



## STAFF REPORT

DATE: June 22, 2016

TO: Interested Parties

FROM: Sandra L. Freund, AICP, Planning Manager

PROPOSAL: **West Hills Development – 3 Lot Partition  
LD2016-0008**

LOCATION: The undeveloped site is located within both the City of Beaverton and the City of Tigard. Tax lot 200 is 54.87-acres, with 53.62 acres located within the City of Beaverton, and the remaining 1.25 acres within the City of Tigard, and is located south and north of SW Scholls Ferry Road and SW Roy Rogers Road on the east side of SW 175<sup>th</sup>, with a small portion on the southwest side of SW Roy Rogers Road, Tax Lot 200 on Washington County Tax Assessor's Map 2S1W6.

ZONING: City of Beaverton R1, R2, R4, R7 and City of Tigard R-25

SUMMARY: The applicant, West Hills Development, requests Preliminary Partition approval for a proposed residential 3 lot partition.

APPLICANT: West Hills Development  
735 SW 158<sup>th</sup> Avenue  
Beaverton, OR 97006

PROPERTY OWNERS: Crescent Grove Cemetery Association  
c/o West Hills Development  
735 SW 158<sup>th</sup> Avenue  
Beaverton, OR 97006

APPLICANT'S REPRESENTATIVE: Otak, Inc.  
800 SW Third Avenue, Suite 300  
Portland, OR 97204

RECOMMENDATION: **APPROVAL of West Hills Development 3 Lot Partition  
LD2016-0008.**

## BACKGROUND FACTS

### Key Application Dates

Application	Submittal Date	Deemed Complete	Final Written Decision Date	120-Day*
LD2016-0008	March 23, 2016	May 17, 2016	June 22, 2016	September 15, 2016

\*Pursuant to Section 50.25.8 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

### Existing Conditions Table

<b>Zoning</b>	R1 Residential Urban High Density, and R2 Residential Urban Medium Density zoning districts of the City of Beaverton, and the R25 zoning district of Tigard's River Terrace Community Plan area	
<b>Current Development</b>	The site is currently undeveloped and consists of one tax lot.	
<b>Site Size &amp; Location</b>	Tax lot 200 is 54.87-acres, with 53.62 acres located within the City of Beaverton, and the remaining 1.25 acres within the City of Tigard.	
<b>NAC</b>	Neighbors Southwest	
<b>Surrounding Uses</b>	<u>Zoning:</u> North: Washington County Rural Residential (AF5/AF10)  South: Medium High Density Residential R-25 Zoning District – City of Tigard  East: Urban Medium Density (R4) and Urban Standard Density (R5)  West: Urban High Density (R1) and Washington County Interim Zoning	<u>Uses:</u>  North: Detached Housing  South: Detached/Attached Housing – River Terrace  East: Detached Housing  West: New BSD High School and undeveloped land north of High School site.

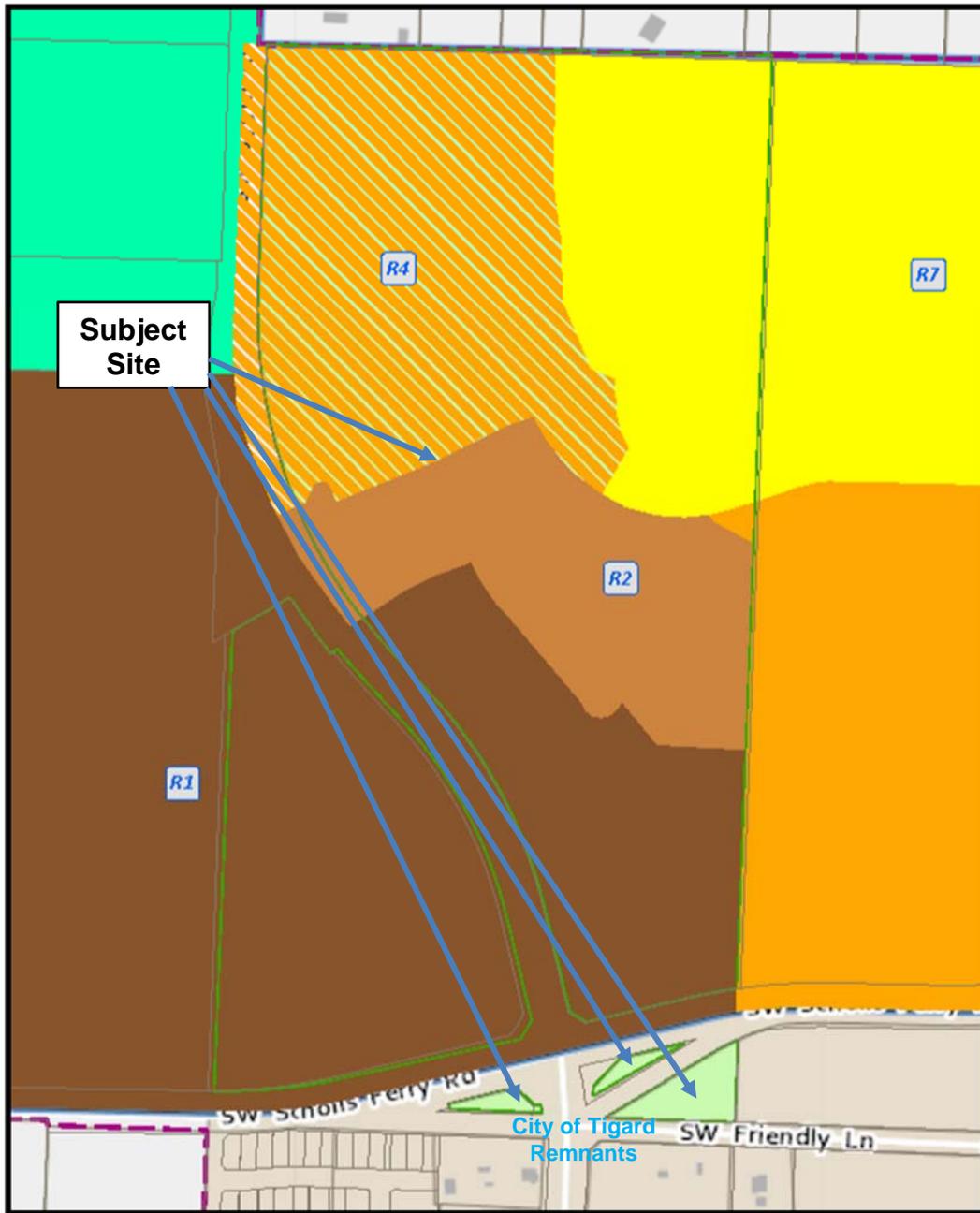
## DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

