Central Point Crossing

Preliminary Plat Application

Application Narrative

Project Information:

Date: April, 2013

Applicant/Owner: Icon Construction and Development, LLC.
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Request: The applicant is requesting approval of a 27-lot subdivision through the expedited land division process as set forth in ORS 197.360 to 197.380.

Location: The property is located at the intersection of White Lane with Central Point Road.

Legal Description: Tax Lots 1502 and 1506 of Clackamas County Assessor’s Map 3-1E-12D.

Site Area: 6.91 Acres

Zoning: R-8

Background Information:

The subject property is located at the intersection of White Lane and Central Point Road. It consists of two Tax Lots: Tax Lot 1502, which is developed with a single-family home; and Tax Lot 1506, which is vacant. The existing home will be demolished to allow for the development of the proposed subdivision. The subject property and property to the southwest within the Payson subdivision are zoned R-8. Properties to the north and northwest are zoned R-10. The site is developed with a single-family home that will be demolished to allow for construction of the proposed subdivision.
The subject property previously was approved for a subdivision in 2008, but that development was not carried forward due to the economic recession. The prior approval has lapsed.

The proposed subdivision plan provides for the construction of a grid of local streets to provide access for all lots within the planned subdivision. The proposed lots will be used for the construction of single-family detached homes, consistent with the R-8 zoning of the property. It is anticipated that all of the homes will be owner-occupied.

Approval Criteria: The relevant approval criteria for this subdivision are as follows:

Chapter 16.08 – Subdivisions – Process and Standards
Chapter 17.50 – Administration and Procedures
Chapter 16.12 – Minimum Improvements and Design Standards for Land Divisions
Chapter 17.08 – R-10 Single-Family Dwelling District
Chapter 17.20 – Residential Design and Landscaping Standards
Chapter 12.04 – Streets Sidewalks and Public Places
Chapter 17.41 – Tree Protection Standards
Chapter 12.08 – Public and Street Trees

COMPLIANCE WITH CHAPTER 16.08

16.08.010 Purpose and General Provisions.

A. Applicability. – As noted above, the proposed development is subject to the process and approval standards applicable to subdivisions including Chapters 16.08, 12.04, 16.12, and 17.50 of the Oregon City Municipal Code. Those provisions are addressed in this narrative and will be shown to be satisfied by this application.

B. Process – Subdivision applications follow a Type II process. In this instance, however, the applicant is electing to make use of the expedited land division procedures provided by state law.

C. Purpose – The proposed design is consistent with basic design criteria so the use of a master plan provided under Chapter 17.65 or a variance per Chapter 16.60 is not necessary.

D. Process Overview – This application for preliminary plat approval is being processed in accordance with state requirements for an expedited land division. The final plat will be submitted at a later date and reviewed in accordance with typical procedures.

16.08.015 Preapplication Conference Required.

Consistent with City procedures, a preapplication conference was held on December 11, 2012 (PA 12-28).
16.08.020 Preliminary Subdivision Plat Application.

The preliminary plat is being submitted within six months of the pre-application conference date. This narrative and the other plans and documents submitted with it, contain the required information that will allow the City to determine compliance with relevant City standards.

16.08.025 Preliminary Subdivision Plat—Required Plans.

Consistent with City requirements, the preliminary plat application includes the following:

A. Site Plan
B. Traffic/Transportation Plan
C. Natural Features Plan and Topography, Preliminary Grading & Drainage Plan.
D. Archeological Monitoring Recommendation – Consistent with city policy, the State Historic Preservation Office (SHPO) and the Confederated Tribes of the Warm Springs Reservation of Oregon were notified of the proposed development.

16.08.030 Preliminary Subdivision Plat—Narrative Statement.

A. Subdivision Description – The background information section of this narrative provides the required statements regarding the use and ownership of lots within this proposed subdivision.

B. Timely Provision of Public Services and Facilities

1. Water – There is an existing 12-inch ductile iron city water main in Central Point Road and an 8-inch ductile iron city water line in White Lane along the project frontage. The water system within the proposed subdivision will connect to both of these water lines in order to provide for appropriate water circulation.

2. Sewer – There is an existing 8-inch PVC sanitary sewer main in White Lane along the project frontage. This sewer will be extended into the proposed subdivision, as shown on the Preliminary Utility Plan, to serve the planned lots.

