

Staff Report

HEARING DATE: October 26, 2016

STAFF REPORT DATE: October 19, 2016

TO: Planning Commission

FROM: Jana Fox, Associate Planner

PROPOSAL: **Adalyn Place 9-Lot Subdivision
ADJ2016-0003 / ADJ2016-0004 / ADJ2016-0005 / LD2016-0014 /
SDM2016-0007**

LOCATION: The subject site is located at 4815 SW Murray Boulevard and 14570 SW Farmington Road. Tax Lots 2800 & 3000 on Washington County Tax Assessor's Map 1S117AD.

SUMMARY: The applicant, Apex Group, has submitted a Preliminary Subdivision application for a 9-Lot Subdivision in the R2 zoning district. Additionally the applicant is requesting three (3) Major Adjustments; to reduce the interior side yard setback to 3 feet for all lots, reduce the front yard setbacks for lots 1-4 to 8 feet, and reduce the rear setback for all lots to 12 feet. Additionally the applicant requests a Sidewalk Design Modification application for the proposed private street.

APPLICANT: Apex Group
Paul Tae
1915 NW Amberglen Pkwy.
Beaverton, OR 97006

APPLICANTS
REPRESENTATIVE: Van Loo 2 Associates, LLC
Kirsten Van Loo
30495 SW Buckhaven Road
Hillsboro, OR 97123

PROPERTY
OWNERS: Paul Tae & Song H. Tae
17190 SW Kemmer Road
Beaverton, OR 97007

RECOMMENDATION: **APPROVAL of ADJ2016-0003 / ADJ2016-0004 / ADJ2016-0005 /
LD2016-0014 / SDM2016-0007 (Adalyn Place 9-Lot Subdivision)**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Final Written Decision Date	240-Day*
ADJ2016-0003	July 14, 2016	September 7, 2016	January 5, 2017	May 5, 2017
ADJ2016-0004	July 14, 2016	September 7, 2016	January 5, 2017	May 5, 2017
ADJ2016-0005	July 14, 2016	September 7, 2016	January 5, 2017	May 5, 2017
LD2016-0014	July 14, 2016	September 7, 2016	January 5, 2017	May 5, 2017
SDM2016-0007	July 14, 2016	September 7, 2016	January 5, 2017	May 5, 2017

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Urban Medium Density (R2)	
Current Development	Two Single Family Dwellings on separate lots	
Site Size & Location	The site is located at 14570 SW Farmington Road & 4815 SW Murray Boulevard. The site is approximately 0.61 acres.	
NAC	South Beaverton	
Surrounding Uses	Zoning: <u>North:</u> R2 <u>South:</u> R2 <u>East:</u> NS <u>West:</u> R2	Uses: <u>North:</u> Farmington Road & Nursing Home <u>South:</u> Montessori School <u>East:</u> Convenience Store & Dry Cleaner <u>West:</u> Attached Residential

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

	<u>Page No.</u>
<u>Attachment A:</u> Facilities Review Committee Technical Review and Recommendation Report	FR1 – FR9
<u>Attachment B:</u> ADJ2016-0003 <i>Major Adjustment (Front Yard)</i>	ADJ1-ADJ5
<u>Attachment C:</u> ADJ2016-0004 <i>Major Adjustment (Rear Yard)</i>	ADJ1-ADJ5
<u>Attachment D:</u> ADJ2016-0005 <i>Major Adjustment (Side Yard)</i>	ADJ1-ADJ5
<u>Attachment E:</u> LD2016-0014 <i>Preliminary Subdivision</i>	LD1-LD4
<u>Attachment F:</u> SDM2016-0007 <i>Sidewalk Design Modification</i>	SDM1-SDM3
<u>Attachment G:</u> <i>Conditions of Approval</i>	COA1–COA9

Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map (page SR-4 of this report)

Exhibit 1.2 Aerial Map (page SR-5 of this report)

Exhibit 2. Public Comment

None Received

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Submittal Package including plans



**Adalyn Place 9-Lot Subdivision
ADJ2016-0003 / ADJ2016-0004 / ADJ2016-0005 / LD2016-0014 / SDM2016-0007
Aerial Map**

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Adalyn Place 9-Lot Subdivision
ADJ2016-0003 / ADJ2016-0004 / ADJ2016-0005 / LD2016-0014 /
SDM2016-0007**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:

- **All twelve (12) criteria are applicable to the submitted Land Division (Preliminary Subdivision) application as submitted.**
- **Facilities Review criteria do not apply to the Adjustment and Sidewalk Design Modification applications.**

A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.*

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Water Service

Water Service will be provided to the site by the City of Beaverton. The development proposes to connect into the existing water lines in SW Farmington Road and SW Murray Boulevard which will run under the private street to serve the individual lots. Adequate capacity exists to serve the proposed development.

Sanitary Sewer

Development of the subject site involves connection to the existing 8" sanitary sewer line in SW Murray Boulevard to serve the proposed lots. Adequate capacity exists to serve the proposed development.

Stormwater

Development of the subject site involves construction of a stormwater line within the private street from SW Murray Boulevard. On-site Low Impact Development Approaches (LIDA) planters are proposed with the development. Adequate capacity exists to serve the proposed development.

To ensure appropriate design and construction of the essential facilities including but not limited to utility connections, access to manholes and structures, maintenance requirements, and associated construction and utility phasing plans, the Committee recommends conditions of approval through the Land Division (LD2016-0014) application.

