access and circulation have been provided to allow for the logical continuation of the surrounding street and pedestrian network. The applicant does not propose the development of dwelling units at this time. Final configuration and easements for proposed driveways will occur prior to building permit submittal.

16.136.030 Access standards—Residential.

- A. Vehicular access and egress for single-family, duplex, or attached single-family dwelling units on individual lots shall not be less than the following:

Dwelling Units	Min. Driveways	Min. Property or Easement Width	Min. Pavement Width
1-2	1	10 ft	10 ft
3	1 or one-way	30 ft 20 ft	24 ft 15 ft

- B. Vehicular access and egress for multiple-family residential uses shall not be less than the following:
- C. A public street right-of-way and improvement shall be required when more than six separate lots are served by a street or access drive.
- D. Private residential access drives shall be provided and maintained in accordance with the applicable provisions of the uniform fire code.
- E. Access drives in excess of one hundred fifty feet in length shall be provided with approved provisions for the turning around of fire apparatus by one of the following:

Applicant's Findings: The applicant does not propose the development of dwelling units at this time but anticipates the provision of one driveway per dwelling unit and one shared driveway for two units in the triplex-style building. Final configuration and easements for proposed driveways will occur prior to building permit submittal.

As outlined in the attached pre-application notes (Attachment B), the proposed subdivision will result in more than 30 dwelling units accessed via a single public fire apparatus access road, which is the maximum permitted by TVFR. The applicant is willing to accept a condition of approval requiring the installation of an approved automatic sprinkler system for future dwelling units, to be reviewed at the time of building permit submittal.

The requirements of this section can be met.

Chapter 16.142 Goal 5 Safe Harbor Review

16.142.020 Applicability of provisions.

- A. The regulations of this chapter shall be applicable to all properties included within the West King City planning area. This area contains approximately one hundred eight acres, located south of Beef Bend Road and the Mountain View Mobile Home park, and north of the Tualatin River between 131st Avenue and a Bonneville Power Administration right-of-way that is located along the east side of 137th Avenue. This area is shown on the comprehensive plan and zoning maps.**
- B. Any development proposed to be located on properties that contain all or part of a Goal 5 resource listed in Section 16.142.040 of this chapter, must comply with these regulations. Where the provisions of this chapter conflict with any other provisions of this title, CWS standards, or state and federal requirements, the more restrictive requirements shall apply.**

Applicant's Findings: The proposed subdivision is occurring in the West King City planning area. The western portion of the property contains the Deer Creek drainage area. Therefore, the requirements of this section are applicable.

16.142.030 Administration.

- A. Goal 5 safe harbor review shall be conducted concurrently with any other related land use application required by the city for the proposed development.**
- B. Goal 5 safe harbor review applications for compliance with Sections 16.142.040 through 16.142.060 shall be administered and reviewed as a city manager decision in accordance with Article II of this title.**
- C. Variance applications described in Section 16.142.070 shall be administered and reviewed as a planning commission decision in accordance with Article II of this title using the applicable approval criteria in Section 16.142.070.**

Applicant's Findings: The proposed safe harbor review will occur concurrently with the proposed subdivision. The applicant acknowledges the authority of the city manager to render a decision in accordance with Article II of this title.

16.142.040 Goal 5 resource areas.

The provisions of this chapter shall be used to determine whether applications for development permits may be approved, approved with conditions or denied. The map entitled West King City planning area Goal 5 inventory (Figure 1) shall be consulted to determine site locations of Goal 5 resources and buffers. The Goal 5 resources within the West King City planning area include the following three areas, which are shown in Figure 1:

- A. Tualatin River Riparian Corridor. The Tualatin River has documented use by fish and an average annual flow of greater than one thousand cubic feet per second. Therefore, the Tualatin River has a Goal 5 safe harbor riparian corridor boundary of seventy-five feet from top of bank.
- B. Agricultural (Ag.) Wetland. The agricultural wetland contains approximately 0.82 acres of significant wetland. The Goal 5 safe harbor boundary is the delineated boundary of the wetland.
- C. Deer Creek Wetland. The Deer Creek wetland contains approximately 1.04 acres of significant wetland. The Goal 5 safe harbor boundary is the delineated boundary of the wetland.

Applicant's Findings: As shown in Figure 1 of the West King City planning area Goal 5 inventory, the subject site does not contain areas designated as Goal 5 resource areas.

16.142.050 Submittal requirements.

As part of the development permit for any use or activity that is located on a lot that includes a Goal 5 resource listed in Section 16.142.040, an application for a Goal 5 safe harbor review must be prepared and submitted in compliance with this section. An application for a Goal 5 safe harbor review shall be submitted on forms prepared by the city.

- A. In addition to the form and information required in Section 16.44.030, an applicant shall submit the following:
 - 1. Copies of the site plan, number to be determined at the pre-application 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;
 - d. Existing and proposed topography within the property boundaries 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;

-
- e. The delineated location of wetlands, the location of the top of bank for the Tualatin River; and the location safe harbor boundaries listed in Section 16.142.040 of this chapter, and
 - f. Current photos of site conditions shall be provided to supplement the above information.
2. This information may be submitted with or made part of a site plan or grading plan for the proposed development;
 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; and
 4. The required fee.
- B. The site plan, data and narrative for any related development applications as provided in this title.**

Applicant's The applicant does not propose development activity in a Goal 5 resource area.
Findings: Therefore, the requirements of this section do not apply.

16.142.060 Regulated uses and activities.

No permanent alteration within riparian or wetland boundaries shall be permitted by grading, excavation, placement of fill, or by the placement of structures or impervious surfaces except as provided by this chapter.

- A. The following uses and activities are permitted within the riparian corridor and wetland boundaries identified in Section 16.142.040:**
1. Maintenance and repair of buildings, structures, yards, gardens or other activities or uses that were in existence prior to the effective date of these regulations;
 2. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area;
 3. Alterations of buildings or accessory structures, which do not increase building coverage;
 4. Enhancement and mitigation of a riparian corridor or wetland as approved by the city and other appropriate regulatory authorities;
 5. Streets, roads and paths;
 6. Drainage facilities, utilities and irrigation pumps;
 7. Grading for the purpose of enhancing the resource site; and
 8. Water-related and water-dependent uses.
- B. General Approval Criteria.**
1. Riparian and wetland vegetation shall not be removed, except for the following circumstances:
 - a. Removal of non-native vegetation and replacement with native plant species; and
 - b. Removal of vegetation necessary for uses and activities listed in subsection A of this section;

2. Each tree removed shall be replaced with a native tree species;
 3. The applicable provisions of Chapter 16.140 are satisfied; and
 4. The division of state lands has been notified of the application, as provided by ORS 227.350, and all necessary permits shall be obtained from those local, state and/or federal governmental agencies from which approval is also required.
- C. **Supplemental Approval Criteria.** For activities or development listed in subsections (A)(5) through (A)(8) of this section, the following criteria shall apply in addition to subsection B of this section:
1. A wetland scientist or other professional competent in biology, prepares a report which:
 - a. Identifies and maps the ecological and habitat resource values of the wetland and/or riparian areas on the site and the immediate area (based on field observations); and
 - b. Demonstrates that equal or better protection for the identified resource values will be ensured through restoration of wetlands, riparian areas, enhanced buffer treatment or similar measures.
 2. Alterations in Tualatin River riparian area shall not occupy more than fifty percent of the width of the riparian area measured between the opposite upland edges of the corridor.
- D. An applicant may propose to inventory and protect wetlands under the procedures and requirements for wetland conservation plans administered through by DSL. A wetland conservation plan approved by the director of DSL shall be deemed to comply with relevant provisions of this chapter.

Applicant's Findings: As shown on the Site Plan (Sheet C200), there is an existing patio within a CWS 50' vegetative corridor. While the patio currently occupies what would typically be a restricted development area, the applicant does not propose any changes to the patio. Additionally, the applicant does not propose new development in any identified riparian or wetland areas nor the removal of non-native vegetation within riparian or wetland areas. Therefore, there will be no further impacts within the CWS corridor and the requirements of this section do not apply.

16.142.070 Variances.

The following matters shall be reviewed according to the variance process described in Chapter 16.164, except that the following criteria shall be used instead of the variance criteria in Section 16.164.050:

A. Unbuildable Lot.

1. The standards of the chapter shall be reduced or eliminated to assure that an existing lot, which is rendered unbuildable due to the provisions of this chapter, is allowed to develop as otherwise provided by this title. However, such development shall not exceed five thousand square feet of impervious improvements, while still providing for

the maximum protection of the significant resources, consistent with the provisions of this title.

2. To receive a variance under this section, the applicant must demonstrate that:
 - a. The lot was created prior to the effective date of this chapter;
 - b. The existing lot is rendered unbuildable by the provisions of this chapter; and
 - c. The development proposal is designed to protect the resource(s) identified in Section 16.142.040 to the greatest extent practical.
- B. Claim of Map Error.
 1. Where the applicant alleges a claim of map error, the city shall consider information relating to a claim of map error, and if appropriate, adjust the map accordingly. The application for consideration of a map error shall include:
 - a. A report conducted and prepared by a natural resource professional knowledgeable and qualified to complete such a report. The qualifications of the person or persons preparing each element of the report shall be included with the application;
 - b. The report shall include information relating to soil types, geology, hydrology of the site, location of any wetlands or water bodies on the site, the location of the stream centerline, and the top-of-bank. The report shall also include an inventory that lists and describes the native and ornamental dominant and sub-dominant groundcover, shrub and tree species occurring on the site;
 - c. The application shall include an analysis that describes the specific map error supported by evidence listed within the report required by this section;
 - d. Current photos of the site conditions shall be provided to supplement the above information.
 2. When the reviewing authority finds substantial evidence that a Goal 5 resource boundary listed in Section 16.142.040 is in error, the resource boundary map (Figure 1) shall be amended to reflect the more accurate delineation of the boundary.
- C. Other Variances. A variance may be taken to any of the provisions of this chapter. Such variance applications shall be subject to the procedures and approval criteria in Chapter 16.164

Applicant's The applicant does not request a variance to the Goal 5 Safe Harbor process.

Findings: Therefore, the requirements of this section do not apply.

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.

Applicant's Findings: The applicant acknowledges the applicability of vision clearance standards for the proposed development.

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) and (2) of this section.**
 - 1. With the exception of driveways serving no more than two residences, all intersections on Pacific Highway, Beef Bend 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.**
 - 2. 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.**
- 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.**
- 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.**

Applicant's Findings: There are no driveways proposed at this time. Driveways will be reviewed at the time of building permit submittal including vision clearance areas. The requirements of this section can be met.

Chapter 16.146 Residential Density Calculation

16.146.020 Applicability of provisions.

The density calculations in this chapter shall apply to any development that has residential units as part of the proposed development with the exception of residential facilities and residential homes where the units for residents do not include individual kitchen and/or bathroom facilities.

Applicant's Findings: The density calculation provisions described in this chapter are applicable to the proposed residential development.

16.146.030 Density calculation.

- A. To determine the maximum or minimum number of units, which may be constructed on a site for residential uses, the site size (in acres) shall be multiplied by the maximum or minimum number of units per acre allowed on the site, as designated by the applicable zone district, except as specified otherwise in this chapter.

EXAMPLE

Acres x units per acre = number of units allowed

1.6 x 5 = 8.0 or 8 units

- B. Site size shall include the area of the subject lot(s) or parcel(s), in acres or portions thereof, except for:
1. All areas dedicated for public right-of-way that exist at the time the development application is submitted for review;
 2. Proposed lots with a maximum size of twenty thousand square feet to include existing residences on the subject lot(s) or parcel(s) to be developed; and
 3. Proposed remnant parcels, which are of sufficient size to be developed or divided in the future.
- C. No portion of the allowable density shall be transferred from one land use designation to another land use designation, except as permitted in accordance with the planned development provisions of Chapter 16.150.
- D. Land outside of the urban growth boundary (UGB) shall be ineligible for density transfer and shall not be considered in any density calculations.
- E. The number of units, which may be constructed on the subject lot(s) or parcel(s) shall be subject to the limitations of the applicable provisions of this title.
- F. When the maximum or minimum number of units allowed on a site results in a fraction of one-half or more, the number of units allowed shall be the next highest whole number, provided all minimum zone district requirements other than density can be met.
- G. Land that is dedicated to a park and recreation provider as public park land may be used to calculate the minimum or maximum density, provided the land is developed for recreational uses, and is not comprised of flood plain, drainage hazard, wetland or slopes over twenty percent.
- H. Land used for a private park, that is available to the general public outside of the residential development the park is located in, may be excluded from the acreage used to calculate the minimum density, provided the park is developed for recreational uses and does not include flood plain, drainage hazard, wetland, or slopes over twenty percent.
- I. For categories of land listed in Section 16.146.040, the applicant may either include it or exclude it from the acreage used to calculate the minimum or maximum density.

Applicant's Findings: The subject site has a gross acreage of 1.39 acres, which according to the residential density calculation described above, would allow for a maximum density of 12 units. The proposed subdivision meets the maximum density of the underlying zone.

Chapter 16.148 Signs

16.148.050 Residential use signs.

Residential uses shall be permitted the following signs: identification sign. Subdivision, condominium developments, multi-family developments shall be allowed one, indirectly illuminated, freestanding monument sign or wall sign. The sign shall not exceed eighteen square feet in area and five feet in height. 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.

Applicant's Findings: The applicant does not propose a sign as part of this application. Therefore, the requirements of this section do not apply.

Chapter 16.164 Variance

16.164.020 Applicability of provisions.

A variance application may be requested relating to any provision of this title, except that a variance request to the permitted or conditional use requirements in Chapters 16.80 through 16.112 shall not be granted.

Applicant's Findings: Lot 2 of the proposed subdivision does not meet the minimum lot size of 2,000 SF in the R-9 zone. While the average lot size of the proposed subdivision measures 3,872 SF, Lot 2 measures 1,862 SF, which is 138 SF below the required minimum required lot size of 2,000 SF. The applicant requests a variance to this standard, described in greater detail below.

16.164.030 Administration.

Variance applications shall be administered and reviewed as a planning commission review in accordance with Article II of this title.

Applicant's Findings: The applicant acknowledges the review authority of the planning commission described above.

16.164.040 Submittal requirements.

A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit each of the following:

1. A narrative and/or site plan, with the number of copies to be determined at the preapplication conference, which explains the variance satisfies the relevant approval criteria, and:
 - a. The site plans and required drawings shall be drawn on sheets preferably not exceeding eighteen inches by twenty-four inches;

b. The scale for the site plan shall be an engineering scale; and

c. ~~All drawings of structure elevations or floor plans shall be a standard architectural scale of one-fourth inch or one-eighth inch equals one foot.~~

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.

Applicant's Findings: Attached to this application is a Tentative Plat (Sheet C040) illustrating the proposed lot size variance for Lot 2 featuring all of the require elements listed above.

16.164.050 Approval criteria.

The planning commission shall approve, approve with conditions or deny an application for a variance based on an evaluation of all of the following criteria:

A. The proposed variance will equally or better meet the purpose of the regulation being modified and any associated policies of the comprehensive plan;

Applicant's Findings: The purpose of the R-9 zone is "to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote single-family residential neighborhoods."

The granting of a variance would allow the proposal to provide the full permitted density indicated by the comprehensive plan and provide an additional single-family dwelling to the existing neighborhood and City's housing supply.

B. There are special circumstances, such as peculiar lot size or shape, topographic constraints or limitations caused by existing development, over which the applicant has no control, and which are not applicable to other properties in the same zoning district;

Applicant's Findings: While the average lot size of the proposed subdivision measures 3,872 SF, Lot 2 measures 1,862 SF, which is 138 SF below the required minimum lot size of 2,000 SF. The size of the lot 2 is limited by the width limitation associated with a 20-foot building width with zero-foot setbacks on either side as well as the provision of a full 41-foot right-of-way on the eastern edge of the subject site and a hammerhead turnaround on the western edge of the site to accommodate a fire apparatus. Additionally, the width of Lot 2 is necessary to accommodate an efficient architectural design similar to the surrounding lots in the subdivision.

C. The use proposed is a permitted or conditional use as allowed in the applicable zoning district, and the standards of this code must be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;

Applicant's Findings: The proposed use for Lot 2 is a single-family attached dwelling, which is permitted in the R-9 zone. The proposed lot and intended development meet the all other standards of this code.

D. Existing physical and natural systems, such as but not limited to transportation facilities, utilities and sensitive lands, must not be adversely affected any more than would occur if the use or structure were developed in accordance with the provisions of this title; and

Applicant's Findings: The proposed variance is necessary to avoid impacts to the proposed transportation facilities and other physical and natural systems that would occur if the lot was platted in accordance with the provisions of this title.

E. The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship

Applicant's Findings: The requested variance is the minimum required for Lot 2 to accommodate the architectural design similar to the surrounding lots and to accommodate the proposed provision of right-of-way and hammerhead turnaround.

Chapter 16.180 Fences and Walls

16.180.020 Applicability of provisions.

The provisions of this chapter shall apply to all construction of new and altered fences.

Applicant's Findings: The applicant does not propose the construction of fencing at this time. Fences will be reviewed and installed at the time of dwelling unit development.

16.180.030 Administration.

- A. Applications for fences and walls shall be administered and reviewed as an administrative review in accordance with Article II of this title.**
- B. In instances where an alteration, extension or reconstruction is requested, the applicant shall apply for an accessory structure permit in accordance with this chapter**

Applicant's Findings: The applicant acknowledges the review procedure for proposed fences and walls outlined above.

16.180.040 Standards.

- A. New fences or fence alterations shall satisfy all the following standards:**
- B. 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
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.
 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.
 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.
 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.
 6. Visual clearance requirements may require elimination or height reduction of a proposed fence.
- C. The prescribed heights of fences or walls shall be measured from the base to the top of the fence as illustrated below.
 - D. Visual clearance standards in Chapter 16.144 of this title.
 - E. Landscaping and beautification standards in Chapter 16.124 of this title.
 - F. Fences and walls shall be constructed of wood, chain link, brick, wrought iron, decorative metal or similar material approved by the city manager.
 - G. The unfinished or structural side of the fence shall face the owner's property.
 - H. The owner must assume all responsibility for accurately determining property boundaries, and for any excavating within designated utility easements.
 - I. Fences and walls shall be located within private property and shall not be placed on public property or rights-of-way.

Applicant's Findings: The applicant does not propose the construction of fencing at this time. Fences will be reviewed and installed at the time of dwelling unit development.

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.

Applicant's Findings: The applicant acknowledges the requirement of the property owner to maintain any installed fence.

16.180.060 Restrictions.

- A. No fence, wall or other structure shall be placed or maintained in any rear yard abutting the golf course.**
- 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.**
- C. Electric fence shall not be constructed or maintained along a sidewalk, public way or an adjoining property.**

Applicant's Findings: The applicant does not propose a restricted fence described above. The requirements of this section are met.

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.****
- B. All subdivision proposals shall be in conformity with all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.**
- C. 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.**
- D. All subdivision proposals shall be consistent with the need to minimize flood damage.**
- E. Where land form 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.**
- F. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.**
- G. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and**

H. 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).

Applicant's Findings: The applicant proposes a twelve-lot preliminary subdivision to accommodate the future construction of attached single-family dwellings. As shown in the attached Shadow Plat (Sheet C041), the proposed subdivision will not hinder the future division of the adjacent large lot in accordance with the standards of the R-9 zone.

The most recent FEMA flood maps indicate that the proposed subdivision is located in the FEMA Flood Zone "X", which has a 0.2 percent chance-per-year of flooding (i.e. 500-year flood area). Therefore, the requirements for designation of open land described in Chapter 16.140 do not apply.

As shown in the attached Utility Plan (Sheet C300), all lots in the proposed subdivision are designed to be served with basic public utilities and facilities, and the attached Stormwater Report (Attachment D) details how drainage will be provided to reduce exposure to flood damage.

The requirements of this section are met.

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.**
- B. Final plat applications shall be administered and reviewed as an administrative decision in accordance with Article II of this title.**

Applicant's Findings: The applicant acknowledges the authority of the planning commission to review the proposed preliminary plat application.

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.**
- 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;**
 - 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**

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.
- 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.

Applicant's Findings: The applicant does not propose the phased development of dwelling units. Therefore, the requirements of this section do not apply.