3. Storm Sewer – 12-inch storm sewer lines are present in White Lane. The storm sewer design depicted on the preliminary utility plan submitted with this application calls for the construction of a storm detention and treatment facility at the southeast corner of the subject property The storm sewer system within the planned subdivision will drain to this detention facility and will then outfall to the existing storm sewer line in White Lane. The rate of runoff from the detention facility will be consistent with city standards, as discussed in the storm report submitted with this application.
4. Parks and Recreation – The closest park property is the potential city park site within the Filbert Run subdivision on Hazelnut Avenue. The closest developed city park is the Wesley Lynn Park on Leland Road. System Development Charges paid at the time of building permit application for new homes within the subdivision will aid in the development of additional park facilities.

5. Traffic and Transportation – A Transportation Impact Study for the site has been prepared by Lancaster Engineering and is attached to this application. As noted in that study, the transportation system is adequate to meet the needs of the planned subdivision.

6. Schools – The subject property is located within the service area of Oregon City Public Schools. The school district will have the opportunity to comment on this application, but we are not aware of any problems in providing for the school needs associated with these eight new lots.

7. Fire and Police Services – Clackamas County Fire District No. 1 provides fire protection services in this area. The Oregon City Police Department provides police protection. Prior to final plat approval, the applicant will coordinate with Fire District No. 1 to ensure that their standards are met.

C. Approval Criteria and Justification for Variances – No variances are being requested so these provisions do not apply. Other relevant approval criteria are addressed below in this narrative.

D. Drafts of CC&Rs, maintenance agreements, homeowners association agreements, deeds easements, or reservations of public open spaces not dedicated to the city, and related documents for the subdivision – Proposed CC&Rs are attached. No private facilities are proposed so a maintenance agreement will not be needed. There will be no homeowners association. Easements for utilities are shown on the preliminary plan. There are no public open spaces proposed.

E. Phasing – Not applicable. The project will be developed in a single phase.

F. Overall Density – The subdivision proposes 27 lots for the construction of single family homes. The site area is 6.91 acres, for a gross density of 3.91 units per acre. The net site area after subtracting streets is 222,625 sq. ft. and the average lot size is 8,208 square feet. The net density is 5.28 units per acre.
16.08.040 Preliminary Subdivision Plat--Approval Standards.

The approval standards for subdivisions are addressed below in the discussion of compliance with Chapter 16.12. The dimensional standards applicable to the subdivision are those of the R-8 zone. Those standards are addressed in the discussion of Chapter 17.08.

16.08.045 Building Site--Frontage Width Requirement.

All lots in the proposed subdivision abut on a street or cul-de-sac for a width of at least twenty feet, as required by this section.

16.08.050 Flag Lots in Subdivisions

Not applicable. No flag lots are proposed.

COMPLIANCE WITH CHAPTER 17.50

17.50.030 Summary of the city's decision-making processes.

Consistent with these provisions, the applicant is electing to submit this subdivision as an expedited land division. As noted in 17.50.30E, “The expedited land division (ELD) process is set forth in ORS 197.360 to 197.380. To qualify for this type of process, the development must meet the basic criteria in ORS 197.360(1)(a) or (b).” The proposed subdivision meets the criteria of ORS 197.360(1)(a). All of the land within the subdivision is zoned for residential uses (R-8). All of the lots created by the subdivision will be for residential use. The subdivision does not contain any land specifically mapped and designated in the comprehensive plan for full or partial protection of natural features under the statewide planning goals that relate to open space, scenic and historic areas and natural resources. Further, the property is not located within the Willamette River Greenway. For these reasons, the application may be processed in accordance with the procedures outline in ORS 197.360 to 197.380.

COMPLIANCE WITH CHAPTER 16.12 – MINIMUM IMPROVEMENTS AND DESIGN STANDARDS FOR LAND DIVISIONS


Street design standards for all new development and land divisions shall comply with Chapter 12.04 Street Design Standards.

Comment: Please see discussion of Chapter 12.04, below.


The length, width and shape of blocks shall take into account the need for adequate building site size, convenient motor vehicle, pedestrian, bicycle and transit access,
control of traffic circulation, and limitations imposed by topography and other natural features.