Transportation

The Beaverton Transportation System Plan classifies both SW Farmington Road and SW Murray Boulevard as Arterial Streets. Currently, both streets are under the operational and maintenance jurisdiction of Washington County. To meet County standards, at least 61 feet of right-of-way (ROW) from centerline needs to be provided for SW Farmington Road and at least 49 feet from the centerline of SW Murray Blvd., according to the letter from Washington County Transportation staff. The applicant's plans submitted on October 11, 2016 show the required dedication of right-of-way on SW Farmington Road and SW Murray Boulevard. The applicant provides a private drive through the site with a paved walkway to serve the proposed 9 single family homes. Washington County has approved a design exception to allow right-in and right-out only access to SW Farmington Road and SW Murray Boulevard, as shown on the plans.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Comments and conditions of approval have been received from TVF&R, and are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

The Committee finds that the proposed development does shows sufficient right-of-way dedication. Also the required dedication is likely to impact overall subdivision design and layout. Without a plan showing adequate right-of-way dedication staff cannot conclude that the provision of critical facilities has been met. Therefore, the Committee finds the proposal does not meet the criterion for approval.

Therefore, the Committee finds that the proposal does meets the criterion.

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to occupancy. In lieu of providing essential facilities and services, a specific plan may be approved***

if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five years of occupancy.

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant’s plans and materials were forwarded to City Transportation staff, City Police Department, and Tualatin Valley Fire and Rescue.

Schools

The City provided the Beaverton School District with a copy of the proposal, however, no comments were received from Beaverton School District related to the proposal. Given the low number of proposed units the impacts to the school district are minimal.

The site will be served by the Tualatin Hills Park and Recreation District (THPRD).

Pedestrian and Bicycle

The applicant has proposed to create a 4-foot-wide walkway alongside and at the same grade as the proposed common drive. The applicant proposes to construct the walkway of heavy-duty concrete to differentiate it from the asphalt drive surface. This meets the minimum requirement for pedestrian access for the proposed development.

Police and Transit

The City of Beaverton Police will serve the development site.

Tri-Met will serve the development site. The site is most directly served by bus line 62 on SW Murray Boulevard and bus line 52 on SW Farmington Road. Tri-Met has not identified the need for additional transit stops related to this development.

Therefore, the Committee finds that the proposal meets the criterion.

- C. ***The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal.***

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Medium Density (R2) zone as applicable to the above mentioned criteria. As demonstrated on the chart, approval for three Major Adjustment applications is necessary in order for affirmative findings to be made that Chapter 20 standards are met. Staff recommends a condition of approval that states: approval of LD2016-0014 is dependent upon approval of ADJ2016-0003, ADJ2016-004, and ADJ2016-0005.

As a Condition of Approval, the proposed houses shall have their garage doors set back at least 18.5 feet from the back of the walkway.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will provide findings for the applicable Land Division criteria within the applicable sections of the staff report.

The proposed development is not expected to generate more than 200 vehicle trips per day, which is the threshold for a traffic impact analysis (TIA).

The applicant proposes a shared driveway for the proposed lots and has received approval from Washington County for right-in/right-out access onto SW Farmington Road and onto SW Murray Boulevard. Construction or extension of a traffic separator in the median of each street will be required as a Condition of Approval.

To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that utility lines are placed underground.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to maintenance by the City or other public agency.***

The applicant states that the Home Owners Association (HOA) for the development will maintain private common facilities and areas including the private drive and water quality facilities. Staff does not find that the design of the common facilities and tracts will preclude adequate maintenance.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

The applicant has submitted evidence that Washington County staff have already approved a Design Exception to the access spacing criteria for SW Farmington Road and SW Murray Boulevard. Based on the Autoturn template drawing that the applicant provided, the fire department access to the site will require driving over a portion of Lot 1. However, TVF&R has accepted this design.

Therefore, the Committee finds that the proposal meets the criterion of approval.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

The applicant proposes recessed garage doors in order to meet the 18.5 driveway depth requirement and allow for four parking spaces per lot. Failure to provide this setback will likely result in vehicles parking such that the walkway is blocked. Therefore, staff recommends a Condition of Approval to ensure that the proposed houses are built with a recessed garage door that meets the setback minimums.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). Specific details regarding fire flow and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages.

The Committee concludes that, subject to meeting the conditions of approval the site can be designed in accordance with City codes and standards and provide adequate fire protection.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate

protection from hazardous conditions due to inadequate, substandard or ill-designed development.

The applicant must provide public street lights. By meeting the City of Beaverton's Engineering Design Manual design standards for street lights, the Committee finds that the street illumination system will provide adequate protection from hazardous conditions.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

The applicant's response to J states that the subject site is quite level and grading activity will be minimal and not adversely impact neighboring properties, public rights-of way or public conveyance facilities. Staff concurs that the grading of the site is minimal and should not adversely impact neighboring properties or public facilities.

The applicant must show compliance with all Site Development erosion control measures at the time of Site Development permit issuance.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, the sidewalks appear to meet applicable accessibility requirements and, through the site development and building permitting reviews will be thoroughly evaluated. Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

L. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

The applicant submitted the land use applications on July 14, 2016 and was deemed complete on September 7, 2016. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds the proposal meets the criterion for approval.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Urban Medium Density (R2) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (Urban Medium Density R2)			
Use- Permitted	Detached Dwellings	Detached Dwellings	Yes
Development Code Section 20.05.15 (Urban Medium Density R2)			
Minimum Area Per Lot	2,000 sq. ft.	3,012 sq. ft. area per lot	Yes
Minimum Corner Lot Dimensions			Yes
Width	14 (interior) 20 (corner)	36	
Depth	none	40	
Minimum Yard Setbacks		The applicant has applied for Major Adjustments to the front yard setback, side yard setback and rear yard setbacks for various lots. These requests will be evaluated in the Major Adjustment portions of the Staff Report.	See-ADJ Staff Reports
Front	10'		
Side	5'		
Rear	15'		
Garage	5 or 18.5'		
Garage Door to Rear	24'		
Minimum Between Buildings	6'		
Maximum Building Height	40 feet	37 feet. Additionally building height will be assessed at the time of building permit submittal.	Yes
Development Code Section 20.25.05 – Density Calculations			
Residential Density	Minimum Density: 7 lots Maximum Density: 9 lots	The applicant proposes 9 lots.	Yes