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<u>Attachment B</u> : LD2016-0003 <i>Preliminary Partition</i>	LD1-LD4
<u>Attachment C</u> : City of Tigard Standards	LD5 – LD6
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### Exhibits

- Exhibit 1.        Materials submitted by Staff**
- Exhibit 1.1    Zoning Map SR-4 of this report)
  - Exhibit 1.2    Aerial Map (page SR-5 of this report)
- Exhibit 2.        Public Comment**
- No Comments Received

## Zoning Map



### West Hills Development 3 Lot Preliminary Partition LD2016-0008

Aerial Map



**West Hills Development 3 Lot Preliminary Partition  
LD2016-0008**

**Facilities Review Committee  
Technical Review and Recommendations  
LD2016-0008  
West Hills - Crescent Grove 3-Lot Preliminary Partition**

**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 Director's Decision, 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 one (1) application as identified below:**

**All twelve (12) criteria are applicable to the submitted application LD2016-0008.**

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

**Facts and Findings:**

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. Staff concurs with the applicant's statement that all critical facilities and services are either in place or will be at the time of future development of the South Cooper Mountain Heights subdivision. However, because this preliminary partition will result in 3 new parcels, the remnants within the City of Tigard's jurisdiction will not be considered for future infrastructure improvements as part of the South Cooper Mountain Heights PUD and resultant subdivision(s).

Anticipated infrastructure improvements for Parcels I and II were addressed with the approval of the South Cooper Mountain Heights PUD, which are within the City of Beaverton jurisdiction. As no development is proposed with this application and Parcel III is within the jurisdiction of the City of Tigard, it shall be the responsibility of the City of Tigard to ensure that proper infrastructure and/or critical facilities are in place at the time of future development of parcel III. The critical facilities anticipated for proposed Parcel 1, (42.29 acres) and Parcel II (10.94 acres) in the South Cooper Mountain Heights PUD are:

- **Public Water System:** 24-inch water transmission mains will be extended within SW Scholls Ferry Road and SW 175<sup>th</sup> Avenue; and once completed, the future subdivision will connect accordingly via a 12-inch public water main line within proposed public streets.