Comment: The proposed subdivision extends a short cul-de-sac, Aspen Ridge Court, into the site and provides frontage improvements along Hazelnut Avenue. All adjoining property is fully developed with single-family residential lots. There are no opportunities to extend a street to connect with other streets due to the existing development pattern. No new blocks are being formed by this proposal.


Block lengths for local streets and collectors shall not exceed five hundred feet between through streets, as measured between nearside right-of-way lines.

Comment: The block length from Renee Way to Central Point Road measures approximately 402 feet. The block length from Renee Way to the future street to the southeast, as shown on the shadow plat, measures approximately 453 feet. This standard is met.


The width of blocks shall ordinarily be sufficient to allow for two tiers of lots with depths consistent with the type of land use proposed.

Comment: The proposed layout provides block widths that allow for two tiers of lots, consistent with this requirement.


A. To facilitate the most practicable and direct pedestrian and bicycle connections to adjoining or nearby neighborhood activity centers, public rights-of-way, and pedestrian/bicycle accessways which minimize out-of-direction travel, subdivisions shall include pedestrian/bicycle access-ways between discontinuous street right-of-way where the following applies:
   1. Where a new street is not practicable;
   2. Through excessively long blocks at intervals not exceeding five hundred feet of frontage as measured between nearside right-of-way lines; or
   3. Where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.

B. Pedestrian/bicycle accessways shall be provided:
   1. To provide direct access to nearby neighborhood activity centers, transit streets and other transit facilities;
   2. Where practicable, to provide direct access to other adjacent developments and to adjacent undeveloped property likely to be subdivided or otherwise developed in the future;
   3. To provide direct connections from cul-de-sacs and internal private drives to the nearest available street or neighborhood activity center;
   4. To provide connections from cul-de-sacs or local streets to arterial or collector streets.
C. An exception may be made where the Community Development Director determines that construction of a separate accessway is not feasible due to physical or jurisdictional constraints. Such evidence may include but is not limited to:

1. That other federal, state or local requirements prevent construction of an accessway;
2. That the nature of abutting existing development makes construction of an accessway impracticable;
3. That the accessway would cross an area affected by an overlay district in a manner incompatible with the purposes of the overlay district;
4. That the accessway would cross topography consisting predominantly of slopes over twenty-five percent;
5. That the accessway would terminate at the urban growth boundary and extension to another public right-of-way is not part of an adopted plan.

D. Pedestrian/bicycle accessways shall comply with the development standards set out in Section 12.24 of this code, with the ownership, liability and maintenance standards in Section 12.24 of this code, and with such other design standards as the city may adopt.

Comment: Pedestrian and bicycle access are adequately addressed with the proposed improvements shown on the site plan. Sidewalks provide for pedestrian traffic. All streets within this area are local streets, which allow for bicycle traffic. No cul-de-sac streets are proposed and there are no off-site neighborhood activity centers that would warrant a pedestrian pathway. There are no neighboring subdivisions that would require a pedestrian pathway to allow for connectivity. This standard has been met.

16.12.040 Building Sites.

Comment: The buildings sites proposed that are appropriate in size, width, shape, and orientation for low-density residential development, consistent with the R-8 zoning of the property. The applicant is not requesting a variance to any dimensional standard.

16.12.045 Building Sites – Minimum Density

All subdivision layouts shall achieve at least 80% of the maximum density of the base zone for the net developable area as defined in Section 17.04.

Comment: The net site area, exclusive of street rights-of-way is 221,625 square feet. Dividing this area by minimum 8,000 square foot lot size of the R-8 zone yields a maximum density of 27 units. The proposed site plan provides for 27 lots so the 80 percent minimum density standard is satisfied.

Chapter 16.12.050 Calculations of Lot Area.

A subdivision in the R-10, R-8, R-6, R-5, or R-3.5 Dwelling District may include lots that are up to 20% less than the required minimum lot area of the applicable zoning designation provided the entire subdivision on average meets the minimum site area requirement of the underlying zone. The average lot area is
determined by calculating the total site area devoted to dwelling units and dividing that figure by the proposed number of dwelling lots.

Comment: The proposed site plan does include lots that are larger and smaller than the 8,000 sq. ft. minimum lot size standard of the R-8 zone. The smallest lot proposed is Lot 6, which measures 7,069 sq. ft. in area. The maximum permissible reduction in lot area of 20% from the 8,000 sq. ft. minimum lot size standard would require the smallest lot proposed to be at least 6,400 sq. ft. in area. This requirement is met by the proposed site plan. The average lot area proposed is 8,208 sq. ft., which complies with the 8,000 sq. ft. minimum average lot size requirement.