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review is not applicable to single family dwellings.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development techniques proposed.	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Preliminary Subdivision application has been applied for.	See LD Findings
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone A	<u>Detached Dwellings</u> 1 space per unit= 9 spaces min No Maximum for Detached Dwellings	<u>Detached Dwellings</u> Each dwelling will have at minimum one parking space.	YES
Required Bicycle Park	No bicycle parking is required for detached dwellings.	No bicycle parking is required for detached dwellings	
Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	YES
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Less than 5 Community Trees are proposed to be removed from the site, therefore no Tree Plan application is Required.	N/A
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that all proposed power and telecommunications lines will be placed underground. To ensure the proposal meets requirements of this section, staff recommends a condition requiring the completion of undergrounding prior to issuance of occupancy permit(s).	Yes- with COA

**ADJ2016-0003
ANALYSIS AND FINDINGS FOR
MAJOR ADJUSTMENT APPROVAL**

Section 40.10.05. Adjustment Applications; Purpose

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in this Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

Section 40.10.15.2.C Approval Criteria

In order to approve a Major Adjustment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Major Adjustment application.*

Section 40.10.15.2.A.1 Threshold: *An application for Major Adjustment shall be required when the following threshold applies:*

Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirement specified in Chapter 20 (Land Uses).

The minimum front yard setback for a building in the R2 zone is ten feet. The applicant proposes an eight-foot front yard setback for Lots 1-4. No reduction to the front yard setback is requested for Lots 5-9. This represents a 20% adjustment from the Site Development Requirement.

Therefore, staff finds that the proposal meets the criterion for approval.

2. *The application complies with all applicable submittal requirements as specified in Section 50.25.1 and includes all applicable City application fees.*

The City of Beaverton received the appropriate fee for a Major Adjustment application.

Therefore, staff finds that the proposal meets the criterion for approval.

3. *Special conditions exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.*

The applicant states that the dimensions of the site significantly reduce the design options for the subdivision while still allowing safe access and utility provision requirements. The site is L-shaped with 76 feet of width. The constrained dimension creates a special condition which

makes it difficult to comply with front yard setbacks of the zone while still providing the required access.

In addition the existing public stormwater system in SW Farmington Road is very shallow and cannot be lowered as part of the current road improvement project. This shallow depth restricts the storm water management options for the site, as underground detention cannot be accommodate above ground facilities must be provided which take up additional space on the site, further restricting the area available for siting homes. The three (3) foot wide stormwater planter takes up area that would otherwise be able to be used as front or rear yard setbacks for Lots 1-4.

The R2 zone permits detached residential development, which the applicant proposes. Staff finds that given the constrained width and stormwater connections the requested front yard setback reduction is the result of a special condition. All front yards for the development face the internal drive, staff finds that the impacts of reducing the front yard setbacks are primarily to the proposed development, rather than the surrounding neighborhood.

Therefore, staff finds that the proposal meets the criterion for approval.

4. *The special conditions or circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.*

The applicant states that the constrained dimensions of the lot do not result from the actions of the applicant. The requested adjustment allows for provisions of all required services while still allowing for detached single family development. The request to reduce the front yard setbacks do not stem from financial hardship or inconvenience. Minimum density requirements in the R2 lead to small lots which can make it difficult to fit marketable product on while maintaining the required setbacks.

Staff has reviewed the applicant's calculations for minimum density and concurs that the Major Adjustment to the front yard setback will help the development to maximize the building envelope for each lot. The proposed setback reduction will not create additional lots. Therefore, the request is not a result of financial hardship or inconvenience for the applicant.

Therefore, staff finds that the proposal meets the criterion for approval.

5. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant requests adjustment from the minimum front yard building setback of ten feet in the R2 zone. The applicant proposes an eight-foot side yard setback for Lots 1-4. The requested front yard setback does not change the required garage face setback of 18.5 feet from the front property line. The applicant proposes homes with recessed garage doors and second floors reaching the reduced front yard setback which will allow adequate space for a car

to park in front of the garage without overhanging the sidewalk. Staff finds that granting the adjustment, as proposed, will have no impact on pedestrian or vehicular movement through the subdivision.

Therefore, staff finds that the proposal meets the criterion for approval.

6. *City-designated significant trees and/or historic resources, if present, will be preserved.*

There are no City-designated significant trees and/or historic resources on the subject site.

Therefore, staff finds that this approval criterion is not applicable.

7. *If more than one (1) adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a project which is still consistent with the overall purpose of the applicable zoning district.*

The applicant is requesting three major adjustments to front, rear, and side yard setbacks. As previously addressed the lots narrow shape, stormwater constraints, and minimum density requirements create difficult circumstances for development to occur. The applicant has requested a reduction to the front, side and rear yards of the proposed subdivision as described in this application and the two other Major Adjustment applications (ADJ2016-0004 and ADJ2016-0005). The cumulative effect of these adjustments will result in a more compact development, however the R2 zoning district envisions a medium density style of development and permits both attached and detached housing. The impacts of the adjustments on surrounding development will be minimal. The reduced yard setbacks are adjacent to the internal street as well as to a Montessori school/day care to the south and commercial developments, including a 7-11 and dry cleaners, to the west. Staff finds that the cumulative impacts of the requested setback adjustments are primarily to the internal site and not to external property owners and are consistent with the overall purpose of the R2 zoning district.

Therefore, staff finds that the proposal meets the criterion for approval.

8. *Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.*

The applicant states that the requested two-foot adjustment is the minimum necessary to develop each lot, while meeting minimum density and Building Code requirements. The applicant states that without the front setback garages would have to be eliminated or significantly reduced in size to provide more livable square footage which would not allow for as much parking on site, which is important given the lack of on-street parking near the site. Given the importance of providing adequate parking and the previously discussed site constraints staff finds that the requested two-foot adjustment to the front yard setback is the minimum necessary to permit a reasonable use of land and the proposed structures.

Therefore, staff finds that the proposal meets the criterion for approval.