**16.196.050 Submittal requirements—
Preliminary plat.**

- A. In addition to the forms and information required in Section 16.44.030, the following information shall be submitted:
1. The preliminary plat map and required data or narrative (number to be determined at the preapplication conference);
 2. The preliminary plat map and data or narrative shall include the following:
 - a. The name and address and telephone number of the following:
 - i. The owner(s) of the subject parcel,
 - ii. The owner (s)' authorized agent, and
 - iii. The land surveyor and engineer;
 3. Sheet size for the preliminary plat shall preferably not exceed eighteen inches by twenty-four inches;
 4. The scale shall be an engineering scale, and limited to one phase per sheet;
 5. The proposed name of the subdivision shall comply with ORS Chapter 92 and shall not duplicate or resemble the name of any other subdivision in the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the applicant files and records the consent of the party that platted the subdivision bearing that name;
 6. Vicinity map showing the general location of the subject property in relationship to arterial and collector streets;
 7. The date of application;
 8. The boundary lines of the tract to be subdivided;
 9. The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land;
 10. Contour lines related to a city established benchmark at two-foot intervals for grades zero to ten percent and five-foot intervals for grades over ten percent;
 11. The purpose, location, type and size of all the following (within and adjacent to the proposed subdivision) existing and proposed:

- a. Public and private rights-of-way and easements,
 - ~~b. Public and private sanitary and storm sewer lines, domestic water mains including fire hydrants, gas mains, major power (50,000 volts or better), telephone transmission lines, cable television lines, and watercourses, and~~
 - c. Deed reservations for parks, open spaces, pathways and any other land encumbrances;
12. Approximate plan and profiles of proposed sanitary and storm sewers with grades and pipe sizes indicated and plans of the proposed water distribution system, showing pipe sizes and the location of valves and fire hydrants;
 13. Approximate centerline profiles showing the finished grade of all streets including street extensions for a reasonable distance beyond the limits of the proposed subdivision;
 14. Scaled cross sections of proposed street rights-of-way;
 15. The location of all areas subject to inundation or storm water overflow, and the location, width and direction of flow of all watercourses and drainageways;
 16. The proposed lot configurations, approximate lot dimensions and lot numbers. Where lots are to be used for purposes other than residential, it shall be indicated upon such lots. Each lot shall abut upon a public street;
 17. The location of all trees having a six-inch caliper or greater measured at four feet above ground level, and the location of proposed tree plantings, if any;
 18. The existing use of the property, including location of all structures and present use of the structures, and a statement of which structures are to remain after platting;
 19. Supplemental information including proposed deed restrictions, if any, proof of property ownership, and a proposed plan for provision of subdivision improvements; and
 20. Existing natural features including rock outcroppings, wetlands and marsh areas.
 21. The north arrow.
- C. If any of the foregoing information cannot practicably be shown on the preliminary plat, it shall be incorporated into a narrative and submitted with the application.
 - D. The manager may require information in addition to that required by the chapter when it is found that certain information is necessary to properly evaluate the application.
 - E. The manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application

Applicant's Findings: Attached to this application is a Preliminary Plat (Sheet C040) detailing the proposed subdivision featuring all of the required elements listed above.

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;
 2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92;
 3. The proposed streets and accessways are designed in accordance with Chapter 16.212;
 4. Parks shall be conveniently located so as to provide direct public access and availability 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.
- 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.

Applicant's Findings: As detailed in applicable sections in this narrative, the proposed subdivision meets the preliminary plat requirements listed above, including Chapter 16.212. The proposed plat name "Ponderosa Pines" is not duplicative and satisfies the applicable provisions of ORS 92.

The applicant acknowledges the authority of the planning conditions to attach conditions of approval, including reserve strips for the purpose of controlling access to adjoining properties. The requirements of this section are met.

16.196.070 Submittal requirements—Final plat.

Unless otherwise provided in Section 16.196.030, the applicant shall submit:

- A. A final plat and five copies to the manager within one year which complies with the approved preliminary plat; and**
- B. The required fee as found in the city's schedule of fees and penalties**

Applicant's Findings: The applicant will submit the required elements for a final plat after approval of the preliminary plat.

16.196.080 City review of final plat—

Approval criteria.

The manager and the city's consulting engineer shall review the final plat and shall approve or deny the final plat approval based on findings that:

- A. The final plat complies with the plat approved by the planning commission and all conditions of approval have been satisfied;**
- B. The streets and roads for public use are dedicated without reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities;**

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- C. The streets and roads held for private use and indicated on the tentative plan of such subdivision have been approved by the city;
 - D. The plat contains a donation to the public of all common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems;
 - E. An explanation is included which explains all of the common improvements required as conditions of approval and are in recordable form and have been recorded and referenced on the plat;
 - F. The plat complies with the applicable zoning ordinance and other applicable ordinances and regulations;
 - G. A certification by the Tigard water district that water will be available to the lot line of each and every lot depicted on the proposed plat;
 - H. A certificate has been provided by the unified sewerage agency supplier that a sewage disposal system must be available to the lot line of each and every lot depicted in the proposed plat;
 - I. Copies of signed deeds have been submitted granting the city a reserve strip as provided by Section 16.196.060;
 - J. The final plat has been made upon materials that is suitable for binding and copying purposes that has characteristics of strength and permanency and that complies with the recording requirements of Washington County;
 - K. The lettering of the approvals, dedication and affidavit of the surveyor is of such a size and type, and the plat is at such a scale, as will be clearly legible, but no part shall come nearer any edge of the sheet than three inches;
 - L. If there is more than one sheet, a face sheet and index has been provided; and
 - M. The plat contains a surveyor's affidavit by the surveyor who surveyed the land represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92 and indicating the initial point of the survey, and giving the dimensions and kind of such monument, and its reference to some corner established by the U.S. Geological Survey or giving two or more objects for identifying its location.

Applicant's Findings: The applicant acknowledges the requirements for approval of a final plat listed above. The applicant will address these standards upon submittal of a final plat application.

16.196.090 Centerline monumentation— Monument box requirements.

A. Centerline Monumentation.

1. The centerlines of all street and roadway rights-of-way shall be monumented before city acceptance of street improvements; and
2. The following centerline monuments shall be set:
 - a. All centerline-centerline intersection points,

- b. All cul-de-sac center points, and
- c. Curve points, beginning and ending points (point of curvature (P.C.) and point of tangency (P.T)).

B. Monument Boxes Required.

- 1. Monument boxes conforming to city standards will be required around all centerline intersection points and cul-de-sac center points; and
- 2. The tops of all monument boxes must be set to finished pavement grade.

Applicant's Findings: The applicant acknowledges the requirement for proper monumentation prior to city acceptance of street improvements.

16.196.100 Improvement agreement.

A. Before city approval is certified on the final plat, and before approved construction plans are issued by the city, the subdivider shall:

- 1. Execute and file an agreement with the manager specifying the period within which all required improvements and repairs shall be completed; and
- 2. Include in the agreement provisions that if such work is not completed within the period specified, the city may complete the work and recover the full cost and expenses from the subdivider.

B. The agreement shall stipulate improvement fees and deposits as may be required to be paid and may also provide for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract. All improvements shall comply with Chapter 16.196 of this code.

Applicant's Findings: The applicant acknowledges the requirement for an improvement agreement prior to approval of the final plat.

16.196.110 Bond—Cash deposit.

A. As required by Section 16.196.100, the subdivider shall file with the agreement an assurance of performance supported by one of the following:

- 1. An irrevocable letter of credit executed by a financial institution authorized to transact business in the state of Oregon;
- 2. A surety bond executed by a surety company authorized to transact business in the state of Oregon which remains in force until the surety company is notified by the city in writing that it may be terminated; or
- 3. Cash.

B. The assurance of performance shall be for a sum determined by the city's consulting engineer as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

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- C. The subdivider shall furnish to the city's consulting engineer an itemized improvement estimate, certified by a registered civil engineer, to assist the city's consulting engineer in calculating the amount of the performance assurance.
 - D. In the event the subdivider fails to carry out all provisions of the agreement and the city has unreimbursed costs or expenses resulting from such failure, the city shall call on the bond, cash deposit or letter of credit for reimbursement.
 - E. The subdivider shall not cause terminating of nor allow expiration of said guarantee without having first secured written authorization from the city.

Applicant's Findings: The applicant acknowledges the requirement to provide assurance of performance through the methods outlined above.

16.196.120 Filing and recording.

- A. Within sixty days of the city review and approval, the applicant shall submit the final plat to the county for signatures of county officials as required by ORS Chapter 92.
- B. Upon final recording with the county, the applicant shall submit to the city a mylar copy of the recorded final plat.

Applicant's Findings: The applicant acknowledges the sixty-day timeline to submit final plat to the county after city approval.

16.196.130 Prerequisites to recording the plat.

- A. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92.
- B. No plat shall be recorded until it is approved by the county surveyor in the manner provided by ORS Chapter 92.

Applicant's Findings: The applicant acknowledges the requirement to pay all outstanding property taxes and fees and receive approval from the county surveyor prior to final plat recordation.

16.196.140 Vacation of plats.

- A. Any plat or portion thereof may be vacated by the owner of the platted area at any time prior to the sale of any lot within the platted subdivision.
- B. All applications for a plat or street vacation shall be made in accordance with Sections 16.196.030 and 16.196.050, and Section 16.196.070.
- C. The application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys.
- D. All approved plat vacations shall be recorded in accordance with Section 16.196.120:

1. Once recorded, the vacation shall operate to eliminate the force and effect of the plat prior to vacation; and
 2. The vacation shall also divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described on the plat.
- E. When lots have been sold, the plat may be vacated in the manner herein provided by all of the owners of lots within the platted area.

Applicant's Findings: The applicant acknowledges the ability of a property owner to vacate a recorded plat as described above.

16.196.150 Vacation of streets.

All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271.

Applicant's Findings: The applicant does not propose the vacation of a street at this time. The requirements of this section do not apply.

Chapter 16.208 Improvements

16.208.020 Improvement procedure.

- A. Work shall not begin until plans have been checked for adequacy and compatibility and approved by the city. To the extent required for evaluation of the development proposal, plans may be required before approval of the final map.
- B. Work shall not begin until the city has been notified in advance and if work is discontinued for any reason shall not be resumed until the city has been notified.
- C. Improvements shall be constructed under the inspection of and to the satisfaction of the city. The city may require changes in typical sections and details if unusual conditions arise during construction to warrant the change in the public interest.
- D. All utilities shall be underground, and such utilities, sanitary sewers, storm drains installed in streets, and any other underground installations in streets shall be constructed prior to the surfacing of such streets. Stubs for service connections for all underground utilities and sanitary sewers shall be placed to such length as will obviate the need for disturbing street improvements when service connections are made, except that in the event that such connections are required to lines or laterals existing where streets have already been improved, the city will grant the developer the right to open the street for such connection. Such grant will include the responsibility of the developer to make such opening and subsequent closure with all reasonable promptness, with maximum regard for public safety and normal movement of traffic. The street, in such cases, must be restored as nearly as possible to its condition prior to the opening and such restoration guaranteed for one year thereafter.

E. A map showing all public improvements as built shall be filed with the city upon completion of such improvements.

Applicant's Findings: The applicant proposes the dedication of a 41-foot full right-of-way on the eastern portion of the proposed subdivision as well as a 24.5-foot half right-of-way plus 14.5 feet for half of the street width (total 39-foot wide dedication) on the northern portion of the subdivision. The proposed right-of-way features the provision of a full paved area for vehicular travel and underground utility distribution and a curb, gutter, landscape strip and sidewalk adjacent to the proposed single-family attached lots.

Attached to this application is a Utility Plan (Sheet C300) detailing the proposed configuration of utilities to serve future dwelling units. All proposed utility lines are proposed to meet City standards and be installed underground. The applicant will submit as-built documents after the completion of construction activity.

The requirements of this section are met.

16.208.030 Improvement requirements.

Improvements included, but not limited to, to be installed at the expense of the subdivider or developer are as follows:

- A. Transportation. All streets shall be graded for the entire width, and roadways shall be improved with paving, curbs, adequate drainage, including grilled storm drain openings, and sidewalks. The developer shall improve the extension of all streets to the centerline of existing streets with which the streets of the development intersect. Streets, sidewalks and accessways shall be provided in accordance with Chapter 16.212.**
- B. Sanitary Sewer. Sanitary sewer facilities connecting with the existing city sewer system shall be installed to serve each lot. No septic tanks or cesspools will be permitted within the city. The design and location of sanitary sewer facilities shall meet all applicable requirements and standards of the Washington County clean water services (CWS).**
- C. Storm Water Management and Erosion Control. All storm water management and erosion control measures shall comply with the applicable requirements and standards of the CWS.**
- D. Water. Water mains and fire hydrants, design, layout and locations shall be as required by the Tigard water district, Tualatin rural fire district and the city fire prevention code.**
- E. Street Name Signs and Lighting. Street name signs and provisions for street lighting shall conform to and be compatible with existing signs and existing provisions for lighting. Street signs shall be installed at all street intersections. Other signs may be required upon recommendation of the city council.**

Applicant's Findings: Transportation – The applicant proposes the dedication of a 41-foot full right-of-way on the eastern portion of the proposed subdivision as well as a 24.5-foot half right-of-way plus 14.5 feet for half of the street width (total 39-foot wide dedication) on the northern portion of the subdivision. The proposed right-of-way features the provision

of a full paved area for vehicular travel and underground utility distribution and a curb, gutter, landscape strip and sidewalk adjacent to the proposed single-family attached lots.

Sanitary Sewer – The applicant proposes the provision of an 8” sanitary main along the proposed road, connecting to the existing sanitary line on SW Caesar Ter and terminating at an 8” stub adjacent to the northern parcel. Each proposed dwelling will connect to the main via a 4” sanitary sewer lateral.

Stormwater Management and Erosion Control – In order to protect the proposed subdivision from flood damage and erosion, the applicant proposes the application of a 12” public storm main along the proposed road and connecting to the existing storm drainage system on SW Caesar Ter. Each proposed dwelling will connect to the storm main via a 6” private storm lateral. The applicant also proposes two curb grate inlets and one catch basin connecting to the main via a 6” storm lateral.

Runoff from the 11 lots and public street and sidewalks will be treated in an existing vegetated swale constructed for the Castle Oaks Subdivision. A fee-in-lieu is requested to treat stormwater at the offsite location. The existing swale was designed and constructed to provide in excess of 91,000 sf of impervious area.

Water – The applicant proposes the installation of water meters and service connection laterals connecting to a proposed main along the newly proposed road, which connects to the existing water main on SW Caesar Ter. The applicant proposes one fire hydrant to ensure adequate fire protection for future dwellings.

Street Name Signs and Lighting – As shown on the Photometric Plan (Sheet C270), the applicant proposes the installation of 6050-lumen LED-lighting with a Type III lighting distribution designed to minimize light trespass to adjacent properties. Additionally, street signs compatible existing signs in the neighborhood will be provided.

16.208.040 Specifications governing improvements.

All streets, curbs and sidewalks shall be constructed in accordance with county specifications.

Applicant’s Findings: All proposed streets, curbs and sidewalks have been designed in accordance with county specifications. The requirements of this section are met.

16.208.050 Guarantee on workmanship.

All improvements installed by the subdivider or developer shall be guaranteed as to workmanship and material for a period of one year following acceptance by the city. Such guarantee may be secured by bond in an amount not to exceed the value of the improvements if required and as may be determined by the city council.

Applicant's Findings: The applicant acknowledges the requirement to furnish a bond to guarantee the workmanship and material for the proposed improvements.

16.208.060 Responsibility for costs.

All improvements specified in this chapter shall be installed at the expense of the subdivider or developer.

Applicant's Findings: The applicant acknowledges the responsibility of the developer to install the proposed improvements.

16.208.070 Variances.

The city council may vary from any of the requirements of this chapter providing the council determines that there are special conditions and/or circumstances that such variance would be in the best interest of the community as a whole.

Applicant's Findings: The applicant does not request a variance for the proposed improvements. Therefore, the requirements of this section do not apply.

16.208.080 Appeals.

Any action or ruling by the official authorized to enforce this chapter may be appealed to the city council within fifteen days after the decision by filing written notice with the city recorder. If no appeal is filed within the fifteen-day period, the decision of the official shall be final. If an appeal is filed, the council will hold a public hearing at which time written and oral testimony pertinent to the appeal will be considered.

Applicant's Findings: The applicant acknowledges the process for appeals outlined above.

16.208.090 Conflicts with other provisions.

Nothing in this chapter shall be construed as conflicting with or superseding existing ordinances concerning building or plumbing codes, fire prevention code or other, provided that, if conflict appears, maximum requirements shall prevail.

Applicant's Findings: The applicant acknowledges the provision for code conflicts detailed above.

16.208.100 Enforcement.

A performance bond, cash deposit or written agreement, as determined by the city council, will be required to assure that improvement installations comply with the standards contained in this chapter, such bond deposit or agreement to be filed with the city prior to approval by the city for planned subdivision or land development.

Applicant's Findings: The applicant acknowledges the requirement to submit a performance bond or other measure for the proposed improvement installations prior to approval of the proposed subdivision.

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.**

Applicant's Findings: The applicant proposes a twelve-lot subdivision; therefore, the requirements of this section are applicable.

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.

Applicant's Findings: The applicant acknowledges the review procedure described above.

16.212.040 Submittal requirements—Circulation analysis.

- A. The application and support information required by this title for a related site plan review, conditional use and/or subdivision application shall be submitted.**
- B. The applicant shall also provide a circulation analysis that includes the following information:**
 - 1. For all development on a site of two acres or less, the applicant shall submit a circulation analysis, which shows the proposed location of streets and accessways on the property as well as the location of streets, accessways, property lines, and development within six hundred feet of the proposed development site.**
 - 2. For all development on a site, which exceeds two acres, the applicant shall submit a circulation analysis, which at a minimum includes the subject site and the entirety of all property within six hundred feet of the proposed development site. This analysis shall incorporate the following features both on-site and off-site:**
 - a. It shall be produced on paper that is eighteen inches by twenty-four inches in size, or a size approved by the manager;**

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- b. A scale of one inch to one hundred feet is suggested, however, the scale may be increased or decreased as approved by the manager;
 - c. Existing and proposed topography for slopes of ten percent or greater, with contour intervals not more than ten feet;
 - d. Drainage hazard areas, flood plains and significant natural resources areas;
 - e. The name, location, right-of-way, pattern and grades of all existing and approved major collector, neighborhood collector and local streets, bikeways, pedestrian ways and accessways;
 - f. Proposed streets and off-street bike or pedestrian ways identified in the King City comprehensive plan or relevant adopted plans of other local jurisdictions;
 - g. All permanent structures;
 - h. Property lines;
 - i. Pedestrian-oriented uses within one thousand feet of the site;
 - j. Transit streets and facilities; and
 - k. All streets and accessways proposed by the applicant.
- C. The applicant shall provide a traffic study when required by Washington County or the Oregon Department of Transportation

Applicant's Findings: Attached to this application is a Site Plan (Sheet C200) detailing the proposed circulation system for the proposed subdivision featuring all of the required elements listed above. Neither the county nor ODOT has required a traffic study for the proposal; therefore, the requirements of subsection C are not applicable.

16.212.050 Approval standards—On-site street and accessway circulation.

- A. The following review standards in this section shall be used to:
1. Provide a generally direct and interconnected pattern of streets and accessways to ensure safe and convenient access for motor vehicles, pedestrians, bicyclists and transit users; and
 2. Ensure that proposed development will be designed in a manner, which will not preclude properties within the circulation analysis area from meeting the requirements of this section.

Applicant's Findings: The proposed street and circulation system is designed to maximize connectivity between the subject site and the surrounding street network to the greatest extent practicable. Additionally, the proposed layout preserves the capability to connect to SW Shakespeare St to the north and SW 131st St to the east as other parcels develop.

- B. On-site streets for residential, office, retail and institutional development shall satisfy the following criteria:

1. Block lengths for local and collector streets shall not exceed five hundred thirty feet between through streets, measured along the nearside right-of-way line of the through street.
2. The total length of a perimeter of a block for local and collector streets shall not exceed one thousand eight hundred feet between through streets, measured along the nearside right-of-way line.
3. Streets shall connect to all existing or approved public stub streets, which abut the development site.
4. Within the West King City planning area, local streets shall be located and aligned to connect with the planned neighborhood collector street that will extend west from SW Fischer Road and/or to SW 131st Avenue.
5. Within the West King City planning area, street system design shall include a minimum of two future local street connections to SW 137th Avenue and a minimum of one future local street connection to the property presently occupied by the Mountain View manufactured home park. If the location of the UGB or existing development precludes a street connection(s) at the time of development, the streets to SW 137th Avenue shall be fully dedicated and improved up to the city limit, or the western edge of the development, and a financial security acceptable to the city to ensure the streets' construction if SW 137th Avenue is brought into the UGB. The northern street shall be dedicated or otherwise reserved for future public street use. Reserve strips shall be provided on all future streets. The developer shall be responsible for installation of a sign at the terminus of each public street that clearly states that the street will be extended in the future.
6. Although an interconnected street system is required by the provisions of this chapter, local street systems shall be designed to discourage motorists traveling between destinations that are outside of the neighborhood being served by the local streets.
7. Cul-de-sacs and permanent dead-end streets shall be prohibited except where construction of a through street is found to be impractical according to the provisions of Section 16.212.080(A).
8. When cul-de-sacs are allowed, they shall be limited to two hundred feet and no more than twenty-five dwelling units unless a modification is justified as provided in Section 16.212.080(A).