16.12.055 Building Site--Through Lots.

Comment: No through lots are proposed.

16.12.060 Building Site--Lot and Parcel Side Lines.

Comment: Consistent with this section, side lot lines are designed to be perpendicular to the streets on which they face.

16.12.065 Building Site--Grading.

Comment: Site grading will be designed to conform to Chapter 18 of the Oregon Structural Specialty Code and City standards, as demonstrated by the grading plan submitted with this application.

16.12.070 Building Site--Setbacks and Building Location.

This standard ensures that lots are configured in a way that development can be orientated toward streets to provide a safe, convenient and aesthetically pleasing environment for pedestrians and bicyclists. The objective is for lots located on a neighborhood collector, collector or minor arterial street locate the front yard setback on and design the most architecturally significant elevation of the primary structure to face the neighborhood collector, collector or minor arterial street.

Comment: Central Point Road is designated as an arterial street by the Oregon City Transportation System Plan. All other streets in and abutting the development are local streets. Lot 1 and Lot 11 abut Central Point Road and will be reviewed for compliance with these requirements at the time of building permit application.

16.12.075 Building Site--Division of Lots.

Where a tract of land is to be divided into lots or parcels capable of redivision in accordance with this chapter, the Community Development Director shall require an arrangement of lots, parcels and streets which facilitates future redivision. In such a case, building setback lines may be required in order to preserve future right-of-way or building sites.
Comment: No lots are proposed that are large enough to be capable of redivision. This section does not apply.


*Protection of trees shall comply with the provisions of Chapter 17.41 – Tree Protection.*

Comment: See discussion of Chapter 17.41, below.

16.12.085 Easements.

Comment: A 10 foot-wide utility easement will be provided along all street frontages within this plat, except where wider easements are noted on the preliminary plan. A storm drainage easement is provided along the rear yards of Lots 22-24 and the front yards of Lots 25-27, as shown on the Preliminary Utility Plan.


Comment: No construction will commence until required plans have been approved by the City. All improvements will be constructed under the inspection and approval of the city engineer and expenses relating to this will be paid prior to final plat approval. Erosion control measures will be installed as required and utilities will be installed prior to surfacing of the streets. All other standards relating to construction of site improvements will be met.


Comment: Compliance with the minimum improvement standards of this section will be reviewed with the construction plans submitted prior to site construction and final plat review. The applicant will comply with all City standards relating to these improvements.

16.12.100 Minimum Improvements—Road Standards and Requirements.

Comment: The streets created through this subdivision application will be in conformance with requirements for subdivisions or partitions and the applicable street design standards of Chapter 12.04. No streets are proposed to be created by deed. All streets will be shown on the final plat for the subdivision.


Comment: The applicant will either complete construction of all public improvements required for the subdivision prior to application for final plat approval or will guarantee the construction of those improvements in a manner acceptable to the City Engineer.

Comment: If a financial guarantee is proposed for site improvements, the form, timing, and duration of the guarantee will comply with the provisions of this section.

COMPLIANCE WITH CHAPTER 17.10 – R-8 SINGLE-FAMILY DWELLING DISTRICT

17.10.020 - Permitted uses.

Comment: All lots in this subdivision are proposed to be used for construction of single-family detached homes, consistent with 17.10.020(A).

17.10.040 Dimensional Standards:

Dimensional standards in the R-8 district are:

A. Minimum lot area: eight thousand square feet.
B. Minimum lot width: sixty feet.
C. Minimum lot depth: 80 seventy-five feet.
D. Maximum building height: two and one-half stories, not to exceed thirty-five feet.
E. Minimum Required Setbacks.
   1. Front yard: fifteen feet minimum setback.
   2. Front porch, ten feet minimum setback;
   3. Attached and detached garage: twenty feet minimum depth from the public right-of-way where access is taken, except for alleys. Detached garages on an alley shall be setback a minimum of five feet in residential areas.
   4. Interior side yard: nine feet minimum setback for at least one side yard, seven feet minimum setback for the other side yard;
   5. Corner side yard: fifteen feet minimum setback;
   6. Rear yard: twenty feet minimum setback.
   7. Rear porch, fifteen feet minimum setback.
F. Garage Standards. See Chapter 17.20, Residential Design Standards.
G. Maximum Lot Coverage: The footprint of all structures two hundred square feet or greater shall cover a maximum of forty percent of the lot area.