- 9. *Either it can be demonstrated that the modification equally or better meets the intent of the standard to be modified or the proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.***

In response to Criterion 9, the applicant states that due to the previously discussed constraints granting the reduced front yard setback will allow dwellings with greater living space as well as two car garages which facilitate more off-street parking in the neighborhood. The proposed eight foot front yard setbacks better meets the intent of the standard because it allows future owners of the homes more living area and more off-street parking, while still meeting minimum density standards required by the R2 zone.

Staff finds that the proposal meets the intent of the setback standard by providing a minimum front yard setback of eight feet. Additionally, the reduced front yard setbacks allow the development to meet minimum density requirements while maximizing the building envelope for each lot.

Therefore, staff finds that the proposal meets the criterion for approval.

- 10. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more application that have been approved or are considered concurrently with the subject proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report for the R2 zone as applicable to the above mentioned criteria. As demonstrated on the chart, the previously approved development proposal meets the site development standards, with the exception of this front yard setback request as well as a requests for reduced rear and side yard setbacks being reviewed concurrently (ADJ2016-0004 and ADJ2016-0005). The front yard setback is requesting modification through this Major Adjustment application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 11. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff finds that this Major Adjustment proposal, which is limited to front yard setbacks, will have no impact on development's ability to meet applicable Code requirements of Chapter 60.

Therefore, staff finds that the proposal meets the criterion for approval.

- 12. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.**

The applicant states that the Home Owners Association (HOA) for the development will maintain private common facilities and areas including the private drive and water quality facilities. Staff recommends a condition of approval that the proposed CC&R's be submitted with the Final Land Division application for review to ensure that adequate provisions for maintenance of private common facilities are included. Staff does not find that the design of the common facilities and tracts will preclude adequate maintenance.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

- 13. The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2 and .4 or 20.05.50.2.B.2 and .4.**

The proposal does not include any lot area averaging.

Therefore, staff finds that this approval criterion is not applicable.

- 14. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

The applicant has submitted this Major Adjustment application with two associated Major Adjustment Applications, a Preliminary Subdivision, and a Sidewalk Design Modification application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **ADJ2016-0003 (Adalyn Place 9-Lot Subdivision)** subject to the applicable conditions identified in Attachment G.

**ADJ2016-0004
ANALYSIS AND FINDINGS FOR
MAJOR ADJUSTMENT APPROVAL**

Section 40.10.05. Adjustment Applications; Purpose

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in this Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

Section 40.10.15.2.C Approval Criteria

In order to approve a Major Adjustment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Major Adjustment application.**

Section 40.10.15.2.A.1 Threshold: *An application for Major Adjustment shall be required when the following threshold applies:*

Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirement specified in Chapter 20 (Land Uses).

The minimum rear yard setback for a building in the R2 zone is 15 feet. The applicant proposes a 12 foot rear yard setback for all rear yards within the development. This represents a 20% adjustment from the Site Development Requirement of 15 feet.

Therefore, staff finds that the proposal meets the criterion for approval.

- 2. The application complies with all applicable submittal requirements as specified in Section 50.25.1 and includes all applicable City application fees.**

The City of Beaverton received the appropriate fee for a Major Adjustment application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 3. Special conditions exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.**

The applicant states that the dimensions of the site significantly reduce the design options for the subdivision while still allowing safe access and utility provision requirements. The site is L-shaped with 76 feet of width. The constrained dimension creates a special condition which makes it difficult to comply with rear yard setbacks of the zone while still providing the required access.

In addition the existing public stormwater system in SW Farmington Road is very shallow and cannot be lowered. This shallow depth restricts the storm water management options for the site, as underground detention cannot be accommodate above ground facilities must be provided which take up additional space on the site, further restricting the area available for siting homes. The three (3) foot wide stormwater planter takes up area that would otherwise be able to be used as front or rear yard setbacks.

The R2 zone permits detached residential development, which the applicant proposes. Staff finds that given the constrained width and stormwater connections the requested rear yard setback reduction is the result of a special condition. All rear yards for the development are adjacent to commercial uses, including a Montessori school/day care, 7-11, and dry cleaners. Staff finds that the impacts of reducing the rear yard setbacks are primarily to the proposed development, rather than the surrounding neighborhood.

Therefore, staff finds that the proposal meets the criterion for approval.

4. *The special conditions or circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.*

The applicant states that the constrained dimensions of the lot do not result from the actions of the applicant. The requested adjustment allows for provisions of all required services while still allowing for detached single family development. The request to reduce the rear yard setbacks do not stem from financial hardship or inconvenience. Minimum density requirements in the R2 lead to small lots which can make it difficult to fit marketable product onto lots while maintaining the required setbacks.

Staff has reviewed the applicant's calculations for minimum density and concurs that the Major Adjustment to the rear yard setback will help the development to maximize the building envelope for each lot. The proposed setback reduction will not create additional lots. Therefore, the request is not a result of financial hardship or inconvenience for the applicant.

Therefore, staff finds that the proposal meets the criterion for approval.

5. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant requests adjustment from the minimum rear yard building setback of 15 feet in the R2 zone. The applicant proposes a 12 foot side yard setback for all lots. The requested rear yard setback does not impact the pedestrian or vehicular movement on site. Staff finds that granting the adjustment, as proposed, will have no impact on pedestrian or vehicular movement through the subdivision.

Therefore, staff finds that the proposal meets the criterion for approval.

6. *City-designated significant trees and/or historic resources, if present, will be preserved.*

There are no City-designated significant trees and/or historic resources on the subject site.

Therefore, staff finds that this approval criterion is not applicable.