Applicant's Findings: The proposed street layout connects the site to SW Bedford St, which leads to the nearest collector – SW 131st Ave. While the proposed street terminates at the western end of the parcel, this is due to the presence of Deer Creek on the western edge of the subject property and developed cul-de-sac on the other side of the creek precludes the connection of the proposed street. The proposed configuration preserves the capability to connect to SW Shakespeare St to the north and SW 131st St to the east as other adjacent parcels develop. The proposed layout results in a

block length measuring approximately 450 feet. The requirements of this section are met.

- C. On-site sidewalks and accessways for residential, office, retail and institutional development shall satisfy the following criteria:
1. For blocks abutting an arterial or major collector and exceed lengths of five hundred thirty feet, an accessway shall be provided to connect streets for every three hundred thirty feet of block length or portion thereof.
 2. Accessways shall connect with all existing or approved accessways, which abut the development site.
 3. Accessways shall provide direct access to abutting pedestrian-oriented uses and transit facilities, which are not served by a direct street connection from the subject property. Accessways shall provide future connection to abutting underdeveloped or undeveloped property, which is not served by a direct street connection from the subject property, where the abutting property line exceeds three hundred thirty feet. Where the abutting property line exceeds five hundred thirty feet, additional accessways may be required by the approval authority based on expected pedestrian demand. In the case where the abutting properties are limited commercial and/or residential, the approval authority may determine that such a connection or connections are not feasible or present public safety issues. The approval authority may reduce the number of required accessways to abutting properties if:
 - a. Such a reduction results in spacing of streets and/or accessways of three hundred thirty feet or less; and
 - b. Reasonably direct routes are still provided for pedestrian and bicycle travel in areas where pedestrians and bicycle travel is likely if connections are provided.
 4. Direct connection of cul-de-sacs and dead-end streets to the nearest available street or pedestrian oriented use.
 5. Accessways may be required to stub into adjacent developed property if the approval authority determines that existing development patterns or other constraints do not physically preclude future development of an accessway on the developed property and the adjacent developed property attracts, or is expected to attract, a greater than average level of pedestrian use.
 6. The city design standards for neighborhood collector and local streets include sidewalks on both sides of the street.

Applicant's Findings: The proposed subdivision features a 5-foot wide sidewalk that connects to an existing sidewalk connection on SW Caesar Terrace to the south of the subject site. The proposed sidewalk provides direct pedestrian connection from the subject site to the surrounding pedestrian network. The proposed connection also preserves the option for future connections to the north and east and provide sidewalks on both sides of the street as adjacent parcels develop. The requirements of this section are met.

- D. The King City comprehensive plan includes capacity guidelines for neighborhood collector and local streets. To ensure that new development does not place undue traffic burdens on neighborhood streets, the following maximum dwelling unit standards shall apply to any subdivision, site plan review or conditional use in the SF, AT, R-9, R-12, R-15, and R-24 zone:
1. A maximum of three hundred single and/or multiple-family dwellings shall be served exclusively by one neighborhood collector street to reach the regional street system of major collector and arterial streets. In the case of single-family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.
 2. A maximum of one hundred twenty single and/or multiple-family dwellings shall be served exclusively by one local street to reach a neighborhood collector street or the regional street system of major collector and arterial streets. In the case of single-family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.
 3. The circulation analysis required in Section 16.212.040 shall demonstrate how the standards in subsections (D)(1) and (D)(2) of this section will be satisfied when full development or development phases are completed.

Applicant's Findings: The subject site is served by the local SW Bedford Street, which connects to SW 131st Ave, which is classified as a neighborhood collector street for the West King City Planning Area, the nearest major collector. SW Bedford Street currently serves 31 dwelling units and SW 131st Ave currently serves 263 dwelling units.

The proposed subdivision would add a total of eleven new homes to the existing transportation network. This would result in an increase in the total number of homes served on SW Bedford Street to 42 units and on SW 131st Ave to 274 dwelling units. Both increases are within the maximum permitted dwelling units to be served by local streets and neighborhood collectors as described above. The requirements of this section are met.

16.212.060 Approval standards—Internal pedestrian circulation.

- A. Number of Pedestrian Connections for Multifamily Residential, Office, Retail and Institutional Uses.
1. All developments on one lot that generate more than twenty additional average daily (vehicle) trips (ADT) shall provide a pedestrian connection between the street and the main entrance of the primary structure on the lot. For lots with more than one street frontage, a connection shall be provided to each street. For new development on lots with multiple buildings, a pedestrian connection shall be provided between the street and the center of the internal pedestrian network.
 2. All developments that generate more than five hundred ADT shall provide:

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- a. A connection from the main entrance of the primary structure to a point within twenty feet of any transit stop located along the frontage of the subject property;
 - b. A connection to a point within twenty feet of any mid-block pedestrian crossing; and
 - c. An internal connection for every two hundred feet of street frontage including connections provided per subsections (A)(2)(a) and (A)(2)(b) of this section. Connections shall be arranged to ensure direct access to buildings on the lot for pedestrians accessing the lot from any direction.
3. In addition to pedestrian connections required by 16.212.070(A), connections shall be provided between the proposed development and all offsite pedestrian connections on adjacent properties or streets as required by this chapter.
 4. Internal connections shall also be provided between different major destinations on the lot, such as from one building to another. Connections are not required between buildings or portions of a lot, which are not intended for or likely to be used by pedestrians.
 5. Connections shall be as direct as practicable, and circuitous routes shall be avoided.
- B. Internal Pedestrian Connection Design for Multi-family Residential, Office, Retail and Institutional Uses.**
1. Where connections cross driveways, parking areas 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. If striping is used to identify a connection, the striping must be thermal plastic striping or other heavy-duty material that will have relatively little maintenance. Where connections are parallel and adjacent to an auto travel lane, the connection must be safely separated from the auto travel lane through the use of a raised path, a raised curb, bollards, landscaping or other physical barrier.
 2. Connections shall be at least ten feet in paved unobstructed width when bicycles are intended to share the connection. When bicycle travel is otherwise adequately provided, connections shall be at least five feet in paved unobstructed width. Connections, which are likely to be used at night, must be lighted. If lighting for other purposes provides adequate light to a pedestrian connection, separate lighting is not required.

Applicant's Findings: According to the ITE Trip Generation Manual (10th edition), single-family homes generate 9.1 average daily trips per dwelling. Therefore, the proposed subdivision will not produce a lot that will generate twenty or more average daily trips (ADT) and the requirements of this section do not apply.

16.212.070 Approval standards—Accessway and greenway design standards.

- A. Accessways shall be direct with at least one end of the accessway always visible from any point along the accessway.
- B. Accessways shall have a maximum slope of five percent wherever practical.
- C. Accessways shall be no longer than three hundred feet in length between streets. The length of the accessway shall be measured from the edge of right-of-way between streets. Accessways shall include a ten-foot wide right-of-way with a minimum eight-foot wide paved surface to safely accommodate both pedestrians and bicyclists. When the approval authority determines that a proposed accessway will accommodate significant volumes of pedestrian and/or bicycle traffic, the right-of-way width and pavement width may be increased to a maximum of fifteen feet and twelve feet respectively.
- D. Fencing along or within ten feet of lot lines adjacent to accessways is permitted, provided that it complies with the provisions of Chapter 16.180.
- E. The paved portion of the accessway shall be free of horizontal obstruction and shall have a nine foot, six-inch vertical clearance to accommodate bicyclists.
- F. All unpaved portions of accessways shall be landscaped. New landscaping materials shall be selected and sited in conformity with Chapter 16.124, and be limited to canopy trees, shrubs, ground cover, vines, flowers, lawns, brick, bark, timber, decorative rock or other decorative materials.
- G. Existing trees within the right-of-way are subject to preservation or removal according to procedures in Chapter 16.128.
- H. Where street lighting is not present at accessway entrances, pedestrian scale lighting shall be provided, which:
 - 1. Does not exceed sixteen feet in height;
 - 2. Has a minimum of one-half footcandles average illumination and a uniformity ratio not exceeding five to one;
 - 3. The lamp shall include a high-pressure sodium bulb with an unbreakable lens; and
 - 4. Lamps shall be oriented so as not to shine excessive amounts of light upon adjacent residences.
- I. Accessway lighting, as described in the Section 16.212.060(H) may also be required at intermediate points along the accessway as determined by the city engineer.
- J. Accessway surfaces shall be constructed of asphaltic concrete or other all-weather surfaces approved by the city engineer.
- K. Accessway curb ramps shall be provided where accessways intersect with streets.
- L. Accessways shall be signed to prohibit access by unauthorized motor vehicles where accessways intersect with streets.
- M. Accessways shall require a physical barrier at all intersections with streets, to prevent use of the facility by unauthorized motor vehicles. Barriers shall:
 - 1. Be removable, lockable posts permitting access by authorized vehicles;
 - 2. Be reflectorized for night visibility and painted a bright color for day visibility; and
 - 3. Be spaced five feet apart.

- N. When an accessway is provided between two properties, and at least one of the accessways is an internal connection, the accessway shall be ten feet wide. For example, a shopping center required to provide a connection to an undeveloped office commercial property shall leave at least a ten-foot wide gap in any fence or berm built near the property line at the end of the connection.
- O. When an accessway is required to connect to an existing accessway, and the existing accessway has a paved width less than ten feet, a transition shall be provided between the two accessways as part of the required accessway.
- P. Greenways, intended to partially fulfill the circulation review standards of this chapter shall meet the standards of Section 16.212.060, with the following modifications:
1. A minimum thirty-foot wide right-of-way width;
 2. A minimum ten-foot wide paved accessway surface; and
 3. A greenway may exceed three hundred feet in length.

Applicant's Findings: The applicant does not propose an accessway as part of this application. Therefore, the requirements of this section do not apply.

16.212.080 Modification of standards.

The planning commission may approve a modification to the circulation analysis review standards of Sections 16.212.050 through 16.212.070 through a planning commission review based upon the relevant approval criteria in this section.

A. On-Site Street and Accessway Circulation.

1. On-site street and accessway circulation standards in Section 16.212.050 may be modified by the planning commission based on findings that:
 - a. The modification is the minimum necessary to address the constraint;
 - b. The circulation analysis demonstrates that the proposed street and accessway system for the subject property and surrounding area will perform as well as or better than a system, which meets the standards in this chapter; and
 - c. The application of the standard is impractical due to one or more of the following circumstances:
 - i. Physical or topographic conditions make it impractical to satisfy the street or walkway connection requirements of this chapter. These conditions include, but are not limited to, controlled access streets, steep slopes, wetlands, flood plains or water bodies where a connection could not reasonably be provided. Grades that are too steep for a street may not be too steep for an accessway.
 - ii. Buildings or other existing development on adjacent lands physically preclude a street or accessway connection now or in the future considering the potential for redevelopment. A modification to the maximum number of residential units or lots completely dependent upon a neighborhood collector or local street in Section 16.212.050(D), shall not be permitted without a corresponding

amendment to the King City comprehensive plan to allow a greater maximum average daily traffic count and/or number of residences on these streets.

- iii. Where streets or accessways would violate provisions of leases, easements, agency access standards or similar restrictions that are demonstrated to be legally beyond the control of the applicant, developer or property owner;
 - iv. Abutting undeveloped or underdeveloped property is within the one hundred-year flood plain;
 - v. Arterial or collector street access restrictions.
2. When a cul-de-sac is justified as provided in subsection (A)(1) of this section, an accessway shall be provided to connect with another street, greenway, school, or similar destination unless one or more of the circumstances listed in this section also apply to an accessway.
 3. The approval authority may require a sidewalk on only one side of a twenty-two-foot wide or twenty-eight-foot wide local street design options when it is determined that the existing or anticipated pedestrian traffic shall be safely and conveniently accommodated with one sidewalk.
- B. Internal Pedestrian Circulation.**
1. Internal pedestrian circulation standards in Section 16.212.060 may be modified by the planning commission based on findings that the modification is the minimum necessary to address the constraint and the application of the standard is impractical due to one or more of the following circumstances:
 - a. Physical or topographic conditions make a street or walkway connection impractical. These conditions include but are not limited to steep slopes, wetlands or water bodies on the property where a connection could not reasonably be provided.
 - b. Buildings or other existing development on the property or adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.
 - c. A reduction of the number of pedestrian connections required by 16.212.060(A) is justified because it shall not create an increase in out of direction travel from the street to any main building entrance for pedestrians walking to the site from an off-site accessway, the sidewalk or shoulder along the street where the property has frontage, a transit stop, pedestrian crossings on an arterial or collector street, or pedestrian oriented uses across a collector or local street.
 2. When a modification is justified as provided in subsection (B)(1) of this section, walking distances for pedestrian routes within and from the new development shall not be significantly increased from what would be developed under the requirements of this chapter.
- C. Accessway and Greenway Design Standards.** An accessway and greenway design standard in Section 16.212.070 may be modified by the planning commission based on findings that

the application of the standard is impractical, the proposed modification is the minimum necessary to address the constraint, and the alternative design solution proposed by the applicant meets the intent of the standard.

Applicant's Findings: The applicant does not request a modification to the circulation or accessway standards outlined in this section. Therefore, the requirements of this section do not apply.

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.**

Applicant's Findings: The applicant acknowledges the responsibility of the developer to convey necessary dedications and easements in order to ensure proper ownership, liability and maintenance of accessways.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the applicant respectfully requests approval from the City's Community Development Department for this Subdivision and Variance application.

LAND USE DOCUMENTS

FOR

PONDEROSA PINES SUBDIVISION

PREPARED FOR
PIN OAKS DEVELOPMENT COMPANY INC.



PROJECT TEAM

OWNER/APPLICANT

JAMES A. GATES
3J CONSULTING, INC.
17435 SW 131ST AVENUE
TIGARD, OR 97224
PHONE: 503-707-1880
EMAIL: james.gates@comcast.net

CIVIL ENGINEER

3J CONSULTING, INC.
9600 SW NIMBUS AVE, SUITE 100
BEAVERTON, OR 97008
CONTACT: AARON MURPHY
PHONE: 503-946-9365
EMAIL: aaron.murphy@3j-consulting.com

PLANNING CONSULTANT

3J CONSULTING, INC.
9600 SW NIMBUS AVE, SUITE 100
BEAVERTON, OR 97008
CONTACT: MERCEDES SERRA
PHONE: 503-946-9365
EMAIL: mercedes.serra@3j-consulting.com

PUBLISH DATE
12-05-2019

ISSUED FOR
LAND USE

REVISIONS

COVER SHEET
PONDEROSA PINES SUBDIVISION
PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR

SITE INFORMATION

SITE ADDRESS

17435 SW 131ST AVENUE
TIGARD, OR 97224

JURISDICTION

CITY OF KING CITY, OR

TAX LOT(S)

2S 1 16DB 01700

ZONING

R-9

FLOOD HAZARD

MAP NUMBER: 41067C0539F

LOCATION

NW 1/4 SE 1/4 OF SECTION 16, T.2S., R.1W., W.M.,
WASHINGTON COUNTY, OREGON

UTILITIES & SERVICES

STORM, SEWER

CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123
PHONE: 503-547-8100

WATER

CITY OF KING CITY
15300 SW 116TH AVE
KING CITY, OR 97224
PHONE: 503-639-4082

POWER

PORTLAND GENERAL ELECTRIC
2213 SW 153RD DR
BEAVERTON, OR 97006
PHONE: 800-544-1793

TELEPHONE

FRONTIER COMMUNICATIONS
4650 SW BETTS AVE #2813
BEAVERTON, OR 97005
PHONE: 877-462-8188

GAS

NORTHWEST NATURAL
NW AMBERWOOD DR
HILLSBORO, OR 97124
PHONE: 503-220-2415

PARKS

CITY OF KING CITY
15300 SW 116TH AVE
KING CITY, OR 97224
PHONE: 503-639-4082

CABLE

COMCAST
7219 SW HAZEL FERN RD
TIGARD, OR 97224
PHONE: 800-934-6489

ROADS

CITY OF KING CITY
15300 SW 116TH AVE
KING CITY, OR 97224
PHONE: 503-639-4082

POLICE, SCHOOLS

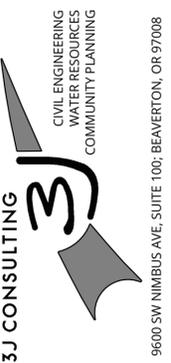
CITY OF KING CITY
15300 SW 116TH AVE
KING CITY, OR 97224
PHONE: 503-639-4082

FIRE

TUALATIN VALLEY FIRE & RESCUE
11945 SW 70TH AVE
TIGARD, OR 97223
PHONE: 503-649-8577

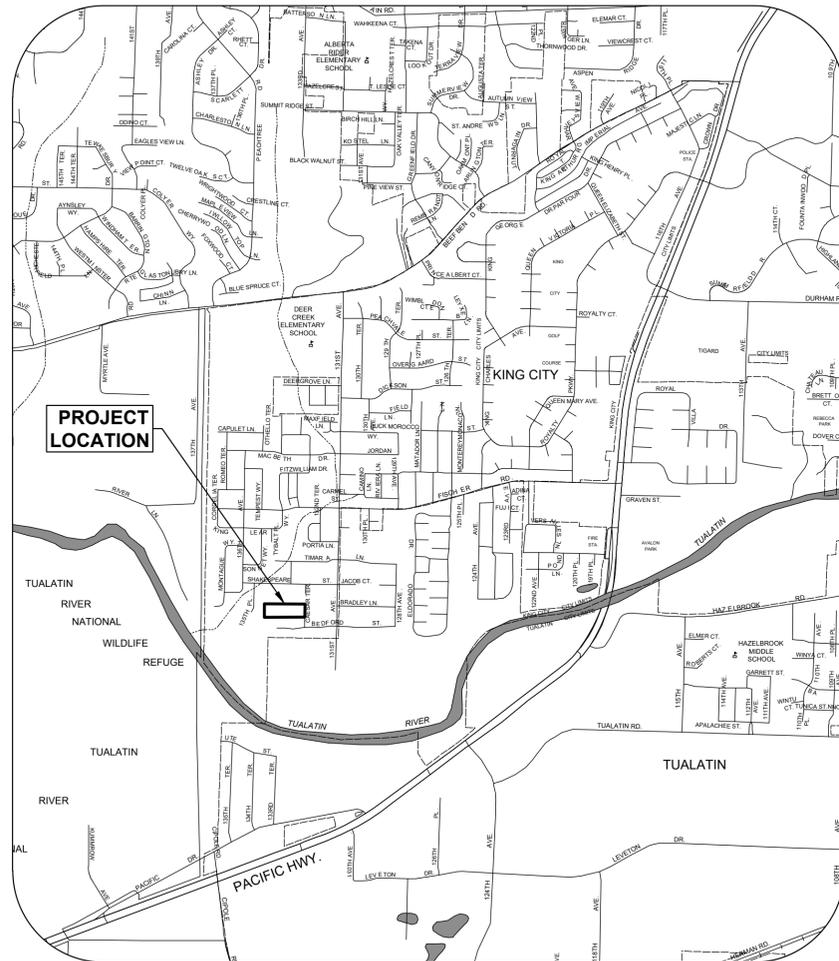
SHEET INDEX

C000	COVER SHEET
C040	TENTATIVE PLAT
C041	SHADOW PLAT
C120	EXISTING CONDITIONS & DEMOLITION PLAN
C121	TREE PRESERVATION PLAN
C122	TREE PRESERVATION NOTES
C200	SITE PLAN
C201	TYPICAL SECTIONS
C230	GRADING & EROSION CONTROL PLAN
C260	FIRE ACCESS PLAN
C270	PHOTOMETRICS PLAN
C300	COMPOSITE UTILITY PLAN