Comment: All lots in this subdivision comply with the minimum 8,000 square foot lot area of the R-8 zone, as adjusted per the provisions of Chapter 16.12.050. All lots proposed meet or exceed the minimum sixty feet lot width and 80 feet lot depth standards. Building height, setbacks, garage, and lot coverage standards will be reviewed at the time of building permit application. No variances to any dimensional standards are proposed.
COMPLIANCE WITH CHAPTER 17.20 – RESIDENTIAL DESIGN AND LANDSCAPING STANDARDS

17.20.015 - Street trees.

All new single or two-family dwellings or additions of twenty-five percent or more of the existing square footage of the home (including the living space and garage(s)) shall install a street tree along the frontage of the site, within the abutting developed right-of-way. Existing trees may be used to meet this requirement. A picture of the planted tree shall be submitted to the planning division prior to issuance of occupancy. Upon approval by the community development director, when a planter strip is not present, a tree may be placed within an easement on the abutting private property within ten feet of the public right-of-way if a covenant is recorded for the property with the Clackamas County Recorders Office identifying the tree as a city street tree, subject to the standards in Chapter 12.08 of the Oregon City Municipal Code. The street tree shall be a minimum of two-inches in caliper and either selected from the Oregon City Street Tree List or approved by a certified arborist for the planting location.

Comment: Street trees will be provided along all street frontages in the development, as required by this section.

17.20.030 - Residential design options.

Comment: Compliance with the residential design options will be reviewed at the time of building permit application.

17.20.035 - Corner lots and through lots.

Comment: Compliance with these provisions will be reviewed at the time of building permit application.

17.20.040 - Residential design elements.

Comment: Compliance with these provisions will be reviewed at the time of building permit application.

17.20.050 - Main entrances.

Comment: Compliance with these provisions will be reviewed at the time of building permit application.

17.20.060 - Residential yard landscaping.

Comment: Compliance with these provisions will be reviewed at the time of building permit application.
COMPLIANCE WITH CHAPTER 12.04 – STREETS SIDEWALKS AND PUBLIC PLACES

12.04.005 Jurisdiction and management of the public rights-of-way.

Comment: Consistent with this section, no work will be done within existing or proposed street rights-of-way without obtaining appropriate permits from the City of Oregon City.

12.04.010 Construction specifications—Improved streets.

Comment: As required by this section, street, curb and sidewalk improvements will be constructed in accordance with approved plans designed to conform to City street standards.

12.04.020 Construction specifications—Unimproved streets.

Comment: Not applicable.

12.04.25 Street design--Curb cuts.

Comment: The applicant will work with City staff to ensure that curb cuts are designed and improved consistent with City standards.

12.04.030 Maintenance and repair.

Comment: Consistent with this section, the owner of land abutting the street where a sidewalk has been constructed will be responsible for maintaining the sidewalk and curb in good repair.

12.04.031 Liability for sidewalk injuries.

Comment: As set forth in this section, the future homeowners will be responsible for the liability associated with injuries resulting from failure to maintain sidewalks in good repair.

12.04.032 Required sidewalk repair through 12.040 Streets-Enforcement

Comment: Not applicable. These sections provide standards for notification and process issues relating to potential future sidewalk repairs. While they may impact future homeowners should sidewalks need repair, they are not directly applicable to this subdivision application.

12.04.045 Street Design--Constrained Local Streets and/or Rights-of-Way.

Comment: Not applicable. No constrained local streets or rights-of-way are proposed.

12.04.050 Retaining walls--Required.
Comment: Not applicable. There are no grading issues that would require the use of a retaining wall on this site.

12.04.060 Retaining walls--Maintenance.

Comment: Not applicable. No retaining walls are proposed.

12.04.070 Removal of sliding dirt.

Comment: Future homeowners will have the responsibility to maintain street and sidewalk areas free of dirt and debris as required by this section.

12.04.080 Excavations--Permit required.

Comment: No excavation will be done in rights-of-ways without obtaining required permits.