7. *If more than one (1) adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a project which is still consistent with the overall purpose of the applicable zoning district.*

The applicant is requesting three major adjustments to front, rear, and side yard setbacks. As previously addressed the lots narrow shape, stormwater constraints, and minimum density requirements create difficult circumstances for development to occur. The applicant has requested a reduction to the front, side and rear yards of the proposed subdivision as described in this application and the two other Major Adjustment applications (ADJ2016-0003 and ADJ2016-0005). The cumulative effect of these adjustments will result in a more compact development, however the R2 zoning district envisions a medium density style of development and permits both attached and detached housing. The impacts of the adjustments on surrounding development will be minimal. The reduced yard setbacks are adjacent to the internal street as well as to a Montessori school/day care to the south and commercial developments, including a 7-11 and dry cleaners, to the west. Staff finds that the cumulative impacts of the requested setback adjustments are primarily to the internal site and not to external property owners and are consistent with the overall purpose of the R2 zoning district.

Therefore, staff finds that the proposal meets the criterion for approval.

8. *Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.*

The applicant states that the requested three-foot rear yard adjustment is the minimum necessary to develop each lot, while meeting minimum density and Building Code requirements. The applicant states that without the rear setback garages would have to be eliminated or significantly reduced in size to provide more livable square footage which would not allow for as much parking on site, which is important given the lack of on-street parking near the site. Given the importance of providing adequate parking and the previously discussed site constraints staff finds that the requested three-foot adjustment to the rear yard setback is the minimum necessary to permit a reasonable use of land and the proposed structures.

Therefore, staff finds that the proposal meets the criterion for approval.

- 9. *Either it can be demonstrated that the modification equally or better meets the intent of the standard to be modified or the proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.***

In response to Criterion 9, the applicant states that due to the previously discussed constraints granting the reduced rear yard setback will allow dwellings with greater living space as well as two car garages which facilitate more off-street parking in the neighborhood. The proposed twelve foot rear yard setbacks better meets the intent of the standard because it allows future owners of the homes more living area and more off-street parking, while still meeting minimum density standards required by the R2 zone.

Staff finds that the proposal meets the intent of the setback standard by providing a minimum rear yard setback of twelve feet. Additionally, the reduced front yard setbacks allow the development to meet minimum density requirements while maximizing the building envelope for each lot.

Therefore, staff finds that the proposal meets the criterion for approval.

- 10. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more application that have been approved or are considered concurrently with the subject proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report for the R2 zone as applicable to the above mentioned criteria. As demonstrated on the chart, the previously approved development proposal meets the site development standards, with the exception of this rear yard setback request as well as a requests for reduced front and side yard setbacks being reviewed concurrently (ADJ2016-0003 and ADJ2016-0005). The rear yard setback is requesting modification through this Major Adjustment application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 11. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff finds that the current Major Adjustment proposal, which is limited to rear yard setbacks, will have no impact on development's ability to meet applicable Code requirements of Chapter 60.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

- 12. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.**

The applicant states that the Home Owners Association (HOA) for the development will maintain private common facilities and areas including the private drive and water quality facilities. Staff recommends a condition of approval that the proposed CC&R's be submitted with the Final Land Division application for review to ensure that adequate provisions for maintenance of private common facilities are included. Staff does not find that the design of the common facilities and tracts will preclude adequate maintenance.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

- 13. The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2 and .4 or 20.05.50.2.B.2 and .4.**

The proposal does not include any lot area averaging.

Therefore, staff finds that this approval criterion is not applicable.

- 14. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

The applicant has submitted this Major Adjustment application with two associated Major Adjustment Applications, a Preliminary Subdivision, and a Sidewalk Design Modification application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **ADJ2016-0004 (Adalyn Place 9-Lot Subdivision)** subject to the applicable conditions identified in Attachment G.

**ADJ2016-0005
ANALYSIS AND FINDINGS FOR
MAJOR ADJUSTMENT APPROVAL**

Section 40.10.05. Adjustment Applications; Purpose

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in this Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

Section 40.10.15.2.C Approval Criteria

In order to approve a Major Adjustment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. *The proposal satisfies the threshold requirements for a Major Adjustment application.***

Section 40.10.15.2.A.1 Threshold: *An application for Major Adjustment shall be required when the following threshold applies:*

Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirement specified in Chapter 20 (Land Uses).

The minimum side yard setback for a building in the R2 zone is five feet. The applicant proposes a three foot side yard setback for all side yards within the development. This represents a 40% adjustment from the Site Development Requirement of five feet.

Therefore, staff finds that the proposal meets the criterion for approval.

- 2. *The application complies with all applicable submittal requirements as specified in Section 50.25.1 and includes all applicable City application fees.***

The City of Beaverton received the appropriate fee for a Major Adjustment application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 3. *Special conditions exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.***

The applicant states that the dimensions of the site significantly reduce the design options for the subdivision while still allowing safe access and utility provision requirements. The site is L-shaped with 76 feet of width. The constrained dimension creates a special condition which makes it difficult to comply with front yard setbacks of the zone while still providing the required access.

In addition the existing public stormwater system in SW Farmington Road is very shallow and cannot be lowered as part of the current road improvement project. This shallow depth restricts the storm water management options for the site, as underground detention cannot be accommodate above ground facilities must be provided which take up additional space on the site, further restricting the area available for siting homes.

In addition a large dedication of right-of-way is required along SW Farmington Road to meet future road width standards. This land was not acquired during the current Farmington Road Widening project but is being dedicated with this application, as requested by Washington County, further reducing the buildable area of the site.

The R2 zone permits detached residential development, which the applicant proposes. Staff finds that given the constrained width and stormwater connections the requested front yard setback reduction is the result of a special condition. All side yards for the development are internal to the site, staff finds that the impacts of reducing the side yard setbacks are primarily to the proposed development, rather than the surrounding neighborhood.

Therefore, staff finds that the proposal meets the criterion for approval.

4. *The special conditions or circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.*

The applicant states that the constrained dimensions of the lot do not result from the actions of the applicant. The requested adjustment allows for provisions of all required services while still allowing for detached single family development. The request to reduce the side yard setbacks do not stem from financial hardship or inconvenience. Minimum density requirements in the R2 lead to small lots which can make it difficult to fit marketable product on while maintaining the required setbacks.