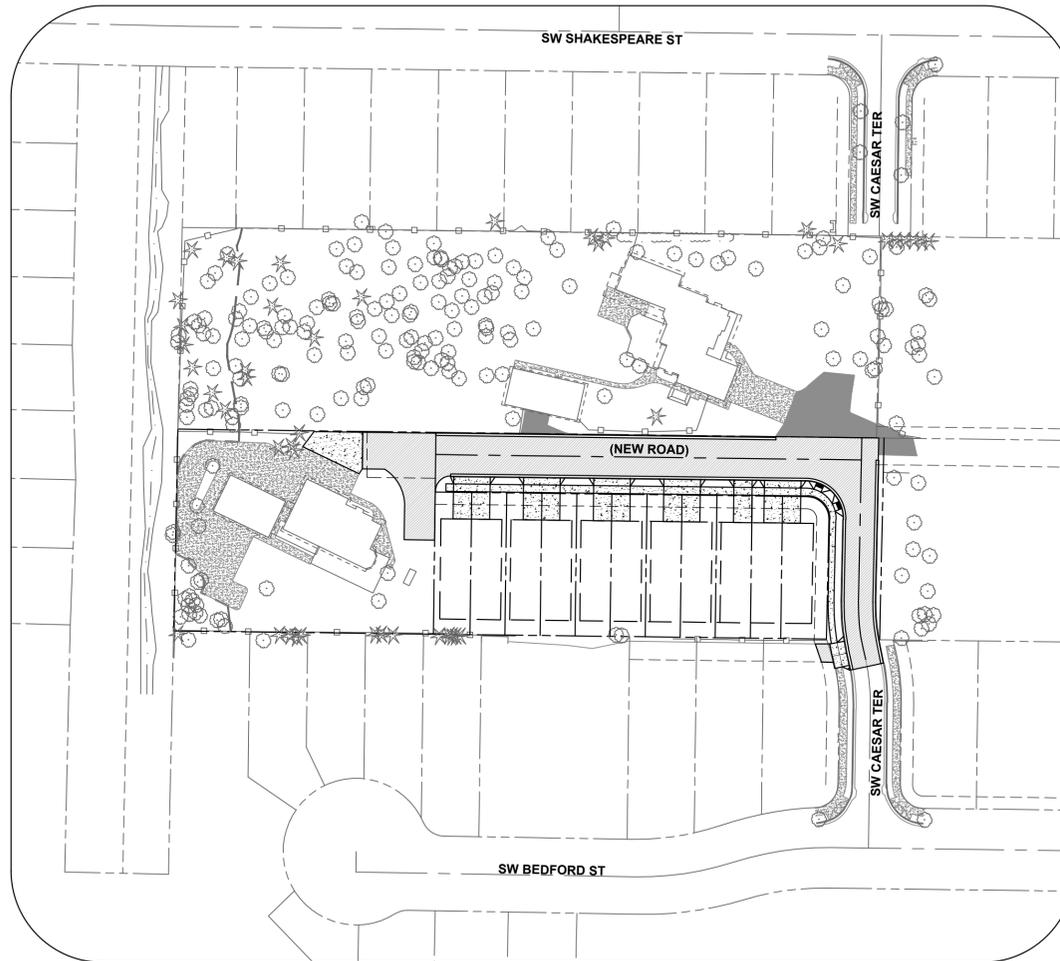


PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C000

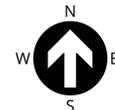


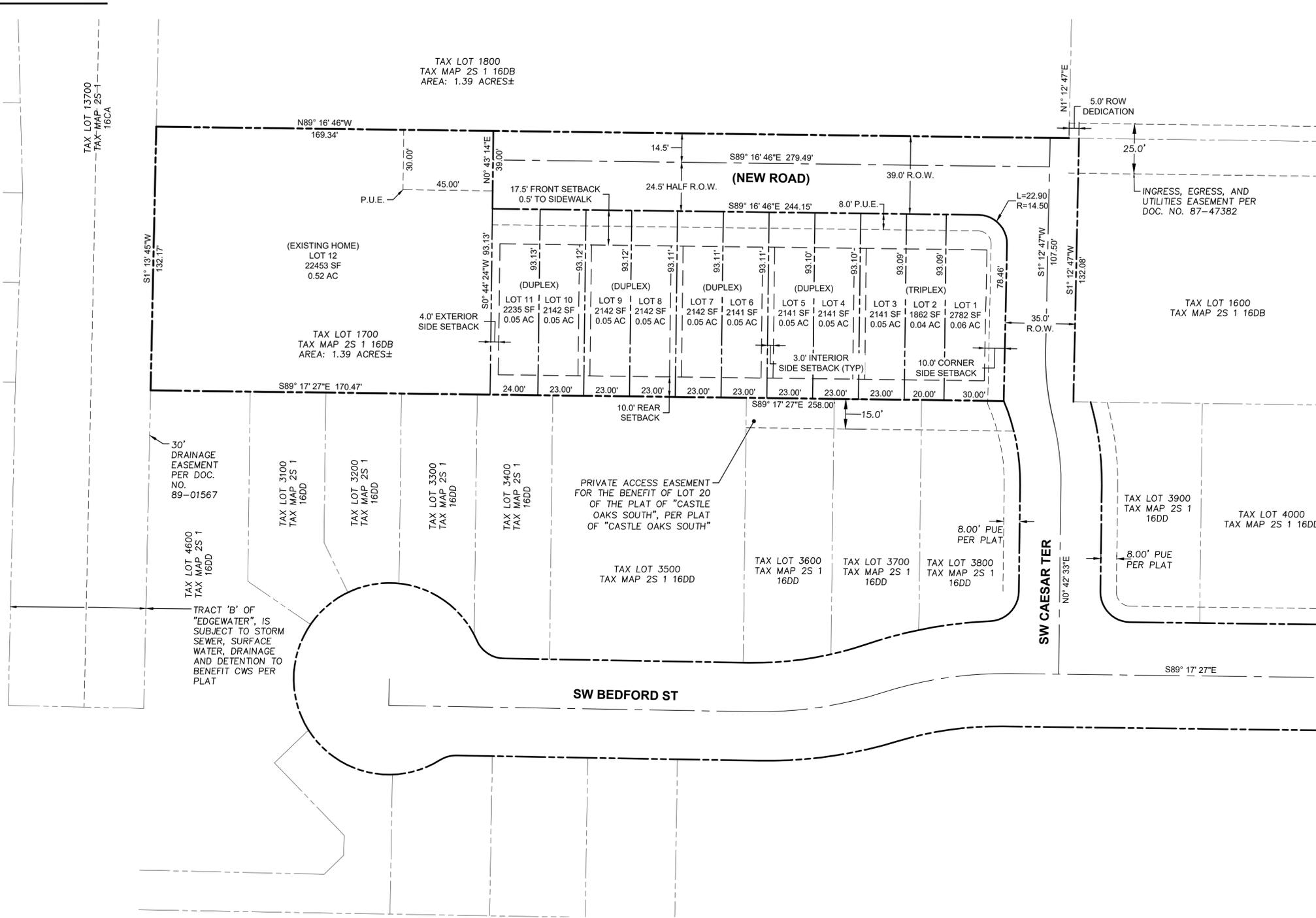
VICINITY MAP
NOT TO SCALE



SITE MAP

1" = 60'





LEGEND

	PROJECT BOUNDARY
	EXISTING RIGHT OF WAY
	EXISTING RIGHT OF WAY CENTERLINE
	EXISTING LOT LINE
	EXISTING EASEMENT LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED CENTERLINE
	PROPOSED LOT LINE
	PROPOSED EASEMENT LINE
	PROPOSED SETBACK LINE

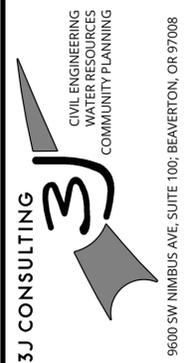
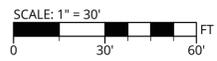
SITE STATISTICS

SITE ADDRESS	17435 SW 131ST AVENUE
TAX MAP	2S 1 16DB 01700
JURISDICTION	CITY OF KING CITY
NET SIZE	1.39 ACRES
DIMENSIONAL REQUIREMENTS	
ZONING	R-9
MIN. DENSITY (7.2 U/A)	10 UNITS
MAX. DENSITY (9 U/A)	12 UNITS
PROPOSED DENSITY	12 UNITS
SETBACKS	
FRONT	18 FT
SIDE (INTERIOR)	3 FT
SIDE (EXTERIOR)	4 FT
CORNER SIDE	10 FT
REAR	10 FT
PROPOSED LOT DIMENSIONS	
AVG. DEPTH	96.4 FT
AVG. WIDTH	35.7 FT
MIN. LOT AREA	(LOT 2) 1,862 SF
AVG. LOT AREA	3,872 SF
MAX. LOT AREA	(LOT 12) 22,453 SF



PUBLISH DATE
12-05-2019
ISSUED FOR
LAND USE
REVISIONS

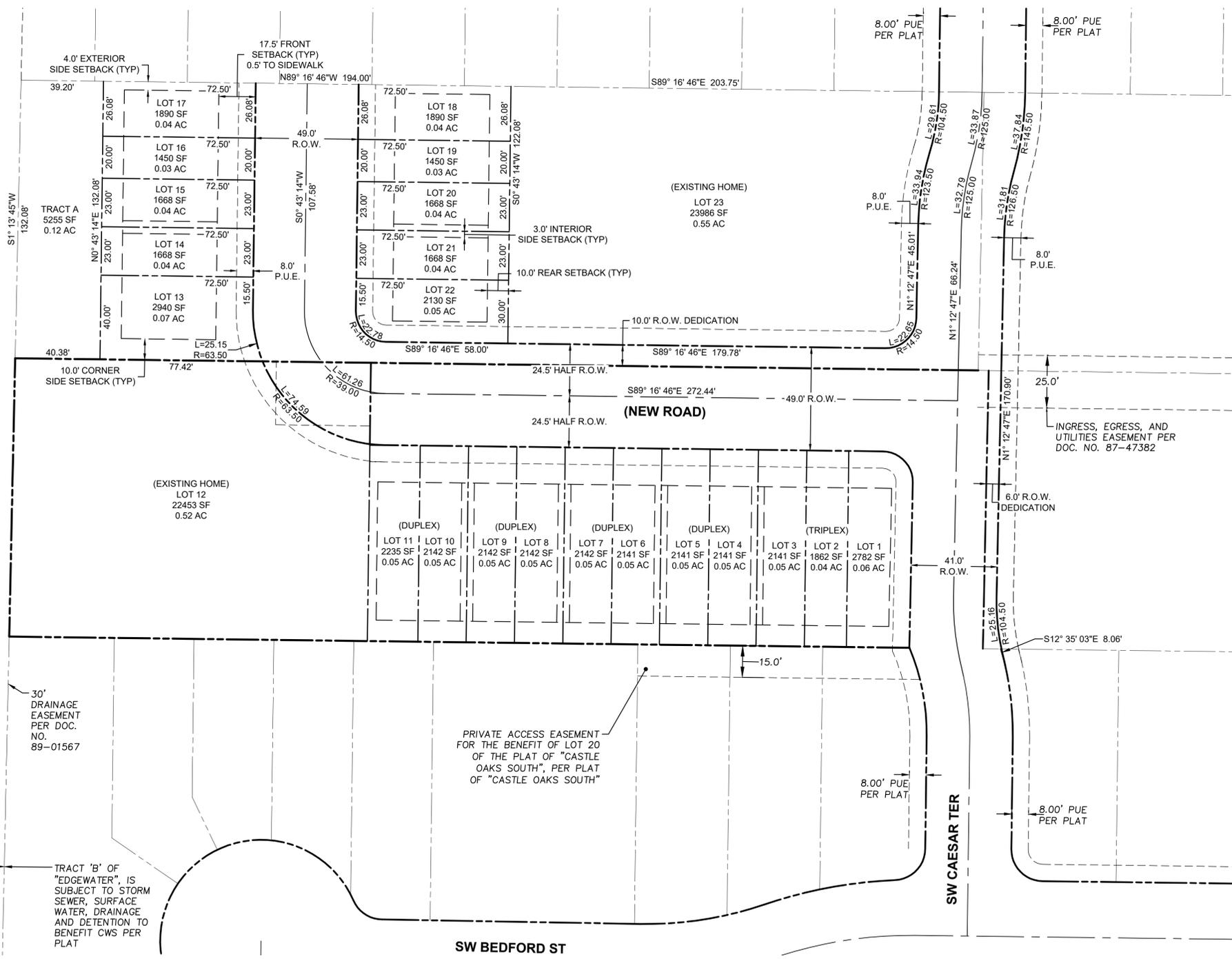
TENTATIVE PLAT
PONDEROSA PINES SUBDIVISION
 PIN OAKS DEVELOPMENT COMPANY INC.
 KING CITY, OR



PROJECT INFORMATION
 3J PROJECT # | 19554
 TAX LOT(S) | 2S116DB 1700
 LAND USE # | ###
 DESIGNED BY | KDO, TEG
 CHECKED BY | AJM

SHEET NUMBER
C040

P:\19554-PONDEROSA PINES SUBDIVISION\CADD\19554-SHADOW PLAT.DWG



LEGEND

	PROJECT BOUNDARY
	EXISTING RIGHT OF WAY
	EXISTING RIGHT OF WAY CENTERLINE
	EXISTING LOT LINE
	EXISTING EASEMENT LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED CENTERLINE
	PROPOSED LOT LINE
	PROPOSED EASEMENT LINE
	PROPOSED SETBACK LINE

SITE STATISTICS

SITE ADDRESS	17435 SW 131ST AVENUE
TAX MAP	2S 1 16DB 01700 & 01800
JURISDICTION	CITY OF KING CITY
NET SIZE	2.78 ACRES
DIMENSIONAL REQUIREMENTS	
ZONING	R-9
MIN. DENSITY (7.2 U/A)	20 UNITS
MAX. DENSITY (9 U/A)	25 UNITS
PROPOSED DENSITY	23 UNITS
SETBACKS	
FRONT	18 FT
SIDE (INTERIOR)	3 FT
SIDE (EXTERIOR)	4 FT
CORNER SIDE	10 FT
REAR	10 FT
PROPOSED LOT DIMENSIONS	
AVG. DEPTH	84.4 FT
AVG. WIDTH	34.2 FT
MIN. LOT AREA	(LOT 16 & 19) 1,450 SF
AVG. LOT AREA	3,855 SF
MAX. LOT AREA	(LOT 23) 23,986 SF

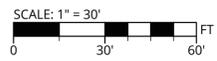


PUBLISH DATE
12-05-2019

ISSUED FOR
LAND USE

REVISIONS

SHADOW PLAT
PONDEROSA PINES SUBDIVISION
 PIN OAKS DEVELOPMENT COMPANY INC.
 KING CITY, OR



3J CONSULTING

CIVIL ENGINEERING
WATER RESOURCES
COMMUNITY PLANNING

9600 SW NIMBUS AVE, SUITE 100, BEAVERTON, OR 97008

PROJECT INFORMATION

3J PROJECT # | 19554
 TAX LOT(S) | 2S116DB 1700
 LAND USE # | ###
 DESIGNED BY | KDO, TEG
 CHECKED BY | AJM

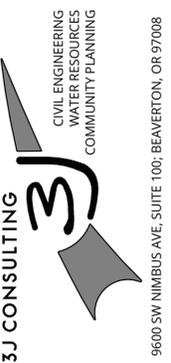
SHEET NUMBER
C041



PUBLISH DATE
12-05-2019
ISSUED FOR
LAND USE
REVISIONS

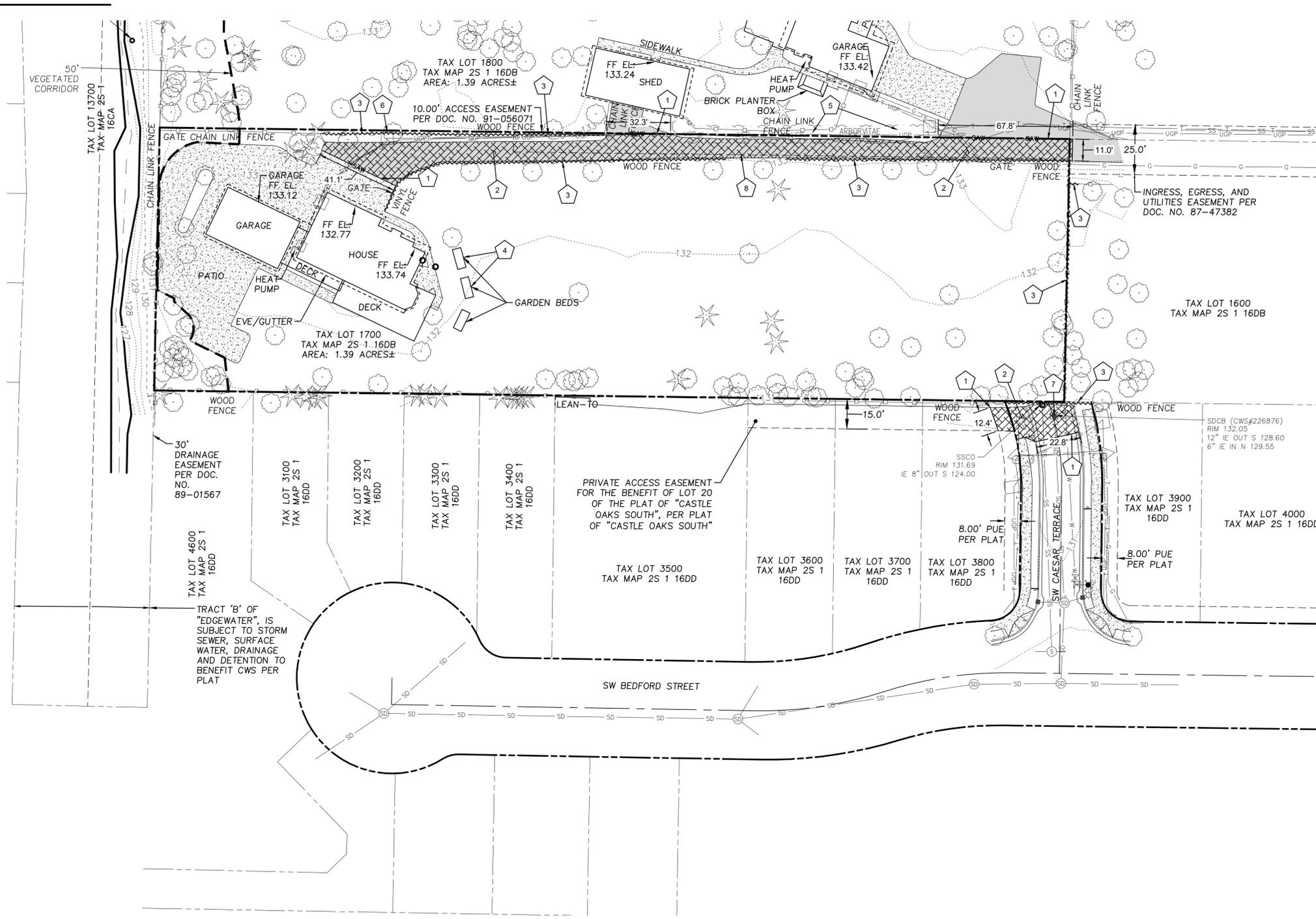
EXISTING CONDITIONS & DEMOLITION PLAN
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR



PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C120



LEGEND	
	PROJECT BOUNDARY
	EXISTING RIGHT OF WAY
	EXISTING RIGHT OF WAY CENTERLINE
	EXISTING LOT LINE
	EXISTING EASEMENT LINE
	EXISTING WETLAND BOUNDARY
	EXISTING CONCRETE
	EXISTING ASPHALT
	EXISTING CURB
	EXISTING FENCE LINE
	EXISTING TELECOM. LINE
	EXISTING GAS LINE
	EXISTING CABLE LINE
	EXISTING UNDERGROUND POWER
	EXISTING OVERHEAD POWER
	EXISTING UNSPECIFIED OVERHEAD WIRE
	EXISTING VEGETATION LIMITS LINE
	EXISTING SANITARY SEWER
	EXISTING STORM DRAIN
	EXISTING WATER MAIN
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE
	EXISTING CONIFEROUS TREE
	EXISTING DECIDUOUS TREE
	EXISTING SIGN
	EXISTING STREET LIGHT
	EXISTING UTILITY POLE
	EXISTING SANITARY MANHOLE
	EXISTING SANITARY CLEANOUT
	EXISTING STORM MANHOLE
	EXISTING STORM CATCH BASIN
	PROPOSED ASPHALT/CONCRETE SAWCUT LIMITS
	PROPOSED ASPHALT/CONCRETE REMOVAL
	REMOVE EXISTING FENCE

SURVEYOR'S NOTES

1. THE PROPERTY IS LOCATED IN THE N.W. 1/4 S.E. 1/4 OF SECTION 16, T.2.S., R.1.W., W.M. WASHINGTON COUNTY OREGON.
2. THE BASIS OF BEARINGS AND HORIZONTAL POSITIONS: ASSUMED OREGON STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE.
3. UNDERGROUND UTILITIES ARE SHOWN PER SURFACE MARKINGS AND AS-BUILT INFORMATION PROVIDED BY THE CONTROLLING JURISDICTIONS. THE SURVEYOR MAKES NO GUARANTEE AS TO THE EXACT LOCATION, EXISTENCE, NON-EXISTENCE OR COMPLETENESS OF ANY SUBSURFACE UTILITIES SHOWN, OR NOT SHOWN ON THE MAP. CALL 811 BEFORE DIGGING.
4. ELEVATIONS ARE BASED ON WASHINGTON COUNTY BENCHMARK NO. 934 LOCATED AT THE SE CORNER OF THE INTERSECTION OF SW 125TH PLACE AND SW FISCHER ROAD. ELEVATION = 157.815 FEET (NGVD 29).