12.04.090 Excavations--Permit restrictions.

Comment: The applicant will comply with any restrictions placed upon excavation permits associated with this project.

12.04.095 Street Design – Curb Cuts.

Comment: The applicant will comply with City standards regarding number and design of curb cuts.

12.04.100 Excavations – Restoration of Pavement

Comment: All excavations within street areas will be restored to appropriate condition per this standard.

12.04.110 Excavations--Nuisance--Penalty.

Comment: Not applicable.

12.04.120 Obstructions – Permit Required

Comment: Required permits will be obtained before any obstructions of street areas that may be necessary are undertaken.

12.04.130 Obstructions--Sidewalk sales.

Comment: Not applicable.
12.04.140 Obstructions--Nuisance--Penalty.

Comment: Not applicable.

12.04.150 Street and alley vacations--Cost.

Comment: Not applicable.

12.04.160 Street vacations--Restrictions.

Comment: Not applicable.

12.04.170 Street Design - Purpose and General Provisions.

All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the City's Public Facility Master Plan and City design standards and specifications. In reviewing applications for development, the City Engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Comment: The proposed street design provides new local streets to serve the subdivision, as shown on the Preliminary Plan, and provides for frontage improvements on White Lane that conform to City design standards. These design proposals are consistent with the existing development pattern in the area and take into consideration surrounding undeveloped properties.

12.04.175 Street Design--Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. Where location is not shown in the development plan, the arrangement of streets shall either:

A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;

B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the
resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Access control in accordance with section 12.04.200 shall be required to preserve the objectives of street extensions.

Comment: The proposed street pattern provides for a grid system that is consistent with the surrounding area. Renee Way will be extended from its current intersection with White Lane through the proposed development and stubbed to the north to provide for connectivity in that direction. A street stub is also provided to the southwest to provide for connectivity to undeveloped property in that direction. The grades, tangents, and curves of the planned streets are consistent with the City’s standards for local streets.


Comment: All streets within the proposed subdivision are local streets as defined by the Oregon City Transportation System Plan. These streets, as well as White Lane along the project site frontage, will be fully improved to conform with City local street standards of 53’ right-of-way width and 32’ of paved width.

12.04.185 Street Design—Access Control.

Comment: No applicable. No unfinished streets are included in the design so access control is not an issue.

12.04.190 Street Design—Alignment.

Comment: The alignment of Renee Way is continued along its centerline to the north through the proposed subdivision. No other existing streets are present.

12.04.195 Minimum Street Intersection Spacing Standards.

Comment: The intersection of Renee Way at White Lane aligns with the existing intersection to the south. The intersection spacing between White Lane and the new ___ Drive on Central Point Road measures approximately 342 feet. This exceeds the minimum 300 foot minimum spacing required by this section between a local street and an arterial Street.

12.04.200 Street Design—Constrained Local Streets and/or Rights-of-Way.

Comment: Not applicable. No constrained Local streets or rights-of-way are proposed.

12.04.205 Intersection Level of Service Standards.

Comment: Level of Service impacts were assessed in the traffic analysis prepared for this subdivision. These impacts will not cause any affected street intersections to exceed permissible levels.
12.04.210 Street design--Intersection Angles.
Comment: The proposed street intersections within the project are designed at approximately 90-degrees, consistent with the requirements of this section.

12.04.215 Street design--Off-Site Street Improvements.
Comment: No off-site street improvements are proposed or needed.

12.04.220 Street Design--Half Street.
Comment: Not applicable. No half-streets are proposed.

12.04.225 Street Design--Cul-de-sacs and Dead-End Streets.
Comment: Not applicable. No cul-de-sac streets or permanent dead-end streets are proposed.

12.04.230 Street Design--Street Names.
Comment: The proposed street names do not duplicate any existing street names in the city, nor are there any similar names with which they could be confused.

12.04.235 Street Design--Grades and Curves.
Comment: Site terrain is relatively level and the proposed street grades are less than five percent. Proposed curves conform to City standards.

12.04.240 Street Design--Development Abutting Arterial or Collector Street.
Comment: The site abuts Central Point Road, a Minor Arterial street. Two lots abut this street and the homes constructed on them will be configured to conform to City standards.

12.04.245 Street Design--Pedestrian and Bicycle Safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, cyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.