Staff has reviewed the applicant's calculations for minimum density and concurs that the Major Adjustment to the side yard setback will help the development to maximize the building envelope for each lot. The proposed setback reduction will not create additional lots. Therefore, the request is not a result of financial hardship or inconvenience for the applicant.

Therefore, staff finds that the proposal meets the criterion for approval.

5. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant requests adjustment from the minimum side yard building setback of five feet in the R2 zone. The applicant proposes a three foot side yard setback for all lots. The requested side yard setback does not impact the pedestrian or vehicular movement on site. Staff finds that granting the adjustment, as proposed, will have no impact on pedestrian or vehicular movement

through the subdivision.

Therefore, staff finds that the proposal meets the criterion for approval.

6. *City-designated significant trees and/or historic resources, if present, will be preserved.*

There are no City-designated significant trees and/or historic resources on the subject site.

Therefore, staff finds that this approval criterion is not applicable.

7. *If more than one (1) adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a project which is still consistent with the overall purpose of the applicable zoning district.*

The applicant is requesting three major adjustments to front, rear, and side yard setbacks. As previously addressed the lots narrow shape, stormwater constraints, and minimum density requirements create difficult circumstances for development to occur. The applicant has requested a reduction to the front, side and rear yards of the proposed subdivision as described in this application and the two other Major Adjustment applications (ADJ2016-0003 and ADJ2016-0004). The cumulative effect of these adjustments will result in a more compact development, however the R2 zoning district envisions a medium density style of development and permits both attached and detached housing. The impacts of the adjustments on surrounding development will be minimal. The reduced yard setbacks are adjacent to the internal street as well as to a Montessori school/day care to the south and commercial developments, including a 7-11 and dry cleaners, to the west. Staff finds that the cumulative impacts of the requested setback adjustments are primarily to the internal site and not to external property owners and are consistent with the overall purpose of the R2 zoning district.

Therefore, staff finds that the proposal meets the criterion for approval.

8. *Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.*

The applicant states that the requested two-foot adjustment is the minimum necessary to develop each lot, while meeting minimum density and Building Code requirements. The reduced side yard setbacks allow greater width in the building envelope to provide more livable square footage. Given the previously discussed site constraints staff finds that the requested two-foot adjustment to the side yard setback is the minimum necessary to permit a reasonable use of land and the proposed structures.

Therefore, staff finds that the proposal meets the criterion for approval.

9. ***Either it can be demonstrated that the modification equally or better meets the intent of the standard to be modified or the proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.***

In response to Criterion 9, the applicant states that due to the previously discussed constraints granting the reduced side yard setback will allow dwellings with greater living space as well as two car garages which facilitate more off-street parking in the neighborhood. The proposed three foot side yard setbacks better meets the intent of the standard because it allows future owners of the homes more living area and more off-street parking, while still meeting minimum density standards required by the R2 zone.

Staff finds that the proposal meets the intent of the setback standard by providing a minimum side yard setback of three feet. Additionally, the reduced side yard setbacks allow the development to meet minimum density requirements while maximizing the building envelope for each lot.

Therefore, staff finds that the proposal meets the criterion for approval.

10. ***The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more application that have been approved or are considered concurrently with the subject proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report for the R2 zone as applicable to the above mentioned criteria. As demonstrated on the chart, the previously approved development proposal meets the site development standards, with the exception of this side yard setback request as well as a requests for reduced front and rear yard setbacks being reviewed concurrently (ADJ2016-0004 and ADJ2016-0005). The side yard setback is requesting modification through this Major Adjustment application.

Therefore, staff finds that the proposal meets the criterion for approval.

11. ***The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff finds that the current Major Adjustment proposal, which is limited to side yard setbacks, will have no impact on development's ability to meet applicable Code requirements of Chapter 60.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

- 12. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.**

The applicant states that the Home Owners Association (HOA) for the development will maintain private common facilities and areas including the private drive and water quality facilities. Staff recommends a condition of approval that the proposed CC&R's be submitted with the Final Land Division application for review to ensure that adequate provisions for maintenance of private common facilities are included. Staff does not find that the design of the common facilities and tracts will preclude adequate maintenance.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

- 13. The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2 and .4 or 20.05.50.2.B.2 and .4.**

The proposal does not include any lot area averaging.

Therefore, staff finds that this approval criterion is not applicable.

- 14. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

The applicant has submitted this Major Adjustment application with two associated Major Adjustment Applications, a Preliminary Subdivision, and a Sidewalk Design Modification application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **ADJ2016-0005 (Adalyn Place 9-Lot Subdivision)** subject to the applicable conditions identified in Attachment G.

**LD2016-0014
ANALYSIS AND FINDINGS FOR
LAND DIVISION-PRELIMINARY SUBDIVISION APPROVAL**

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.4.C Approval Criteria

In order to approve a Preliminary Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. *The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C have been met.***

The applicant proposes a 9-lot subdivision from 2 parent parcels, thereby meeting the Threshold 1 for a Preliminary Subdivision.

- 1. The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

The parent parcel is not subject to a Legal Lot Determination.

Therefore, staff find that the proposal meets the criterion for approval.

- 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant has paid the required application fee for a Preliminary Subdivision application.

Therefore, staff find that the proposal meets the criterion for approval.

- 3. *The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.***

No land use approvals on record for the site and therefore the proposal does not conflict with any previous land use approvals.

Therefore, staff find that the proposal meets the criterion for approval.

4. ***Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential development on oversized lots.***

No oversized lots are proposed in association with this development.

Therefore, staff find that this criterion for approval does not apply.

5. ***If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.***

The applicant does not propose phasing of the development.

Therefore, staff find that this criterion for approval does not apply.

6. ***Applications that apply the lot area averaging standards of Section 20.05.50.1.B shall demonstrate that the resulting land division facilitates the following:***
 - a) ***Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***
 - b) ***Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standard street cross section with sidewalks.***

The proposal does not apply the lot area averaging standards.