EXISTING CONDITIONS PLAN

THIS PLAN HAS BEEN PREPARED FOR ILLUSTRATIVE PURPOSES ONLY. SITE BACKGROUND INFORMATION AND FEATURES HAVE BEEN GENERATED FROM A COMBINATION OF PUBLIC GIS DATA SOURCES, AERIAL PHOTOS, TAX ASSESSOR MAPS AND PHYSICAL SITE OBSERVATIONS. PROPOSED SITE FEATURES ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE. NO WARRANTY OR GUARANTEE IS EXPRESSED OR IMPLIED.

- ZONE X (UN-SHADED)** THE SITE IS LOCATED WITHIN ZONE X (UN-SHADED) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41067C0539F. FEMA'S DEFINITION OF ZONE X (UN-SHADED) IS AN AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, FLOOD INSURANCE IS AVAILABLE TO ALL PROPERTY OWNERS AND RENTERS IN THESE ZONES.
- ZONE X (SHADED)** THE SITE IS LOCATED WITHIN ZONE X (SHADED) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41067C0539F. FEMA'S DEFINITION OF ZONE X (SHADED) IS AN AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF THE 100-YEAR AND 500-YEAR FLOODS. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, FLOOD INSURANCE IS AVAILABLE TO ALL PROPERTY OWNERS AND RENTERS IN THESE ZONES.
- ZONE AE** THE SITE IS LOCATED WITHIN ZONE AE PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 41067C0539F. FEMA'S DEFINITION OF ZONE AE ARE IS BASE FLOODPLAIN WHERE BASE FLOOD ELEVATIONS ARE PROVIDED. AE ZONES ARE NOW USED ON NEW FORMAT FIRMS INSTEAD OF A1-A30 ZONES. IN COMMUNITIES THAT PARTICIPATE IN THE NFIP, MANDATORY FLOOD INSURANCE PURCHASE REQUIREMENTS APPLY.

ATTENTION EXCAVATORS:

OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THESE RULES FROM THE CENTER BY CALLING 503-232-1987. IF YOU HAVE ANY QUESTIONS ABOUT THE RULES, YOU MAY CONTACT THE CENTER. YOU MUST NOTIFY THE CENTER AT LEAST TWO BUSINESS DAYS, BEFORE COMMENCING AN EXCAVATION. CALL 503-246-6699.

ELEVATION DATUM AND BASIS OF BEARINGS

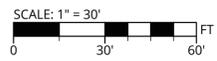
ELEVATIONS AND CONTOURS ARE BASED ON WASHINGTON COUNTY BENCHMARK NO. 934, ELEVATION = 157.815 FEET (NGVD 29). CONTOUR INTERVAL IS 1 FOOT.
THE BASIS OF BEARINGS FOR THIS SURVEY IS ASSUMED TO BE OREGON STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE.

DEMOLITION GENERAL NOTES

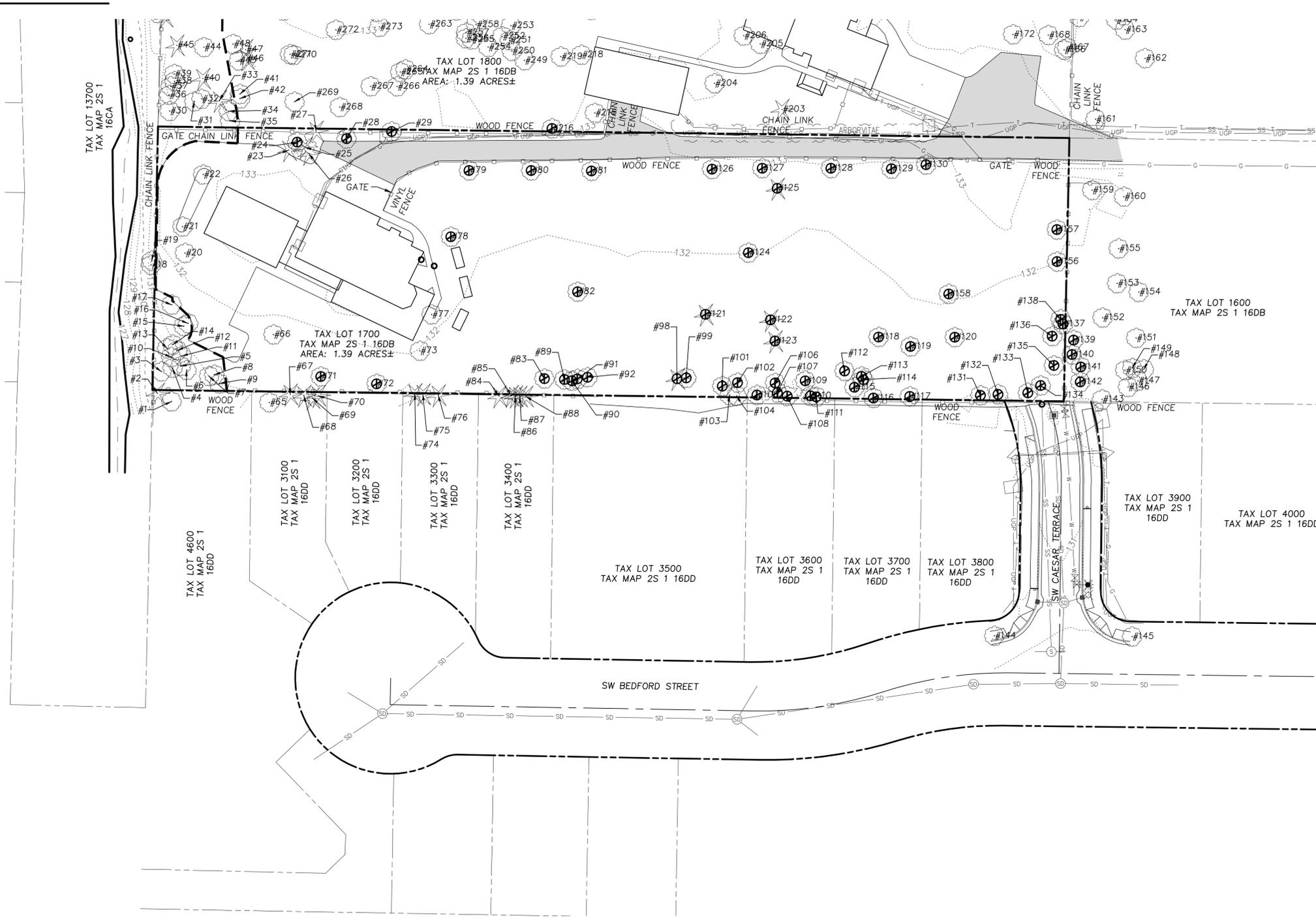
1. PROTECT EXISTING PAVEMENT ADJACENT TO WORK LIMITS. REPLACE DAMAGED CONCRETE IN WHOLE PANELS.
2. PROTECT EXISTING BUILDING ADJACENT TO WORK LIMITS. REPAIR DAMAGE TO SATISFACTION OF OWNER, AT NO EXPENSE TO OWNER.
3. CONTRACTOR TO VERIFY PRESENCE, LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING WORK. NOTIFY OWNER AND ENGINEER FOR ANY CONFLICTS WITH PROPOSED DESIGN.

DEMOLITION KEY NOTES

1. SAWCUT CONCRETE PAVEMENT AT NEAREST JOINT TO FULL SLAB DEPTH AND/OR SAWCUT ASPHALT PAVEMENT AT LOCATION SHOWN TO FULL EXISTING PAVEMENT DEPTH. PAVEMENT REMOVAL LIMITS TO BE INSPECTED BY OWNER AND ENGINEER PRIOR TO REPAVING. PROTECTING ALL ADJACENT SURFACES FROM DAMAGE.
2. REMOVE AND DISPOSE OF EXISTING ASPHALT/CONCRETE WITHIN LIMITS SHOWN.
3. REMOVE FENCING, POSTS, CONCRETE FOOTINGS AND ALL ASSOCIATED APPURTENANCES. DISPOSE OF FENCING OFF SITE, UNLESS OTHERWISE DIRECTED BY OWNER.
4. REMOVE GARDEN BED. DISPOSE OF MATERIAL OFF SITE, UNLESS OTHERWISE DIRECTED BY OWNER.
5. REMOVE ARBORVITAE. DISPOSE OF VEGETATION OFF SITE, UNLESS OTHERWISE DIRECTED BY OWNER.
6. RELOCATE EXISTING UTILITY STRUCTURE.
7. REMOVE EXISTING STORM DRAIN CATCH BASIN.
8. VACATE EXISTING ACCESS EASEMENT.



P:\19554-PONDEROSA PINES SUBDIVISION\CADD\19554-EXISTING CONDITIONS.DWG



LEGEND

	EXISTING CONIFEROUS TREE
	EXISTING DECIDUOUS TREE
	TREE TO BE REMOVED

GENERAL TREE INVENTORY NOTES

TOTAL EXISTING TREES ON PROPERTY	83
TOTAL TREES TO BE REMOVED ON PROPERTY	56
TOTAL TREES TO BE RETAINED ON PROPERTY	27
TOTAL TREES TO BE REMOVED NOT ON PROPERTY	5



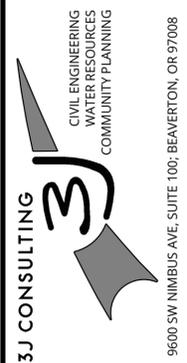
- TREE PROTECTION GENERAL NOTES:**
- CONTRACTOR SHALL COORDINATE WITH THE PROJECT ARBORIST PRIOR TO ADJUSTING TREE PROTECTION FENCING FOR WORK BENEATH PROTECTED TREE DRILLINES.
 - OBTAIN WRITTEN CONSENT OF ADJACENT PROPERTY OWNER PRIOR TO REMOVAL OF BOUNDARY TREES.
 - FOR FULL TREE INVENTORY: SEE TREE TABLE. BOLDDED ITEMS TO BE REMOVED.

- TREE PROTECTION SPECIFICATIONS:**
- PROTECTION FENCING. ALL TREES TO BE RETAINED SHALL BE PROTECTED BY 5-FOOT TALL STEEL WELDED WIRE FENCING UNLESS OTHERWISE APPROVED BY THE CITY MANAGER OR DESIGNEE. PROTECTION FENCING SHALL BE SECURED TO STEEL POSTS PLACED NO FURTHER THAN 8-FEET APART AND SHALL BE INSTALLED AT THE EDGE OF THE TPZ.
 - TREE PROTECTION ZONE MAINTENANCE. PROTECTION FENCING SHALL REMAIN IN PLACE AND IN GOOD REPAIR THROUGHOUT CONSTRUCTION. WORK WITHIN A TPZ MAY BE ALLOWED IF THE PROJECT ARBORIST DETERMINES THAT THE TREES WILL NOT BE UNDULY DAMAGED. THE CONTRACTOR SHALL COORDINATE WITH THE PROJECT ARBORIST PRIOR TO OPENING, ADJUSTING OR REMOVING TREE PROTECTION MEASURES.
 - STORAGE OF MATERIAL OR EQUIPMENT. THE CONTRACTOR SHALL NOT STORE MATERIALS OR EQUIPMENT WITHIN THE TPZ.
 - PRUNING. THE PROJECT ARBORIST CAN HELP IDENTIFY IF AND WHERE PRUNING IS NECESSARY ONCE TREES RECOMMENDED FOR REMOVAL HAVE BEEN REMOVED AND THE SITE IS STAKED AND PREPARED FOR CONSTRUCTION. PRUNING SHALL BE PERFORMED BY A QUALIFIED TREE SERVICE.
 - EXCAVATION. EXCAVATION WITHIN THE TPZ SHALL BE AVOIDED IF ALTERNATIVES ARE AVAILABLE. IF EXCAVATION WITHIN THE TPZ IS UNAVOIDABLE, THE PROJECT ARBORIST SHALL EVALUATE THE PROPOSED EXCAVATION TO DETERMINE METHODS TO MINIMIZE IMPACTS TO TREES. ALL CONSTRUCTION WITHIN THE TPZ SHALL BE UNDER THE ON-SITE TECHNICAL SUPERVISION OF THE PROJECT ARBORIST.
 - FENCE CONSTRUCTION. PROPERTY BOUNDARY FENCE CONSTRUCTION SHALL BE BY HAND AND WITH HAND TOOLS ONLY WITHIN TPZs. PROTECTION FENCING MAY BE OPENED TEMPORARILY TO ALLOW ACCESS OR REMOVED IF APPROVED IN ADVANCE BY THE PROJECT ARBORIST DEPENDING ON THE TIMING OF WORK. DO NOT STOCKPILE MATERIALS WITHIN TPZs. DIG POST HOLES BY HAND AND AVOID TREE ROOT IMPACTS; IF ROOTS ARE ENCOUNTERED, ADJUST POST HOLE LOCATIONS TO AVOID ROOTS. MIX CONCRETE IN POST HOLES, BUCKETS, OR WHEEL BARROWS; NO SPOILS OR CONCRETE WASH SHALL BE DISCARDED IN TPZs. WHERE TREES ARE LOCATED ON PROPERTY BOUNDARIES, BUILD FENCES AROUND TREES WITH SUFFICIENT ROOM TO GROW. IF PROTECTION FENCING IS OPENED FOR ACCESS, IT SHALL BE CLOSED AT THE END OF EACH WORK DAY. NO HEAVY EQUIPMENT IS ALLOWED WITHIN TPZs, ONLY PEOPLE, HAND TOOLS, AND BUILDING SUPPLIES FOR IMMEDIATE USE. BRANCHES MAY BE TRIMMED UP TO THE PROPERTY BOUNDARY IF NEEDED TO PROVIDE CLEARANCE FOR FENCE CONSTRUCTION.
 - TREE PROTECTION INSPECTION. THE PROJECT ARBORIST SHALL INSPECT AND VERIFY THE LOCATION OF PROTECTION MEASURES PRIOR TO CONSTRUCTION, MONITOR TREE PROTECTION MEASURES REGULARLY, AND PROVIDE BIWEEKLY WRITTEN REPORTS TO THE CITY DURING PERIODS OF ACTIVE CONSTRUCTION.
 - FINAL REPORT. AFTER THE PROJECT HAS BEEN COMPLETED, THE PROJECT ARBORIST SHALL PROVIDE A FINAL REPORT THAT DESCRIBES THE MEASURES NEEDED TO MAINTAIN AND PROTECT THE REMAINING TREES.



PUBLISH DATE
12-05-2019
ISSUED FOR
LAND USE
REVISIONS

TREE PRESERVATION PLAN
PONDEROSA PINES SUBDIVISION
 PIN OAKS DEVELOPMENT COMPANY INC.
 KING CITY, OR



PROJECT INFORMATION
 3J PROJECT # | 19554
 TAX LOT(S) | 2S116DB 1700
 LAND USE # | ###
 DESIGNED BY | KDO, TEG
 CHECKED BY | AJM

SHEET NUMBER
C121

TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
1	32" OREGON WHITE OAK	RETAIN
2	8" DOUGLAS FIR	RETAIN
3	6" OREGON ASH	RETAIN
4	6" OREGON ASH	RETAIN
5	10" OREGON ASH	RETAIN
6	4" OREGON ASH	RETAIN
7	6" OREGON ASH	RETAIN
8	28" OREGON WHITE OAK	RETAIN
9	7" OREGON ASH	RETAIN
10	10" OREGON ASH	RETAIN
11	12" OREGON ASH	RETAIN
12	8" OREGON ASH	RETAIN
13	13" OREGON ASH	RETAIN
14	7" OREGON ASH	RETAIN
15	15" OREGON ASH	RETAIN
16	11" OREGON ASH	RETAIN
17	12" OREGON ASH	RETAIN
18	8" OREGON ASH	RETAIN
19	9" OREGON ASH	RETAIN
20	37" OREGON WHITE OAK	RETAIN
21	34" OREGON WHITE OAK	RETAIN
22	24",22" OREGON ASH	RETAIN
23	27" PONDEROSA PINE	RETAIN
24	13" OREGON WHITE OAK	REMOVE
25	24" PONDEROSA PINE	RETAIN
26	37" PONDEROSA PINE	RETAIN
27	23" PONDEROSA PINE	RETAIN
28	16" OREGON ASH	REMOVE
29	6" OREGON ASH	REMOVE
30	12" OREGON ASH	RETAIN
31	6" OREGON ASH	RETAIN
32	30" OREGON WHITE OAK	RETAIN
33	10" DOUGLAS FIR	RETAIN
34	8" OREGON ASH	RETAIN
35	5" OREGON ASH	RETAIN
36	N/A, N/A	RETAIN
37	N/A, N/A	RETAIN
38	N/A, N/A	RETAIN
39	N/A, N/A	RETAIN
40	N/A, N/A	RETAIN
41	N/A, N/A	RETAIN
42	N/A, N/A	RETAIN
43	N/A, N/A	RETAIN
44	N/A, N/A	RETAIN
45	N/A, N/A	RETAIN
46	N/A, N/A	RETAIN
47	N/A, N/A	RETAIN
48	N/A, N/A	RETAIN
49	N/A, N/A	RETAIN
50	N/A, N/A	RETAIN

TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
51	N/A, N/A	RETAIN
52	N/A, N/A	RETAIN
53	N/A, N/A	RETAIN
54	N/A, N/A	RETAIN
55	N/A, N/A	RETAIN
56	N/A, N/A	RETAIN
57	N/A, N/A	RETAIN
58	N/A, N/A	RETAIN
59	N/A, N/A	RETAIN
60	N/A, N/A	RETAIN
61	N/A, N/A	RETAIN
62	N/A, N/A	RETAIN
63	N/A, N/A	RETAIN
64	N/A, N/A	RETAIN
65	10" OREGON WHITE OAK	RETAIN
66	23" OREGON WHITE OAK	RETAIN
67	10" WESTERN REDCEDAR	RETAIN
68	12" WESTERN REDCEDAR	RETAIN
69	8" WESTERN REDCEDAR	RETAIN
70	8" WESTERN REDCEDAR	RETAIN
71	22" SCOUERS WILLOW	REMOVE
72	16",15" OREGON ASH	REMOVE
73	27" OREGON WHITE ASH	RETAIN
74	12" WESTERN REDCEDAR	RETAIN
75	12" WESTERN REDCEDAR	RETAIN
76	12" WESTERN REDCEDAR	RETAIN
77	8" SAUCER MAGNOLIA	RETAIN
78	38" OREGON WHITE OAK	REMOVE
79	8" NORWAY MAPLE	REMOVE
80	7" NORWAY MAPLE	REMOVE
81	8" NORWAY MAPLE	REMOVE
82	28" OREGON WHITE OAK	REMOVE
83	17" OREGON ASH	REMOVE
84	12" WESTERN REDCEDAR	RETAIN
85	8" WESTERN REDCEDAR	RETAIN
86	8" WESTERN REDCEDAR	RETAIN
87	8" WESTERN REDCEDAR	RETAIN
88	10" WESTERN REDCEDAR	RETAIN
89	8" PACIFIC WILLOW	REMOVE
90	7" PACIFIC WILLOW	REMOVE
91	10" PACIFIC WILLOW	REMOVE
92	9" WILD PLUM	REMOVE
93	NOT USED	N/A
94	NOT USED	N/A
95	NOT USED	N/A
96	NOT USED	N/A
97	NOT USED	N/A
98	32" PONDEROSA PINE	REMOVE
99	13" OREGON ASH	REMOVE
100	NOT USED	N/A

TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
101	11" OREGON ASH	REMOVE
102	17" OREGON ASH	REMOVE
103	6" OREGON ASH	RETAIN
104	6" OREGON ASH	RETAIN
105	22" OREGON ASH	REMOVE
106	9" OREGON ASH	REMOVE
107	7" OREGON ASH	REMOVE
108	12" OREGON ASH	REMOVE
109	8" OREGON ASH	REMOVE
110	7" OREGON ASH	REMOVE
111	11" OREGON ASH	REMOVE
112	12" OREGON WHITE OAK	REMOVE
113	18" OREGON WHITE OAK	REMOVE
114	8" OREGON ASH	REMOVE
115	12" OREGON WHITE OAK	REMOVE
116	13" OREGON ASH	REMOVE
117	5",3",3" OREGON ASH	REMOVE
118	8" OREGON ASH	REMOVE
119	18" OREGON ASH	REMOVE
120	14" PACIFIC WILLOW	REMOVE
121	36" PONDEROSA PINE	REMOVE
122	30" PONDEROSA PINE	REMOVE
123	42" PONDEROSA PINE	REMOVE
124	40" BLACK COTTONWOOD	REMOVE
125	38" PONDEROSA PINE	REMOVE
126	10" NORWAY MAPLE	REMOVE
127	6" NORWAY MAPLE	REMOVE
128	7" NORWAY MAPLE	REMOVE
129	7" NORWAY MAPLE	REMOVE
130	28" BLACK COTTONWOOD	REMOVE
131	7" OREGON ASH	REMOVE
132	10",10" OREGON ASH	REMOVE
133	21" OREGON ASH	REMOVE
134	22" OREGON WHITE OAK	REMOVE
135	12" OREGON ASH	REMOVE
136	11" OREGON ASH	REMOVE
137	9",6" OREGON ASH	REMOVE
138	9" OREGON ASH	REMOVE
139	6" OREGON ASH	REMOVE
140	6" OREGON ASH	REMOVE
141	4" OREGON ASH	REMOVE
142	5" OREGON ASH	REMOVE
143	8" OREGON ASH	RETAIN
144	6" RED MAPLE	RETAIN
145	7" RED MAPLE	RETAIN
146	20" OREGON WHITE OAK	RETAIN
147	8" OREGON WHITE OAK	RETAIN
148	8" OREGON ASH	RETAIN
149	6" OREGON WHITE OAK	RETAIN
150	8" OREGON ASH	RETAIN

TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
151	10" OREGON WHITE OAK	RETAIN
152	12" OREGON ASH	RETAIN
153	12" OREGON ASH	RETAIN
154	6" OREGON ASH	RETAIN
155	16" OREGON ASH	RETAIN
156	12" RED MAPLE	REMOVE
157	12" RED MAPLE	REMOVE
158	42" BLACK COTTONWOOD	REMOVE
159	16" OREGON ASH	RETAIN
160	8" OREGON ASH	RETAIN
161	12" OREGON ASH	RETAIN
162	N/A, N/A	RETAIN
163	N/A, N/A	RETAIN
164	N/A, N/A	RETAIN
165	N/A, N/A	RETAIN
166	N/A, N/A	RETAIN
167	N/A, N/A	RETAIN
168	N/A, N/A	RETAIN
169	N/A, N/A	RETAIN
170	N/A, N/A	RETAIN
171	N/A, N/A	RETAIN
172	N/A, N/A	RETAIN
173	N/A, N/A	RETAIN
174	N/A, N/A	RETAIN
175	N/A, N/A	RETAIN
176	N/A, N/A	RETAIN
177	N/A, N/A	RETAIN
178	N/A, N/A	RETAIN
179	N/A, N/A	RETAIN
180	N/A, N/A	RETAIN
181	N/A, N/A	RETAIN
182	N/A, N/A	RETAIN
183	N/A, N/A	RETAIN
184	N/A, N/A	RETAIN
185	N/A, N/A	RETAIN
186	N/A, N/A	RETAIN
187	N/A, N/A	RETAIN
188	N/A, N/A	RETAIN
189	N/A, N/A	RETAIN
190	N/A, N/A	RETAIN
191	N/A, N/A	RETAIN
192	N/A, N/A	RETAIN
193	N/A, N/A	RETAIN
194	N/A, N/A	RETAIN
195	N/A, N/A	RETAIN
196	N/A, N/A	RETAIN
197	N/A, N/A	RETAIN
198	N/A, N/A	RETAIN
199	N/A, N/A	RETAIN
200	N/A, N/A	RETAIN

TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
201	N/A, N/A	RETAIN
202	N/A, N/A	RETAIN
203	10",8",6",6" ALASKA CEDAR	RETAIN
204	N/A, N/A	RETAIN
205	N/A, N/A	RETAIN
206	N/A, N/A	RETAIN
207	N/A, N/A	RETAIN
208	N/A, N/A	RETAIN
209	N/A, N/A	RETAIN
210	N/A, N/A	RETAIN
211	N/A, N/A	RETAIN
212	N/A, N/A	RETAIN
213	N/A, N/A	RETAIN
214	N/A, N/A	RETAIN
215	10" OREGON ASH	RETAIN
216	12",10",6" OREGON ASH	REMOVE
217	N/A, N/A	RETAIN
218	N/A, N/A	RETAIN
219	N/A, N/A	RETAIN
220	N/A, N/A	RETAIN
221	N/A, N/A	RETAIN
222	N/A, N/A	RETAIN
223	N/A, N/A	RETAIN
224	N/A, N/A	RETAIN
225	N/A, N/A	RETAIN
226	N/A, N/A	RETAIN
227	N/A, N/A	RETAIN
228	N/A, N/A	RETAIN
229	N/A, N/A	RETAIN
230	N/A, N/A	RETAIN
231	N/A, N/A	RETAIN
232	N/A, N/A	RETAIN
233	N/A, N/A	RETAIN
234	N/A, N/A	RETAIN
235	N/A, N/A	RETAIN
236	N/A, N/A	RETAIN
237	N/A, N/A	RETAIN
238	N/A, N/A	RETAIN
239	N/A, N/A	RETAIN
240	N/A, N/A	RETAIN
241	N/A, N/A	RETAIN
242	N/A, N/A	RETAIN
243	N/A, N/A	RETAIN
244	N/A, N/A	RETAIN
245	N/A, N/A	RETAIN
246	N/A, N/A	RETAIN
247	N/A, N/A	RETAIN
248	N/A, N/A	RETAIN
249	N/A, N/A	RETAIN
250	N/A, N/A	RETAIN

TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
251	N/A, N/A	RETAIN
252	N/A, N/A	RETAIN
253	N/A, N/A	RETAIN
254	N/A, N/A	RETAIN
255	N/A, N/A	RETAIN
256	N/A, N/A	RETAIN
257	N/A, N/A	RETAIN
258	N/A, N/A	RETAIN
259	N/A, N/A	RETAIN
260	N/A, N/A	RETAIN
261	N/A, N/A	RETAIN
262	N/A, N/A	RETAIN
263	N/A, N/A	RETAIN
264	N/A, N/A	RETAIN
265	N/A, N/A	RETAIN
266	N/A, N/A	RETAIN
267	N/A, N/A	RETAIN
268	12" OREGON ASH	RETAIN
269	10" OREGON ASH	RETAIN
270	N/A, N/A	RETAIN
271	N/A, N/A	RETAIN
272	N/A, N/A	RETAIN
273	N/A, N/A	RETAIN
274	N/A, N/A	RETAIN
275	N/A, N/A	RETAIN
276	N/A, N/A	RETAIN
277	N/A, N/A	RETAIN
278	N/A, N/A	RETAIN
279	N/A, N/A	RETAIN
280	N/A, N/A	RETAIN
281	N/A, N/A	RETAIN
282	N/A, N/A	RETAIN
283	N/A, N/A	RETAIN
284	N/A, N/A	RETAIN
285	N/A, N/A	RETAIN
286	N/A, N/A	RETAIN
287	N/A, N/A	RETAIN
288	N/A, N/A	RETAIN
289	N/A, N/A	RETAIN
290	N/A, N/A	RETAIN
291	N/A, N/A	RETAIN
292	N/A, N/A	RETAIN
293	N/A, N/A	RETAIN
294	N/A, N/A	RETAIN
295	N/A, N/A	RETAIN
296	N/A, N/A	RETAIN
297	N/A, N/A	RETAIN
298	N/A, N/A	RETAIN
299	N/A, N/A	RETAIN
300	N/A, N/A	RETAIN

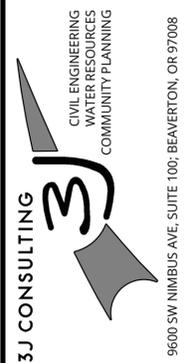
TREE TABLE		
TREE #	DIAMETER, DESCRIPTION	ACTION
301	N/A, N/A	RETAIN
302	N/A, N/A	RETAIN
303	N/A, N/A	RETAIN
304	N/A, N/A	RETAIN
305	N/A, N/A	RETAIN
306	N/A, N/A	RETAIN
307	N/A, N/A	RETAIN
308	N/A, N/A	RETAIN
309	N/A, N/A	RETAIN
310	N/A, N/A	RETAIN
311	N/A, N/A	RETAIN
312	N/A, N/A	RETAIN
313	N/A, N/A	RETAIN
314	N/A, N/A	RETAIN
315	N/A, N/A	RETAIN
316	N/A, N/A	RETAIN



PUBLISH DATE
12-05-2019
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TREE PRESERVATION NOTES
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR

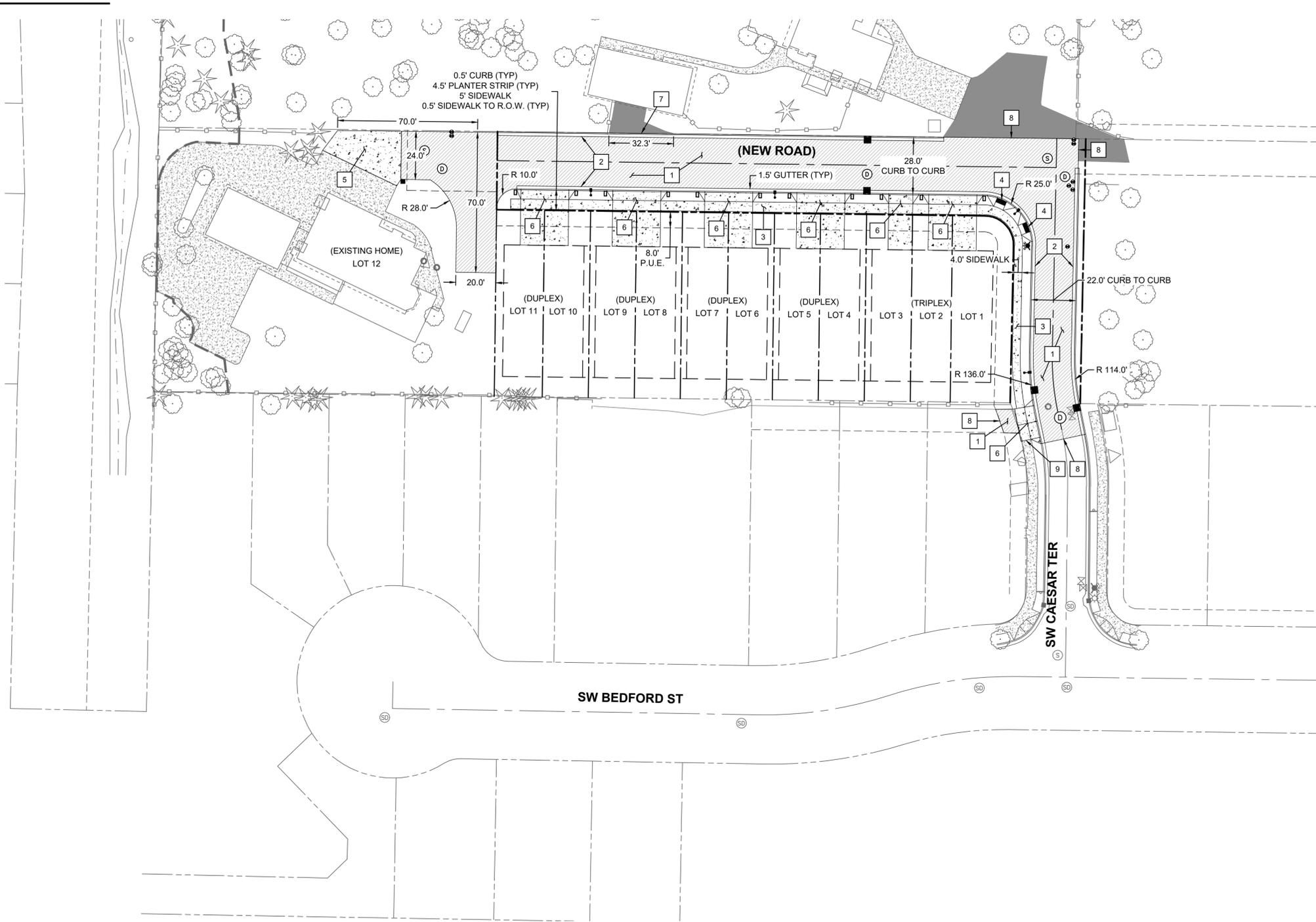


PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C122

9600 SW NIMBUS AVE, SUITE 100, BEAVERTON, OR 97008

P:\19554-PONDEROSA PINES SUBDIVISION\CADD\19554-SITE PLAN.DWG

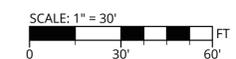


LEGEND

- PROJECT BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED CENTERLINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE
- PROPOSED SETBACK LINE
- PROPOSED CURB AND GUTTER
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- PROPOSED CONCRETE SCORING

CONSTRUCTION KEY NOTES

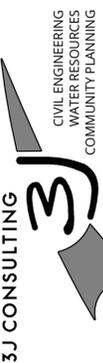
- 1 CONSTRUCT ASPHALT PAVEMENT WITHIN LIMITS SHOWN.
- 2 CONSTRUCT STANDARD CURB AND GUTTER.
- 3 CONSTRUCT CONCRETE SIDEWALK.
- 4 CONSTRUCT ADA COMPLIANT RAMP.
- 5 CONSTRUCT REINFORCED CONCRETE PAVEMENT WITHIN LIMITS SHOWN.
- 6 CONSTRUCT STANDARD DRIVEWAY DROP.
- 7 CONSTRUCT CURB AND GUTTER WITH 1" EXPOSURE FOR DRIVEWAY ACCESS, TO LENGTH SHOWN.
- 8 MATCH EXISTING PAVEMENT.
- 9 MATCH EXISTING SIDEWALK.



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SITE PLAN
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR



9600 SW NIMBUS AVE, SUITE 100, BEAVERTON, OR 97008

PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

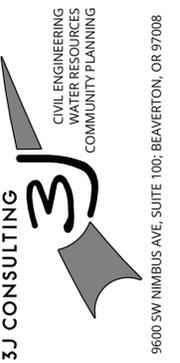
SHEET NUMBER
C200



PUBLISH DATE
12-05-2019
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LAND USE
REVISIONS

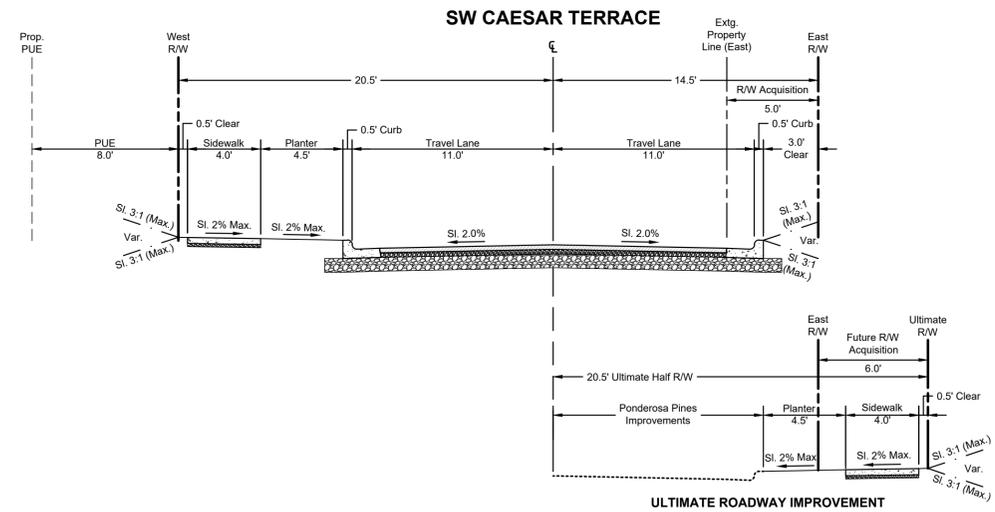
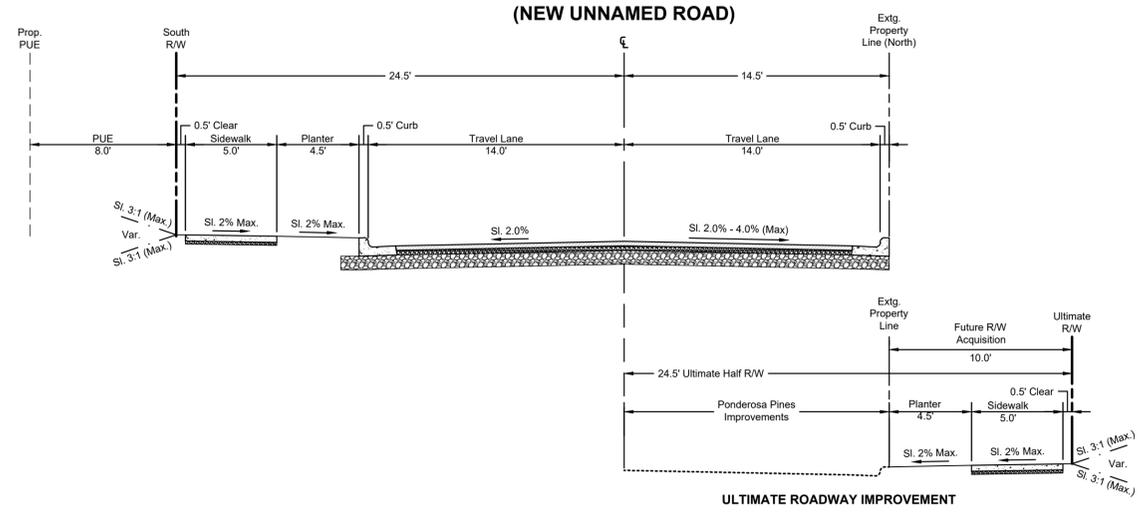
TYPICAL SECTIONS
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR

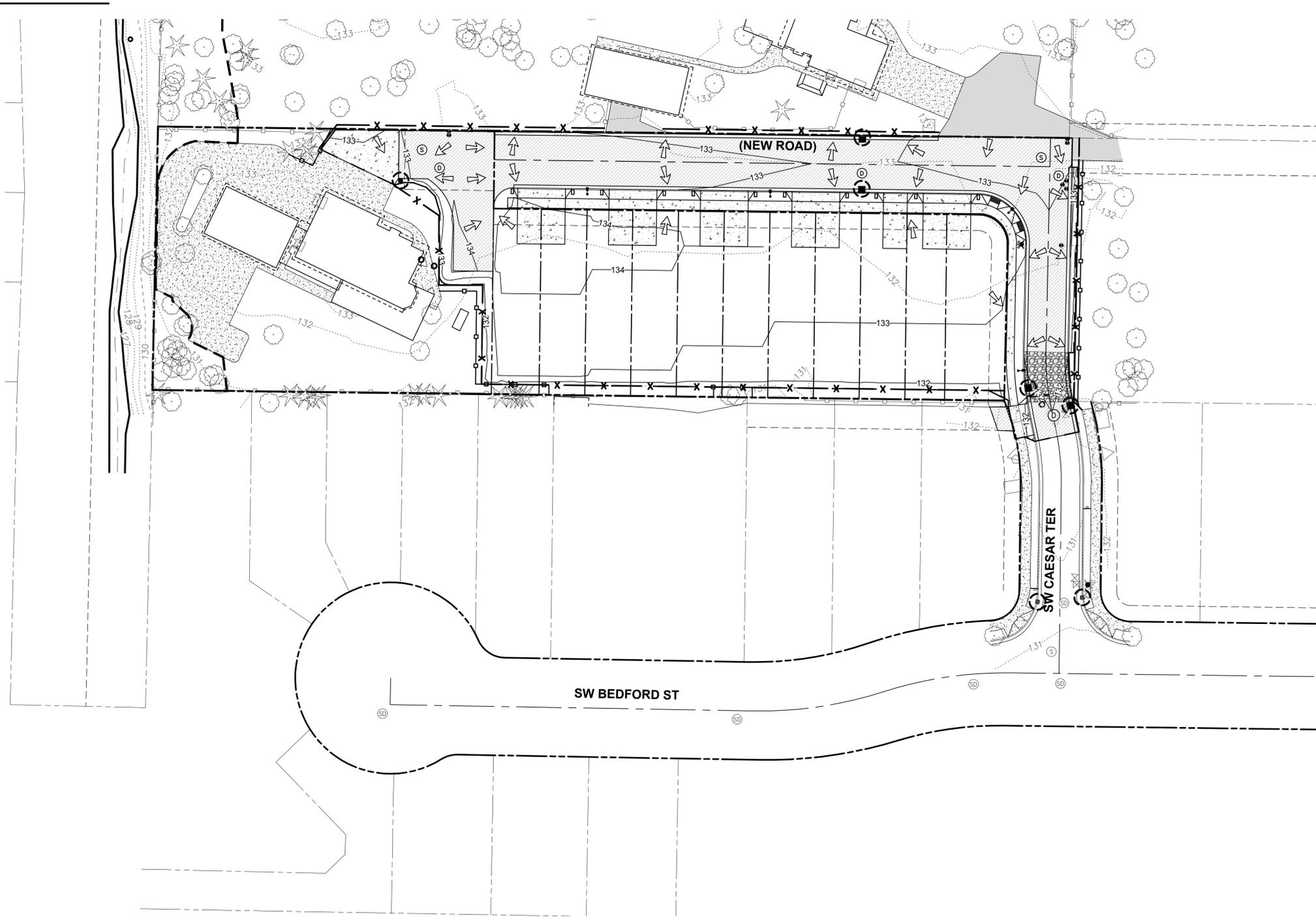


PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C201



P:\19554-PONDEROSA PINES SUBDIVISION\CAD\DD\19554-GRADING & EC.DWG



LEGEND

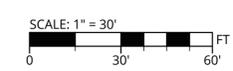
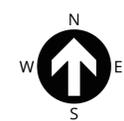
- - - 100 - - - EXISTING MAJOR CONTOUR
- - - 92 - - - EXISTING MINOR CONTOUR
- 110 — PROPOSED MAJOR CONTOUR
- 108 — PROPOSED MINOR CONTOUR
- ▨ LIMITS OF DISTURBANCE
- ▨ PROPOSED CONSTRUCTION ENTRANCE
- X PROPOSED SILT FENCING
- ⊙ PROPOSED TREE PROTECTING FENCING
- ⊙ PROPOSED INLET PROTECTION
- SURFACE RUN-OFF FLOW ARROW