All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the City Engineer.
Comment: The proposed plan will provide for sidewalks on streets within the project and on White Lane. There are no unusual conditions that would result in non-local traffic using the streets within the development so no extra traffic-calming designs or crosswalk improvements are warranted.

12.04.255 Street design--Alleys.

Comment: Not applicable. No public alleys are proposed or required by this section.

12.04.260 Street Design--Transit.

Comment: Not applicable. The proposed development does not contain or abut any transit streets.

12.04.265 Street design--Planter Strips.

Comment: Consistent with the requirements of this section, proposed street improvements include the provision of planter strips that will accommodate street trees.


Comment: As required by this section, the workmanship and materials for any work performed under permits issued per this chapter will be in accordance with City standards and the edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city, in effect at the time of application.

COMPLIANCE WITH CHAPTER 17.41 – TREE PROTECTION STANDARDS

17.41.020 - Tree protection—Applicability.

Comment: The proposed subdivision is subject to the provisions of this chapter.

17.41.050 - Same—Compliance options.

Applicants for review shall comply with these requirements through one or a combination of the following procedures:

A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to Sections 17.41.060 or 17.41.070. All replanted and saved trees shall be protected by a permanent restrictive covenant or easement approved in form by the city.

B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to Sections 17.41.080—17.41.100; or

C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to Sections 17.41.110—17.41.120; or
D. Option 4—Cash-in-lieu of planting pursuant to Section 17.41.130

A regulated tree that has been designated for protection pursuant to this section must be retained or permanently protected unless it has been determined by a certified arborist to be diseased or hazardous, pursuant to the following applicable provisions.

The community development director, pursuant to a Type II procedure, may allow a property owner to cut a specific number of trees within a regulated grove if preserving those trees would:
1. Preclude achieving eighty percent of minimum density with reduction of lot size; or
2. Preclude meeting minimum connectivity requirements for subdivisions.

Comment: The subject property contains a total of 6 trees and 5 are within the construction area of the project that will require removal to allow the development of this site. No trees located outside of the construction area are proposed to be removed. The table below shows the breakdown of the trees to be removed by size, as well as the required number of trees needed to be planted to mitigate for their removal.

<table>
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<tr>
<th>Size of tree removed (DBH)</th>
<th>Number of trees to be Removed Inside of Construction Area</th>
<th>No. of Trees to be Planted per Tree Removed</th>
<th>Required No. of Trees to be Planted</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 to 12&quot;</td>
<td>4</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>13 to 18&quot;</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>19 to 24&quot;</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>25 to 30&quot;</td>
<td>1</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>31 and over&quot;</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>

17.41.060 - Tree removal and replanting—Mitigation (Option 1).

A. Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in Chapter 17.04 to the extent practicable. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture. At the applicant's expense, the city may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under section 12.08—Community Forest and Street Trees.
B. The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:
   1. Trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or
   2. Diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definition in Section 17.04.1360, may be removed from the tree replacement calculation. Regulated healthy trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Regulated healthy trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2.

Comment: The applicant proposes to make use of Mitigation Option 1. The one tree not identified for removal will be protected outside of the construction area throughout the construction phase of the project. Replacement trees will be planted pursuant to the provisions of this section. A mitigation plan will be prepared by an arborist and submitted for review prior to final plat approval.

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).

Comment: Not applicable. The applicant does not propose to make use of these provisions.

17.41.110 - Tree protection by restrictive covenant (Option 3).

Comment: Not applicable. The applicant does not propose to make use of these provisions.


Comment: Not applicable. The applicant does not propose to make use of these provisions.

17.41.130 - Regulated tree protection procedures during construction.
   A. No permit for any grading or construction of public or private improvements may be released prior to verification by the community development director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the community development director.
B. Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:

C. Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.

Comment: The required procedures and arborist recommendations will be followed throughout the period of construction activities on the site. Changes in soils hydrology and site drainage within tree protection areas will be avoided.

COMPLIANCE WITH CHAPTER 12.08 – PUBLIC AND STREET TREES

12.08.015 - Street tree planting and maintenance requirements.

All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.

Comment: As required by this section, the proposed subdivision will provide for the planting of street trees selected from the Oregon City Street Tree List. The trees will be planted within the planter strips along all street frontages. One tree will be provided per each 35 feet of property frontage. The trees will be planted so as to maintain required clearance distances from streetlights, fire hydrants, intersections and power lines. The trees to be planted will be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.