Therefore, staff find that this criterion for approval does not apply.

7. ***Applications that apply the lot area averaging standards of Section 20.05.50.1.B do not require further Adjustments or Variance for the Land Division.***

The proposal does not apply the lot area averaging standards.

Therefore, staff find that this criterion for approval does not apply.

8. ***The proposal does not create a parcel which will have more than one (1) zoning designation.***

All lots created by the proposal will have the Urban Medium Density (R2) zoning designation.

Therefore, staff find that the proposal meets the criterion for approval.

9. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted this Preliminary Subdivision application with three associated Major Adjustment Applications and a Sidewalk Design Modification application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

Therefore, staff find that the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **LD2016-0014 (Adalyn Place 9-Lot Subdivision)** subject to the applicable conditions identified in Attachment G.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	The applicant states that the road improvements are exempt from the grading standards in 60.15.10.3. as all permitted grading in public rights-of-way are exempt.	Yes
60.15.10.3.A 0-5 Feet From Property Line	Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 2 feet.	Yes
60.15.10.3.B 5-10 Feet From Property Line	Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 4 feet.	Yes
60.15.10.3.C 10-15 Feet From Property Line	Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 6 feet.	Yes
60.15.10.3.D 15-20 Feet From Property Line	Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 8 feet.	Yes
60.15.10.3.E 20-25 Feet From Property Line	Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 10 feet.	Yes
60.15.10.3.F Pre-development slope	Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope	The applicant states that no existing slopes exceed the standards within this Section.	N/A
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	No significant trees or groves existing on site.	N/A

SDM2016-0007
ANALYSIS AND FINDINGS FOR
SIDEWALK DESIGN MODIFICATION APPROVAL

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

Section 40.58.15.1.A.1 Threshold 1 for a Sidewalk Design Modification (SDM) states that a SDM approval is required when;

- 1. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.*

The applicant proposes to construct a four (4) foot wide at grade curb tight sidewalks along a private street which requires a reduction to the minimum sidewalk width and planter strip, which meets Threshold 1 for a Sidewalk Design Modification application.

Therefore, staff find that the proposal meets the criterion for approval.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

Therefore, staff find the proposal meets the criterion for approval.

- 3. One or more of the following criteria are satisfied:**
- a. That there exist local topographic conditions, which would result in any of the following:**
 - i. A sidewalk that is located above or below the top surface of a finished curb.**
 - ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.**
 - b. That there exist local physical conditions such as:**
 - i. An existing structure prevents the construction of a standard sidewalk.**
 - ii. An existing utility device prevents the construction of a standard sidewalk.**
 - iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.**
 - c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.**
 - d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.**

The applicant states that the existing storm lines in SW Farmington Road are very shallow and with the flat topography of the site require LIDA storm water filter and detention systems in order to manage the storm run-off for the site to comply with CWS regulations. The storm facilities take up significant amounts of space which limit the ability to provide wider sidewalks with planter strips. Additionally the narrow dimension of the site limits the space for sidewalk facilities. Staff finds that given the site and utility constraints of the site the proposed sidewalk will be adequate to allow safe pedestrian movement through the development.

Therefore, staff find the proposal meets the criterion for approval.

- 4. The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.**

As noted in the Facilities Review findings, the proposed private drive and sidewalk will serve only 9 single family dwellings which use the drive for access to their homes. The proposed facilities are adequate to serve the proposed development and are not intended to serve as public streets.

Therefore, staff find that the proposal meets the criterion for approval.

5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

The applicant has submitted this Sidewalk Design Modification application with three associated Major Adjustment Applications and a Preliminary Subdivision application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

Therefore, staff find that the proposal meets the criterion for approval.

6. The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

Staff cite the finding prepared herein in response to Criteria E and F of Facilities Review approval as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

Therefore, staff find the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2016-0007 (Adalyn Place 9-Lot Subdivision)** subject to the applicable conditions identified in Attachment G.

CONDITIONS OF APPROVAL
Adalyn Place 9-Lot Subdivision
ADJ2016-0003 / ADJ2016-0004 / ADJ2016-0005 / LD2016-0014 / SDM2016-0007

ADJ2016-0003 Major Adjustment (Front Yard)

1. Ensure that the associated Preliminary Subdivision Application (LD2016-0014) has been approved and is consistent with the submitted plans. (Planning Division/JF)

ADJ2016-0004 Major Adjustment (Rear Yard)

1. Ensure that the associated Preliminary Subdivision Application (LD2016-0014) has been approved and is consistent with the submitted plans. (Planning Division/JF)

ADJ2016-0005 Major Adjustment (Side Yard)

1. Ensure that the associated Preliminary Subdivision Application (LD2016-0014) has been approved and is consistent with the submitted plans. (Planning Division/JF)

LD2016-0014-Preliminary Subdivision

A. Prior to Issuance of the Site Development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, facility landscape planting, and common driveway construction by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)

5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals as needed from Washington County for work within, and/or construction access to Murray Boulevard and Farmington Road. (Site Development Div./JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
9. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
10. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (Steve Roper, P.E.) demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2007-020 in regard to water quality treatment. (Site Development Div./JJD)
11. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)
12. Submit a design for the grading surrounding, adjacent, and within the storm water quality facilities designed by a civil engineer or structural engineer for the expected hydrological conditions of the rain gardens/planters. Some minor changes to the grading may be needed in order to provide an adequate containment of the rain gardens/planters. This may require other minor modifications to the proposed storm water management facilities as reflected within the land-use application submittal. This land-use approval shall provide for such minor surface modifications (examples: revised grading or addition of more small retaining walls, structure relocation, and interior grade changes less than two vertical feet variance) in the proposed facility without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)

13. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and show a safe overflow route. A minimum finish floor elevation shall be established for the future homes based on **service provision needs and whichever of the following three is highest in elevation**: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. It must also be shown that the existing home to remain will not have any potential adverse drainage impact from the proposed site grading changes, utility construction, and LIDA planter overflow condition. (Site Development Div./JJD)
14. Submit to the City a certified impervious surface determination of the proposed project's new impervious area proposed for any common areas and common private driveways prepared by the applicant's engineer, architect, or surveyor. (Site Development Div./JJD)
15. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for the common driveway. (Site Development Div./JJD) (Site Development Div./JJD)
16. Provide plans for the placement of underground utility lines within the site to the existing homes, and for services to the proposed new home sites. No overhead services shall remain to any lot. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
17. Provide plans for LED street lights along the site's public street frontages and the common driveway (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings, or per County standard as required by the County) at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
19. Submit a revised site plan that shows dedication of sufficient right-of-way (ROW) to provide at least 61 feet from the centerline of SW Farmington Road and at least 49 feet from the centerline of SW Murray Boulevard. (Transportation/KR)
20. Submit the required joint-use and maintenance agreement documentation for common driveways per Beaverton Engineering Design Manual Sections 210.12 K and L. (Transportation/KR)
21. Submit revised plans that show the garage doors of the proposed units will be set back at least 18.5 feet from the back of the pedestrian walkway. (Transportation/KR)

22. Submit plans that show the construction or extension of a median traffic separator along each street frontage, as required by Washington County transportation staff. (Transportation/KR)
23. Submit lighting plans for the common driveway that show that all pedestrian and vehicle circulation areas are lighted to at least 0.5 foot-candles to meet City Lighting Standards. (Transportation/KR)
24. Submit a revised parking plan that either shows a minimum of 45 feet for two parking spaces parallel to the common drive aisle, or shows how the parallel parking will be restricted to a single space. (Transportation/KR)
25. 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. The fire district will approve access roads of 12 feet for up to three dwelling units and accessory buildings. (OFC 503.2.1 & D103.1) A 20 foot minimum fire lane is required. All 20 feet must meet loading requirements as indicated below.(TVF&R/JF)
26. 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) No parking signs will be required on each side of the roadway. (TVF&R/JF)
27. NO PARKING: Parking on emergency access roads shall be as follows (OFC D103.6.1-2): (TVF&R/JF)
 - a) 20-26 feet road width – no parking on either side of roadway
 - b) 26-32 feet road width – parking is allowed on one side
 - c) Greater than 32 feet road width – parking is not restricted
28. SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW: 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) This can be provided a site development review. (TVF&R/JF)
29. 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) This can be provided at site development review. (TVF&R/JF)

30. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) All portions of the fire lane must meet this requirement. (TVF&R/JF)

31. Ensure that the associated Sidewalk Design Modification application (SDM2016-0007) has been approved. (Planning/JF)

B. Prior to Final Plat approval, the applicant / developer shall:

32. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)

33. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)

34. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel or owners association as applicable, ready for recording concurrently with the final plat at Washington County. (Site Development Div./JJD)

35. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/JF)

36. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/JF)

37. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/JF)

38. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/JF)

39. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)
40. CC&R's shall be reviewed and approved by the City of Beaverton. (Planning Division/JF)
41. The following shall be represented on the plat and recorded with Washington County:
 - a. Dedication of additional right-of-way to provide 49 feet from centerline of SW Murray Boulevard.
 - b. Dedication of additional right-of-way to provide 61 feet from centerline of SW Farmington Road.
 - c. Provision of a non-access reservation along the site's frontage of SW Farmington Road and SW Murray Boulevard, except at the accesses approved in conjunction with this land use application.
42. Submit to Washington County Public Assurance Staff (503-846-3843) the following:
 - a. Completed "Design Option" form, Engineer's Checklist and Geotech report for pavement (if required).
 - b. \$3,750.00 Administration Deposit.
NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.
 - c. A copy of the City's Land Use Approval with Conditions, signed and dated.
 - d. Preliminary certification of adequate sight distance for each access point to SW Farmington Road and SW Murray Boulevard, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:
 - i. A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following webpage for sight distance certification submittal requirements).

<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>

- e. Three (3) sets of complete engineering plans for construction of the following public improvements:
 - i. Access to SW Farmington Road and SW Murray Boulevard to County standards (refer to attached Design Exception for additional requirements). Note: utilities and other improvements may be required to be relocated to accommodate access.
 - ii. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the access to SW Farmington Road and SW Murray Boulevard.
 - iii. Closure of all existing driveways to SW Farmington Road and SW Murray Boulevard, other than at the accesses approved by Washington County.
 - iv. All work proposed within the right-of-way of SW Farmington Road and SW Murray Boulevard shall be designed and constructed to County standards.

43. Obtain a Washington County Facility Permit upon completion of the following:

- a. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions 42.E above.

Note. The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative after submittal and approval of items listed under 42. The Facility Permit allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.

C. Prior to Building Permit issuance, the applicant shall:

- 44. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
- 45. Have recorded the final plat with the County Surveyor and submitted a copy to the City. (Site Development Div./JJD)

46. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
47. Submit plans that reflect the minimum finish floor elevations determined and shown on the approved site development plans based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD)
48. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance. (Site Development Div./JJD)
49. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

D. Prior to Occupancy of any Building Permit, the applicant shall:

50. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the new house frontage and any the existing house frontage. (Site Development Div./JJD)
51. Have the landscaping completely installed, have the storm facilities planted, or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
52. The applicant shall obtain a Finaled Washington County Facility Permit, subject to the following:
 - a. The road improvements required in Condition 42.E above shall be completed and accepted by Washington County.
 - b. Upon completion of necessary improvements, submit final certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

E. Prior to Release of Performance Security, the applicant shall:

53. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
54. Submit, if needed, any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor

shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)

55. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within all the surface water management facility areas, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./JJD)

SDM2016-0007 Sidewalk Design Modification

1. Ensure that the associated Preliminary Subdivision Application (LD2016-0014) has been approved and is consistent with the submitted plans. (Planning Division/JF)