PUBLISH DATE
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ISSUED FOR
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REVISIONS

GRADING & EROSION CONTROL PLAN
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR



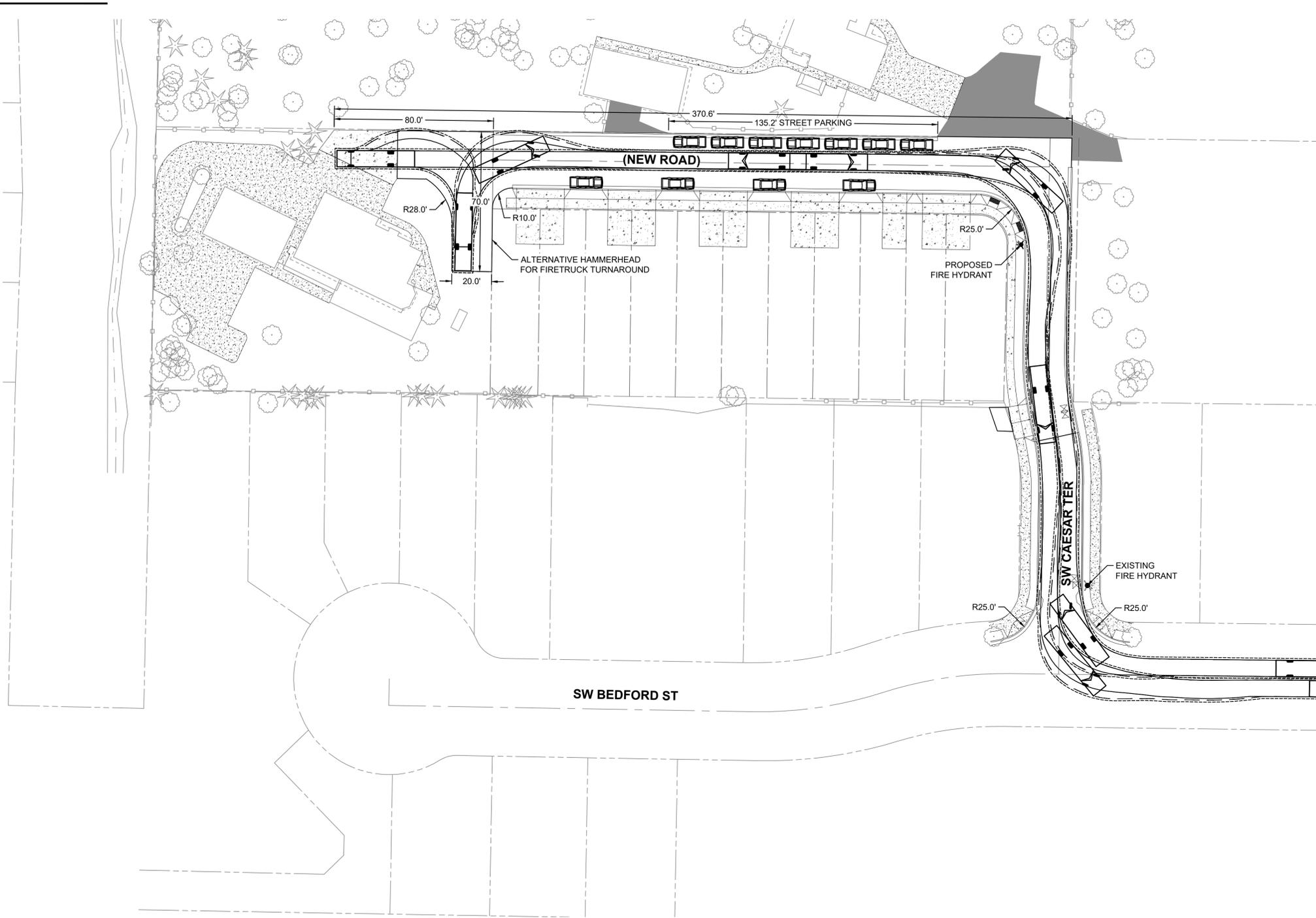
3J CONSULTING
CIVIL ENGINEERING
WATER RESOURCES
COMMUNITY PLANNING

9600 SW NIMBUS AVE, SUITE 100, BEAVERTON, OR 97008

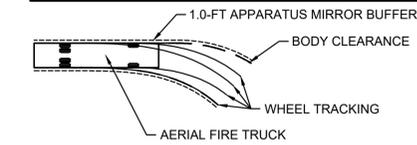
PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C230

P:\19554-PONDEROSA PINES SUBDIVISION\CAD\DD\19554-FIRE ACCESS PLAN.DWG



FIRE TRUCK TURNING SIMULATION



AUTODRIVE RUN CRITERIA

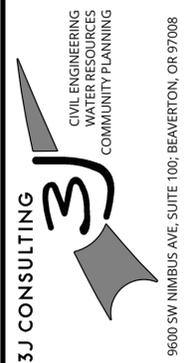
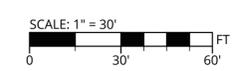
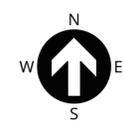
1. 10 MPH MINIMUM DESIGN SPEED.
2. 95% MAX. STEERING PERCENTAGE.
3. DYNAMIC EFFECTS ON.



PUBLISH DATE
12-05-2019
ISSUED FOR
LAND USE
REVISIONS

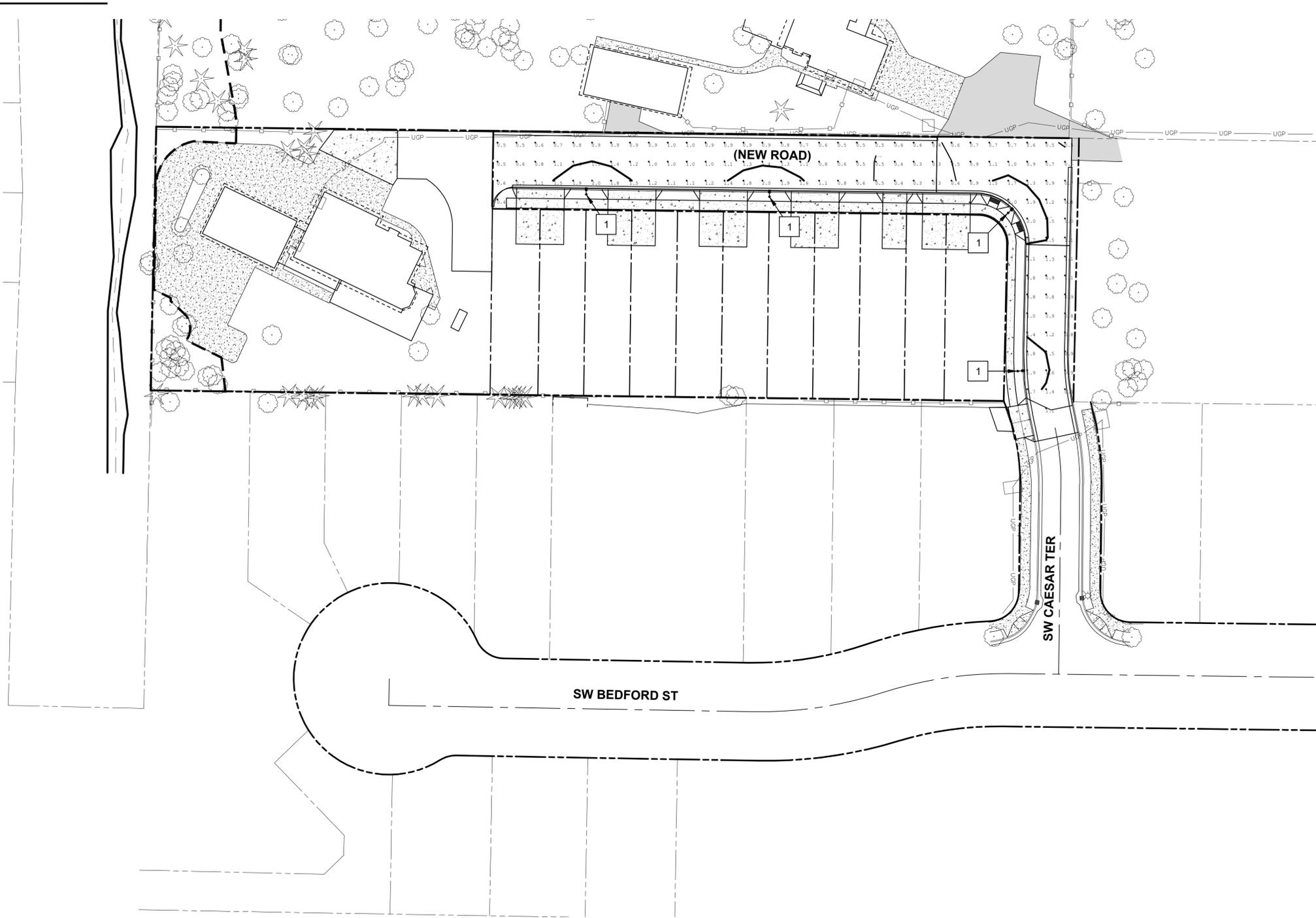
FIRE ACCESS PLAN
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR



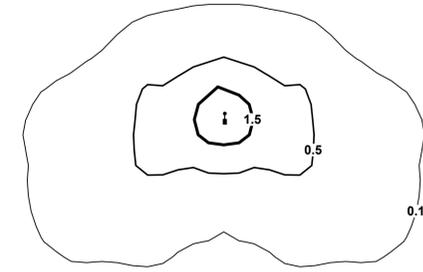
PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C260



LEGEND

- X EXISTING STREET LIGHT
- ! PROPOSED STREET LIGHT
- 0.7 ILLUMINATION ANALYSIS POINT (Fc)
- Fc FOOT CANDLE UNIT



CONSTRUCTION KEY NOTES

- 1 PROPOSED 6050 LUMEN / 49 WATT LED 30' MOUNTING HEIGHT, SHOEBOX, TYPE III DISTRIBUTION

SW CAESAR TERRACE (LOCAL)

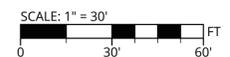
LOW PEDESTRIAN CONFLICT AREA	TARGET	CALCULATED
AVERAGE ILLUMINANCE (Fc)	MINIMUM = 0.4	1.15
AVERAGE / MINIMUM UNIFORMITY	MAXIMUM = 6.0	1.44

SW CAESAR TERRACE / NEW ROAD (LOCAL/LOCAL)

LOW PEDESTRIAN CONFLICT AREA	TARGET	CALCULATED
AVERAGE ILLUMINANCE (Fc)	MINIMUM = 0.8	1.03
AVERAGE / MINIMUM UNIFORMITY	MAXIMUM = 4.0	2.58

NEW ROAD (LOCAL)

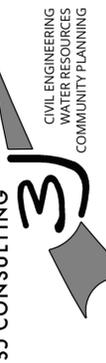
LOW PEDESTRIAN CONFLICT AREA	TARGET	CALCULATED
AVERAGE ILLUMINANCE (Fc)	MINIMUM = 0.4	0.94
AVERAGE / MINIMUM UNIFORMITY	MAXIMUM = 6.0	3.13



PUBLISH DATE
12-05-2019
ISSUED FOR
LAND USE
REVISIONS

PHOTOMETRICS PLAN
PONDEROSA PINES SUBDIVISION

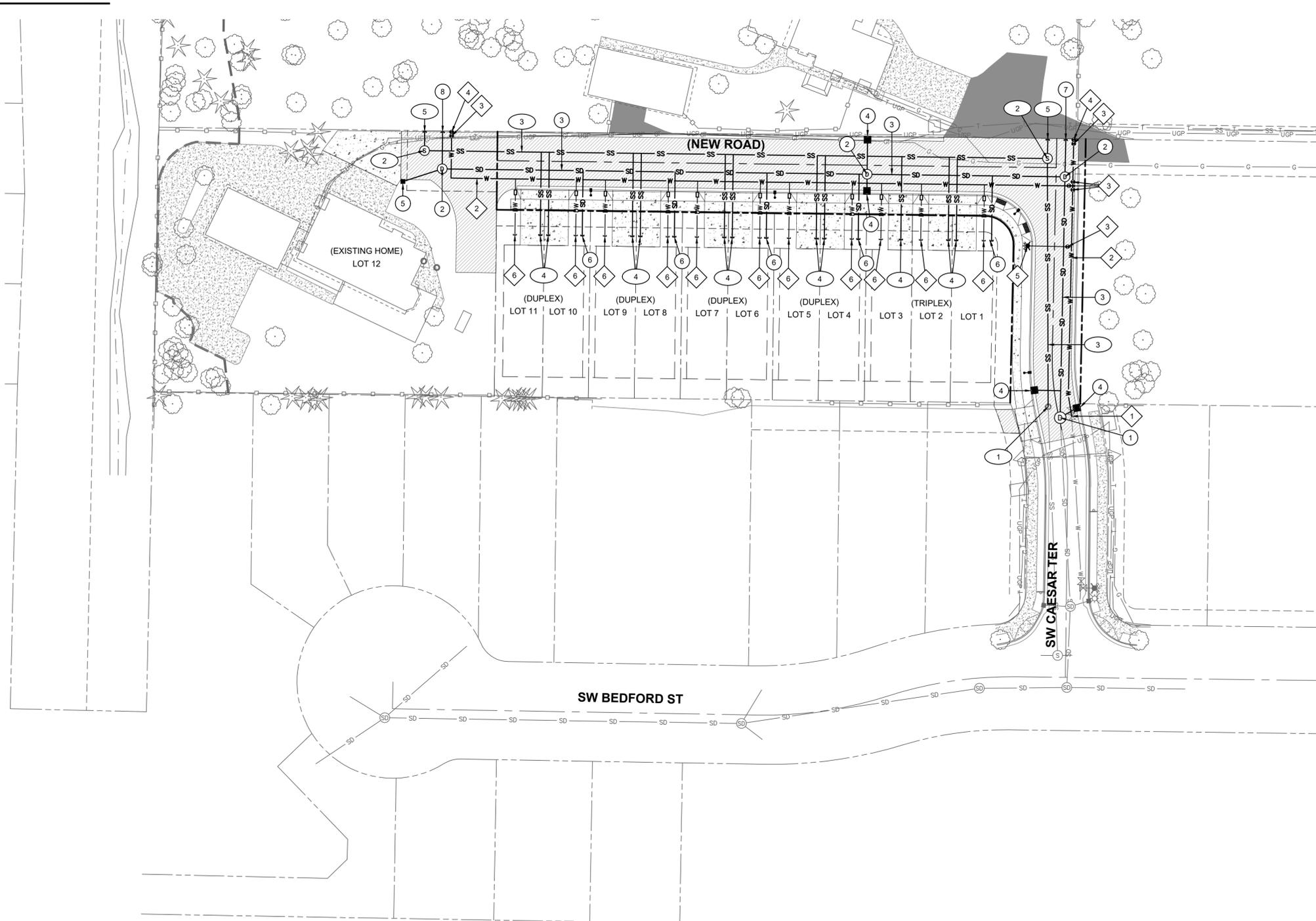
PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR



9600 SW NIMBUS AVE, SUITE 100, BEAVERTON, OR 97008

PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C270



LEGEND

— T —	EXISTING TELECOM. LINE
— G —	EXISTING GAS LINE
— C —	EXISTING CABLE LINE
— UGP —	EXISTING UNDERGROUND POWER
— OHP —	EXISTING OVERHEAD POWER
— OH —	EXISTING UNSPECIFIED OVERHEAD WIRE
- - -	EXISTING VEGETATION LIMITS LINE
— SS —	EXISTING SANITARY SEWER
— SD —	EXISTING STORM DRAIN
— W —	EXISTING WATER MAIN
●	EXISTING FIRE HYDRANT
⊕	EXISTING WATER VALVE
○	EXISTING UTILITY POLE
⊙	EXISTING SANITARY MANHOLE
○	EXISTING SANITARY CLEANOUT
⊙	EXISTING STORM MANHOLE
■	EXISTING STORM CATCH BASIN
— SD —	PROPOSED STORM PIPE
— SS —	PROPOSED SANITARY PIPE
— W —	PROPOSED WATER MAIN
□	PROPOSED WATER METER
○	PROPOSED VALVE
⊕	PROPOSED HYDRANT
⊙	PROPOSED SEWER MANHOLE
⊙	PROPOSED STORM MANHOLE
■	PROPOSED STORM CURB GRATE INLET
■	PROPOSED STORM CATCH BASIN
—	PIPE CAP / STUB
—	PROPOSED LIGHTING

WATER SYSTEM KEY NOTES

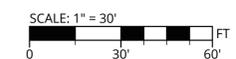
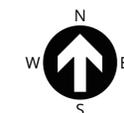
- 1 CONNECT PROPOSED MAIN TO EXISTING GATE VALVE.
- 2 INSTALL 8" WATER MAIN.
- 3 INSTALL GATE VALVE.
- 4 INSTALL BLOW-OFF VALVE.
- 5 INSTALL FIRE HYDRANT ASSEMBLY.
- 6 INSTALL SERVICE CONNECTION LATERAL AND WATER METER AT BACK OF CURB.

STORM DRAIN KEY NOTES

- 1 INSTALL 60" SUMPED STORM WATER QUALITY MANHOLE AND CONNECT TO EXISTING STORM MAIN.
- 2 INSTALL 48" SHALLOW RUBBER GASKET FLAT TOP STORM MANHOLE.
- 3 INSTALL 12" PUBLIC STORM MAIN.
- 4 INSTALL CURB GRATE INLET WITH 6" STORM LATERAL.
- 5 INSTALL AREA DRAIN WITH 6" STORM LATERAL.
- 6 INSTALL 6" PRIVATE STORM LATERAL TO BUILDING CONNECTION.
- 7 INSTALL 12" STORM STUB.
- 8 INSTALL 8" STORM STUB.

SANITARY SEWER KEY NOTES

- 1 CONNECT PROPOSED MAIN TO EXISTING SANITARY SEWER CLEANOUT.
- 2 INSTALL 48" STANDARD SANITARY SEWER MANHOLE.
- 3 INSTALL 8" SANITARY SEWER MAIN.
- 4 INSTALL 4" SANITARY SEWER LATERAL.
- 5 INSTALL 8" SANITARY SEWER STUB.



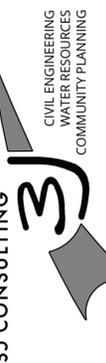
PUBLISH DATE
12-05-2019

ISSUED FOR
LAND USE

REVISIONS

COMPOSITE UTILITY PLAN
PONDEROSA PINES SUBDIVISION

PIN OAKS DEVELOPMENT COMPANY INC.
KING CITY, OR



9600 SW NIMBUS AVE, SUITE 100, BEAVERTON, OR 97008

PROJECT INFORMATION
3J PROJECT # | 19554
TAX LOT(S) | 2S116DB 1700
LAND USE # | ###
DESIGNED BY | KDO, TEG
CHECKED BY | AJM

SHEET NUMBER
C300

MEMORANDUM

TO: King City Planning Commission
FROM: Keith Liden, AICP
RE: Accessory Dwelling Units (ADU) – CDC Amendments
DATE: January 22, 2020

INTRODUCTION

The state and Portland region have been struggling to address the problem of housing affordability and the need to provide adequate housing for different types of households and incomes. In response, the state passed legislation in 2017 requiring cities and counties of a certain population, including King City, to allow accessory dwelling units (ADUs) in zoning districts that permit detached single-family homes. As defined in the statutes, an ADU means an interior, attached, or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

As part of the decision to expand the Urban Growth Boundary (UGB) to include the area west of King City (along with three other areas), Metro had several conditions of approval pertaining to ADUs:

- A.3. *The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.*
- B.1. *Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units. In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling unit be owner occupied and shall not require off street parking when street parking is available.*
- B.2. *Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.*
- B.3. *Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.*
- B.5. *Cities shall engage with service providers to consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters.*
- E.7. *Prior to amending the King City comprehensive plan to include the expansion area, King City shall amend its code to remove barriers to the construction of accessory dwelling units, including:*
 - a. *Remove the requirement that accessory dwelling units can only be built on lots that are at least 7,500 square feet, which effectively prohibits construction of accessory dwelling units in the city.*
 - b. *Remove or increase the requirement that accessory dwelling units be no bigger than 33 percent of the square footage of the primary home so that an accessory dwelling unit of at least 800 square feet would be allowable.*

ADU REGULATIONS – STATE GUIDANCE

To help local governments with amendments to their ADU regulations, the state Land Conservation and Conservation Department (DLCD) provided a short summary of the key legislative requirements they must follow. This seven-page guide (attached) lists the key elements to be considered by local governments regarding the number of ADUs, siting and design standards, utilities, and system development charges (SDCs). It also includes model code language for local jurisdictions to consider.