COMPLIANCE WITH CHAPTER 13.12 – STORMWATER MANAGEMENT

13.12.050 - Applicability and exemptions.

This chapter establishes performance standards for stormwater conveyance, quantity and quality.

Pursuant to each of the subsections below, proposed activities may be required to meet the performance standards for stormwater conveyance, stormwater quantity or stormwater quality.
Comment: The proposed subdivision is subject to the stormwater conveyance, stormwater quantity control, and stormwater quality control provisions of this chapter.
13.12.080 - Submittal requirements.

A. Timing and Scope of Required Submittal.
   1. Applications subject to the stormwater conveyance requirements of this chapter shall include an engineered drainage plan and design flow calculation report submitted prior to, or contemporaneous with, submittal of an application for a building, land use or other city issued permit.
   2. Applications subject to the stormwater quantity and/or Category A quality requirements of this chapter shall include an engineered drainage plan and an engineered drainage report submitted prior to, or contemporaneous with, submittal of an application for a building, land use or other city issued permit.
   3. Applications subject to Category B water quality special management practices shall demonstrate compliance with the additional management practices for commercial, industrial and multi-unit dwelling land uses of the Public Works Stormwater and Grading Design Standards as part of the site plan and design review process.
   4. Applications subject to Category C water quality requirements for the Clackamas River Watershed are subject to OAR 340-41-470 (Three Basin Rule). No new discharges will be approved until a copy of a current DEQ permit, or written statement from DEQ that none is required, is on file with the city.

B. Required engineered drainage plans, drainage reports, and design flow calculation reports, which contain methods and proposed facilities to manage stormwater conveyance, quantity and/or quality, shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards.

C. Each project site, which may be composed of one or more contiguous parcels of land, shall have a separate valid city approved plan and report before proceeding with construction.

Comment: A storm drainage report and preliminary storm drainage plan have been prepared for this proposed subdivision and are included in the application submittal package. These documents have been prepared in accordance with city standards.

13.12.090 - Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

A. The plan and report demonstrate how the proposed development and stormwater management facilities will accomplish the purpose statements of this chapter;
B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020.
C. Unless otherwise exempted by Section 13.12.050(B), the plan and report includes adequate stormwater quantity control facilities, so that when the proposed land development activity takes place, peak rates and volumes of runoff:
   1. Do not exceed the capacity of receiving drainage conveyance facilities;
   2. Do not increase the potential for streambank erosion; and
   3. Do not add volume to an off-site closed depression without providing for mitigation.

Comment: A stormwater detention and treatment facility is shown on the preliminary utility plan. As discussed in the stormwater report, this facility will be sized to accommodate runoff from the project in a manner consistent with City standards.

D. Unless otherwise exempted by Section 13.12.050(C), the proposed development includes:
   1. Adequate stormwater quality control facilities, so that when the proposed land development activity takes place, the temperature and overall pollution level of stormwater runoff is no greater than the water entering. When no water enters a project, then stormwater runoff shall be compared to rain samples; and
   2. Stormwater quality control facilities which:
      a. Are in compliance with applicable National Pollutant Discharge Elimination System (NPDES) requirements;
      b. Minimize the deterioration of existing watercourses, culverts, bridges, dams and other structures; and
      c. Minimize any increase in nonpoint source pollution.

Comment: The stormwater detention and treatment facility includes stormwater quality control facilities that meet City and NPDES standards. Please refer to the Preliminary Drainage Report prepared by Theta Engineering that is attached to this application.

E. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.

Comment: As shown on the Preliminary Utility Plan, provisions for the stormwater system will provide for street, roof, footing and area drains to be connected to the storm sewer and drained to the stormwater detention and treatment facility.

F. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams. The postdevelopment peak stormwater discharge rate from a development site for the two year, twenty-four hour duration
storm event shall not exceed fifty percent of the two year, twenty-four hour predevelopment peak runoff rate.

Comment: The stormwater system discharges into an existing storm sewer in White Lane. No streambank protection measures are necessary.

G. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

Comment: The storm sewer system will be built to City standards and the storm detention and treatment facility will be dedicated to the City in accordance with current standards. The City will maintain the facility and the storm sewer system.