EXISTING CITY ADU REGULATIONS

King City adopted its current ADU regulations in 2003, which are found in the King City Community Development Code (CDC). ADUs are defined in CDC Section 16.24.030 C, and the ADU requirements are found in CDC Chapter 16.178. At that time, the allowance, regulation, and creation of ADUs was in its infancy, and King City's regulations were deemed acceptable by the state. It is now recognized that many local ADU requirements act to discourage ADUs. In King City's case, requirements of a City Manager review process (public notice and opportunity to appeal) and the minimum 7,500 square-foot lot size can act to discourage ADUs and/or make them more expensive.

POTENTIAL ADU AMENDMENTS

In response to the changes in state law and the Metro conditions for the UGB expansion decision, the city staff has begun drafting potential ADU amendments to the CDC, which are also attached. Although other minor amendments in related portions of the CDC will be necessary, the key amendment issues are in the definition section (CDC 16.24.030 C) and Chapter 16.178. The attachment includes potential CDC amendments shown in track changes. In addition, comments and policy questions are noted in the draft.

Before the city initiates a formal code amendment and public hearing process, the staff would appreciate receiving any comments or questions the Planning Commissioners might have regarding ADUs generally and/or the potential CDC amendments. Important considerations include, but are not limited to:

- The number of allowed ADUs on one property. The state allows the city to have a limitation of one, but it could allow a maximum of two.
- Should the city distinguish between an interior/attached ADU and a duplex, and if so how? For example, the CDC occasionally has different standards for single-family detached units and duplexes.
- What should the review process be? Should it be the same as for accessory structures and building additions (building permit and/or administrative planning review) or something more robust? Note that the state will discourage the latter.
- Should off-street parking be required for an ADU (when allowed by Metro/DLCD), and if so, under what circumstances?

Discussing these and other issues will help the staff prepare a formal CDC amendment proposal for formal consideration by the Planning Commission, City Council, Metro, and DLCD.

**GUIDANCE ON IMPLEMENTING
THE ACCESSORY DWELLING UNITS (ADU) REQUIREMENT
UNDER OREGON SENATE BILL 1051
UPDATED TO INCLUDE HB 2001 (2019)**



*M. Klepinger's backyard detached ADU, Richmond neighborhood, Portland, OR.
(Photo courtesy of Ellen Bassett and accessorydwellings.org.)*

OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

MARCH 2018, updated SEPTEMBER 2019



Introduction

As housing prices in Oregon go up, outpacing employment and wage growth, the availability of affordable housing is decreasing in cities throughout the state. While Oregon's population continues to expand, the supply of housing, already impacted by less building during the recession, has not kept up. To address the lack of housing supply, House Speaker Tina Kotek introduced House Bill (HB) 2007 during the 2017 legislative session to, as she stated, "remove barriers to development." Through the legislative process, legislators placed much of the content of HB 2007 into Senate Bill (SB) 1051, which then passed, and was signed into law by Governor Brown on August 15, 2017 (codified in amendments to Oregon Revised Statute 197.312). In addition, a scrivener's error¹ was corrected through the passage of HB 4031 in 2018.

Among the provisions of SB 1051 and HB 4031 is the requirement that cities and counties of a certain population allow accessory dwelling units (ADUs) as described below:

- a) *A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.*
- b) *As used in this subsection, "accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.*

This requirement became effective on July 1, 2018 and subject cities and counties must now accept applications for ADUs inside urban growth boundaries (UGBs).

On August 8, 2019, Governor Brown signed HB 2001, which established that off-street parking and owner-occupancy requirements are not "reasonable local regulations relating to siting and design." This means that, even if a local development code requires off-street parking and owner-occupancy, as of January 1, 2020, local jurisdictions may not mandate off-street parking spaces for ADUs nor require a property owner to live in either a primary or

¹ *The scrivener's error in SB 1051 removed the words "within the urban growth boundary." HB 4031 added the words into statute and thus limited the siting of ADUs to within UGBs. As a result, land within a city with a population greater than 2,500 but that is not within a UGB is not required by this law to be zoned to allow accessory dwelling units. For counties with a population greater than 15,000, only those unincorporated areas within a UGB are required by this law to be zoned to allow accessory dwelling units.*

accessory dwelling. The law provides an exception for ADUs that are used as vacation rentals, which may be mandated to provide off-street parking or have owner-occupancy requirements.

Some local governments in Oregon already have ADU regulations that meet the requirements of SB 1051 and HB 2001, however, many do not. Still others have regulations that, given the overall legislative direction to encourage the construction of ADUs to meet the housing needs of Oregon's cities, are not "reasonable." The Oregon Department of Land Conservation and Development (DLCD) is issuing this guidance and model code language to help local governments comply with the legislation. The model code language is included at the end of this document.

Guidance by Topic

The purpose of the following guidance is to help cities and counties implement the ADU requirement in a manner that meets the letter and spirit of the law: to create more housing in Oregon by removing barriers to development.

Number of Units

The law requires subject cities and counties to allow "at least one accessory dwelling unit for each detached single-family dwelling." While local governments must allow one ADU where required, DLCDC encourages them to consider allowing two units. For example, a city or county could allow one detached ADU and allow another as an attached or interior unit (such as a basement conversion). Because ADUs blend in well with single-family neighborhoods, allowing two units can help increase housing supply while not having a significant visual impact. Vancouver, BC is a successful example of such an approach.

Siting Standards

In order to simplify standards and not create barriers to development of ADUs, DLCDC recommends applying the same or less restrictive development standards to ADUs as those for other accessory buildings. Typically that would mean that an ADU could be developed on any legal lot or parcel as long as it met the required setbacks and lot coverage limits; local governments should not mandate a minimum lot size for ADUs. So that lot coverage requirements do not preclude ADUs from being built on smaller lots, local governments should review their lot coverage standards to make sure they don't create a barrier to development. Additionally, some jurisdictions allow greater lot coverage for two ADUs. To address storm water concerns, consider limits to impermeable surfaces rather than simply coverage by structures.

Any legal nonconforming structure (such as a house or outbuilding

that doesn't meet current setback requirements) should be allowed to contain, or be converted to, an ADU as long as the development does not increase the nonconformity and it meets building and fire code.

Design Standards

Any design standards required of ADUs must be clear and objective (ORS 197.307[4]). Clear and objective standards do not contain words like "compatible" or "character." With the exception of ADUs that are in historic districts and must follow the historic district regulations, DLCD does not recommend any special design standards for ADUs. Requirements that ADUs match the materials, roof pitch, windows, etc. of the primary dwelling can create additional barriers to development and sometimes backfire if the design and materials of the proposed ADU would have been of superior quality to those of the primary dwelling, had they been allowed. Other standards, such as those that regulate where entrances can be located or require porches and covered entrances, can impose logistical and financial barriers to ADU construction.

Public Utilities

Development codes that require ADUs to have separate sewer and water connections create barriers to building ADUs. In some cases, a property owner may want to provide separate connections, but in other cases doing so may be prohibitively expensive.

System Development Charges (SDCs)

Local governments should consider revising their SDC ordinances to match the true impact of ADUs in order to remove barriers to their development. In fact, HB 2001, passed by the Oregon Legislature in 2019, requires local governments to consider ways to increase the affordability of middle housing types through ordinances and policies, including waiving or deferring system development charges. ADUs are not a middle housing type, but if a local government is reviewing its SDCs for middle housing, that would be a good time to review ADU SDCs as well. ADUs are generally able to house fewer people than average single-family dwellings, so their fiscal impact would be expected to be less than a single-family dwelling. Accordingly, it makes sense that they should be charged lower SDCs than primary detached single-family dwellings. Waiving SDCs for ADUs has been used by some jurisdictions to stimulate the production of more housing units.

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Accessory Dwellings (model code)

Note: ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone within an urban growth boundary that allows detached single-family dwellings. The statute does not allow local jurisdictions to include off-street parking nor owner-occupancy requirements. Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. They provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with single-family detached dwellings. Requirements that accessory dwellings have separate connections to and pay system development charges for water and sewer services can pose barriers to development. Concerns about neighborhood compatibility and other factors should be considered and balanced against the need to address Oregon's housing shortage by removing barriers to development.

The model development code language below provides recommended language for accessory dwellings. The italicized sections in brackets indicate options to be selected or suggested numerical standards that communities can adjust to meet their needs. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.

Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure[, pursuant to Section _____.] and shall conform to all of the following standards:

[A. One Unit. *A maximum of one Accessory Dwelling is allowed per legal single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).*

/

A. Two Units. *A maximum of two Accessory Dwellings are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).]*

B. Floor Area.

1. A detached Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller.
2. An attached or interior Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than [800-900] square feet.

C. Other Development Standards. Accessory Dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;

2. No off-street parking is required for an Accessory Dwelling;
3. Properties with two Accessory Dwellings are allowed [10-20%] greater lot coverage than that allowed by the zone in which they are located; and
4. Accessory dwellings are not included in density calculations.

Definition (This should be included in the “definitions” section of the zoning ordinance. It matches the definition for Accessory Dwelling found in ORS 197.312)

Accessory Dwelling – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

King City CDC
Potential ADU amendments 1.29.20

16.24.030 Definitions of land use types.

A. The purpose of the section is to classify land uses and activities into use categories on the basis of common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. The types of uses allowed in the various zones are based on the goals and policies of the comprehensive plan.

B. Considerations.

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. Developments may have more than one primary use, and accessory activities may also be present. Primary and accessory uses are addressed in subsections (2) and (3) of this section.

2. The following factors are considered to determine what category the use is in, and whether the activity(ies) constitute primary or accessory uses:

- a. The description of the activity(ies) in relationship to the characteristics of each use category;
 - b. The relative amount of site or floor space and equipment devoted to the activity;
 - c. The relative amount of sales from each activity;
 - d. The number and type of customers for each activity;
 - e. The relative number of employees in each activity;
 - f. Hours of operation;
 - g. Building and site arrangement;
 - h. The number and type of vehicles used with the activity;
 - i. The relative number of vehicle trips generated by the activity(ies);
 - j. Signs;
 - k. How the use advertises itself; and
 - l. Whether the activity(ies) would be likely to be found independent of the other activities on the site.
3. Multiple Primary Uses. When a development has a number of primary uses that fall within one use

category, then the development is assigned to that use category. For example, if a development includes a grocery store and pharmacy, the development would be classified as a commercial retail sales and service use.

When the primary uses in a development are within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

4. Accessory Uses. These uses are allowed by right and are regulated in conjunction with the primary use unless otherwise stated in this title.

5. Examples and Exceptions. To help illustrate the types of uses allowed or not allowed under a specific uses category, examples and/or exceptions are given. They are based on the common meaning of the terms and not on what a specific use may call itself.

C. Residential Use Types.

“Dwelling, multi-family” means a structure that contains three or more dwelling units which share common walls, floors or ceilings with one or more than two dwelling units on one lot.

“Dwelling, single-family attached” means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. It does not share common floors or ceilings with other dwelling units.

“Dwelling, single-family detached” means a detached dwelling unit located on its own lot.

“Dwelling unit, accessory” means an auxiliary and ~~detached-independent~~ living unit with separate kitchen, living and sleeping facilities within a single-family structure or in a separate accessory building on the same lot as a primarily single-family residence. Because it is considered as an accessory use, this type of residential unit is not included in density calculations.

“Duplex” means a structure that contains two dwelling units on one lot. The units may share common walls, floors or ceilings.

“Family care” includes two types of child care services and one type for adults.

1. “Family day care” as defined by Oregon State Statute, refers to the provision of day care services for children, with or without compensation, in the home of the caregiver. Family day care may

Commented [KL1]: SB 1051 uses the following definition “accessory dwelling unit means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.” This wording says the same thing. The city doesn’t necessarily need to tie ADU only to single-family. For example, would it be a problem if the ADU was accessory to a duplex of multi-family development as long as it could meet the standards?

To avoid complications and potentially penalizing ADUs within single-family buildings, the CDC needs to be clear they’re still considered as a single-family building, and they don’t become a duplex with the addition of an interior/attached ADU. This will make the dimensional standards in each zone easier to administer and would avoid the problem of a single-family residence being converted with an interior ADU and becoming a duplex rather than simply continuing to meet setbacks, height, and lot size for a single-family home.

The CDC must avoid confusion between an ADU in a single-family home and a duplex. How is duplex different – or is it?

Commented [KL2]: Need to clarify the difference between this and an attached/interior ADU.

Chapter 16.178

ACCESSORY DWELLING UNITS

Sections:

- 16.178.010 Purpose.
- 16.178.020 Applicability of provisions.
- 16.178.030 Administration.
- 16.178.040 Submission requirements.
- 16.178.050 Approval standards.

16.178.010 Purpose.

Accessory dwelling units are allowed in certain situations to:

- A. Create new housing units while respecting the character of single-family residential neighborhoods;
- B. Utilize existing housing stock and infrastructure more efficiently;
- C. Provide a mix of housing types that respond to changing household needs;
- D. Provide a means for residents, particularly seniors, single parents and other established residents to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- E. Provide a broader range of affordable housing options. (Ord. O-03-2 § 1 (part), 2003)

16.178.020 Applicability of provisions.

The provisions of this chapter shall apply to all new accessory dwelling unit construction or floor area expansion of an existing accessory dwelling in the R-9, SF, AT, R-12, R-15, and R-24, and NMU districts. (Ord. O-03-2 § 1 (part), 2003)

16.178.030 Administration.

- A. Accessory dwelling unit applications shall be administered and reviewed as a city manager review in accordance with Article II of this title.
- B. In instances where an alteration, extension or reconstruction of an existing accessory dwelling unit is requested, the applicant shall apply for an accessory dwelling unit permit in accordance with this chapter. (Ord. O-03-2 § 1 (part), 2003)

16.178.040 Submission requirements.

A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit the following:

- 1. A site plan(s) and necessary data or narrative (number to be determined at the preapplication conference), which explains how the accessory structure proposal conforms to the standards:
 - a. Sheet size for an accessory structure-dwelling unit site plan(s) and required drawings shall be drawn on sheets preferably not exceeding eighteen inches by twenty-four inches;
 - b. The scale of the site plan shall be an engineering scale; and
 - c. All drawings of structure elevations shall be at standard architectural scale, being one-fourth inch or one-eighth inch.
 - 2. The proposed accessory structure-dwelling unit site plan and narrative shall include:
 - a. The location of all existing and proposed structures on the site and directly abutting the site, and their orientation;
 - b. The location of existing and proposed utility lines and easements;
 - c. The location of any streets abutting the site;
 - d. The location of any accessway to the proposed structure-accessory dwelling unit;
 - e. The dimensions and square footage of the accessory structure-accessory dwelling unit; and
 - f. A copy of all existing and proposed restrictions or covenants.
 - 3. The proposed architectural plans for the accessory structure-accessory dwelling unit shall include:
 - a. At least the front and side elevations of any proposed structure; and
 - b. If a building permit is required, all structural drawings and data required by the uniform building code shall be included.
- B. The city 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.

Commented [KL7]: Because this is basically a building permit review with planning oversight, we probably should coordinate submittal requirements with those for a building permit.

Commented [KL8]: We should talk about whether a pre-application meeting and associated fee is necessary. If not, we could indicate the number of copies is per the city manager. Depending upon how KC approaches land use application forms, we could encourage discussing a proposed ADU with city staff prior to applying, but not a formal preapp.

Commented [KL3]: This qualifying language should be deleted.

Commented [KL4]: Instead of listing the districts, we might consider saying any residential zone or any zone (e.g., LC Limited Commercial) that allows residential dwellings. This will need to be amended once the city has developed the anticipated new zoning districts for the UGB expansion area as part of the master plan.

Commented [KL5]: Need to review. Probably several possible options, but at a minimum, we should probably have ADUs within an existing residence as administrative. An addition to a house only needs a building permit and perhaps an administrative planning review (staff, no public notice). The CDC should be consistent between different types of construction and additions.

Commented [KL9]: How would this not be required?

Commented [KL6]: This variety should be administrative.

C. The city manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application. (Ord. O-03-2 § 1 (part), 2003)

16.178.050 Approval standards.

A. Creation.

An accessory dwelling unit may only be created through the following methods:

1. Converting existing living area, attic, basement, ~~or garage, or detached accessory building;~~
2. Adding floor area ~~to an existing residence;~~
3. Constructing a detached accessory dwelling unit on a site with an existing house, attached house or manufactured home; or
4. Constructing a new house, attached house, or manufactured home with an internal or detached accessory dwelling unit.

B. Maximum Number.

~~A maximum of two accessory dwelling units are allowed per legal single-family dwelling. A maximum of one accessory dwelling unit may be a detached accessory building or in a portion of a detached accessory building.~~

CB. Other Development/sign Requirements.

1. ~~An attached accessory dwelling unit must be consistent with the design of the existing dwelling to which it is attached in the following ways:
 - ~~a. The type size and placement of exterior finish material and trim;~~
 - ~~b. The predominant roof pitch;~~
 - ~~c. The proportion (relationship of width to height) and orientation (horizontal or vertical) of new windows;~~
 - ~~d. Eaves must project from the same distance from building walls; and~~
 - ~~e. Only one building entrance may be located on the front facade for the two dwellings. The entrance for one unit and all secondary entrances shall be located on the side or rear of the building.~~~~
2. ~~A detached accessory dwelling unit must have the same roof pitch as the predominant roof pitch of the other dwelling unit on the lot.~~

B. Dimensional Standards.

1. ~~A building containing an attached~~ accessory dwelling unit shall provide front, side and rear setbacks ~~and have a maximum building height~~ which comply with the applicable zone district.

2. A detached accessory dwelling unit shall ~~provide side and rear setbacks which comply with the applicable zone district and a front yard setback which is ten feet greater than the existing dwelling and~~ be located within a front yard.

3. ~~The lot size must be a minimum of seven thousand five hundred square feet. Properties with a detached accessory dwelling unit are allowed to increase the maximum lot coverage standard of the applicable zone up to 10 percent.~~

4. ~~No additional off-street parking is required for an accessory dwelling unit. The size of an attached or detached accessory dwelling unit may be no more than thirty three percent of the living area of the existing dwelling or eight hundred square feet, whichever is less.~~

5. ~~A detached accessory dwelling unit shall not exceed 800 square feet of floor area, or 75 percent of the primary dwelling's floor area, whichever is less.~~

~~5. The maximum height allowed for an accessory dwelling unit shall:~~

- ~~a. Meet the standard of the applicable zone district for an attached unit; and~~
- ~~b. Be twenty five feet for a detached unit.~~

6. ~~Conversion of an existing legal nonconforming structure to an accessory dwelling unit is allowed provided that the conversion does not increase the degree of nonconformity.~~

7. ~~Accessory dwelling units are exempt from density calculations and requirements.~~

C. Parking.

1. ~~No additional parking space as required for an accessory dwelling unit if it is created on a site with an existing house, attached house, or manufactured home and one abutting street has a paved width of at least twenty eight feet.~~

2. ~~One additional parking space is required for an accessory dwelling unit:~~

- ~~a. When the abutting street(s) do not have a minimum paved width of twenty eight feet; or~~

Commented [K12]: This reflects the state's wording. Our conditions with Metro say we can't require off-street parking for ADUs "when street parking is available." We essentially say that now with our requirement for one parking space when the abutting street is less than 28'.

Commented [K10]: The state allows us to limit to 1 if we want.

Commented [KL11]: Many of the current design requirements are considered to be too subjective and create additional hurdles for ADUs. These are clearly discouraged/not allowed by DLC.

~~—b.—When the accessory dwelling unit is created at the same time as the house, attached house, or manufactured home. (Ord. O-03-2 § 1 (part), 2003)~~