- Public Sanitary Sewer: All necessary sewer infrastructure will include a network of small gravity fed sewer pipes, in addition to manholes, to be located within future roadways and easements.
- Stormwater Drainage, Treatment, and Detention: The applicant has indicated that a Preliminary Stormwater Management Plan was submitted and reviewed with the South Cooper Mountain Heights PUD land use applications, which includes the subject parcel of this preliminary partition. The preliminary plan outlines compliance with the Clean Water Services (CWS) Design & Construction Standards of 2007 and 2009. The applicant has also submitted a signed Service Provider Letter from CWS.
- Streets and Sidewalks: The applicant has received approval for a larger residential development through the PUD and Design Review applications. Included within those approvals were plans for a street network of new internal streets and improved perimeter streets.
  - SW Scholls Ferry Road has already been improved by Washington County to its ultimate curb-to-curb width. With the proposed partition, the applicant will, as a condition of approval, dedicate 7 feet of additional right-of-way (ROW) along SW Scholls Ferry Rd., sufficient to allow for the construction of a sidewalk and planter strip that meet the City's standards for an Arterial Street. The actual construction of the new sidewalk and planter strip shall be deferred until future development of Parcel II. The applicant shall also, as a condition of approval, record a motor vehicle access restriction along the property's entire SW Scholls Ferry Road frontage. Also, if any additional ROW at the intersection is required in order to provide adequate corner radius and sight distance and to locate the signal poles, as approved with the PUD (CU2015-0006 and LD2015-0013), the applicant shall dedicate the required additional right of way with the final plat, as a condition of approval.
  - SW 175<sup>th</sup> Avenue is proposed to be improved by Washington County as part of the County's High Growth Areas Bond program. With the proposed partition, the applicant shall, as a condition of approval, dedicate sufficient ROW along SW 175<sup>th</sup> Avenue to provide 51 feet from centerline along the property's frontage. Where the additional turn lane for the SW Scholls Ferry Road requires additional ROW, the applicant shall dedicate additional width to provide up to 59 feet from the centerline, as approved by LD2015-0013. The applicant shall also, as a condition of approval, record a motor vehicle access restriction along the property's entire SW 175<sup>th</sup> Avenue frontage, except for the previously approved public streets (Road 6C and Street F). Also, if any additional ROW at the intersections is required to provide adequate corner radius and sight distance and to locate the signal poles, as approved with the PUD (CU2015-0006 and LD2015-0013), the applicant shall dedicate the required additional right of way with the final plat, as a condition of approval. Should the project not be completed by Washington County the developer must construct the improvements approved by the South Cooper Mountain Heights PUD.

Therefore, all of the critical transportation facilities will be provided prior to the completion of the phases of the larger South Cooper Mountain Heights development that will require them.

#### Fire Protection

Tualatin Valley Fire & Rescue (TVF&R) provides fire protection services for property in this area. TVF&R has reviewed the project and did not have any comments and/or conditions of approval.

Staff find that all critical utility services can be improved, extended, and/or constructed to have adequate capacity to serve the future South Cooper Mountain Heights development as necessary in order to complete all phases of said development.

**Therefore, staff find that by satisfying the conditions of approval, the proposal meets the criterion for approval.**

- B.** *Essential facilities and services are available or can be made available, with adequate capacity to serve the development prior to its 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 (5) years of occupancy.*

#### Facts and Findings:

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way. The applicant states that all essential facilities and services necessary to serve the future South Cooper Mountain (SCM) Heights subdivision are or will be in place at the time of development. Staff concur that the required essential facilities are currently under construction or will be constructed in preparation for development of the approved South Cooper Mountain Heights PUD. The current development activities in the immediate area (i.e. River Terrace in Tigard, and the new Beaverton School District high school in Beaverton) have triggered the construction of necessary utilities/essential facilities and/or capacity improvements to serve those projects, in addition to the anticipated residential development recently approved as part of the South Cooper Mountain Heights PUD, in accordance with the South Cooper Mountain Community Plan. The following summarizes how essential facilities will be addressed for the SCM Heights subdivision:

#### Police:

The South Cooper Mountain Heights development will be served by the Beaverton Police Department for public safety. The Police Department has submitted no comments or recommendations to the Facilities Review Committee at this time.

#### Schools:

As the South Cooper Mountain Heights PUD is developed with residential subdivisions, it has been anticipated that students will attend Scholls Heights Elementary School, Conestoga Middle School, and Southridge High School until the new South Cooper Mountain High School (official name yet to be determined) has been completed.

#### Public Transportation:

The site is not currently served by transit. The nearest bus stop is over a mile to the east. As transit does not serve the site the applicant has not included any street modifications or design elements to support transit service.

On-site pedestrian and bicycle facilities in the public right-of-way

The required sidewalks, trails, and walkways will be constructed as approved by the South Cooper Mountain Heights PUD to serve the subject site.

With the recommended conditions of approval, this proposal will provide required essential facilities, thereby meeting this criterion for approval.

**FINDING: Therefore, the Committee finds that by meeting the conditions of approval, 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 City of Beaverton Development Code Chapter 20 for the Urban High Density (R1) zone; Urban Medium Density (R2 and R4) zones; and Urban Standard Density (R5 and R7) zones as applicable to the above mentioned criteria as well the City of Tigard's R-25 (Medium High Density Residential District). As currently proposed, there is no residential development as part of this preliminary partition application.

The proposal is for the creation of three legal lots from one existing lot, two of which will remain within the City of Beaverton jurisdiction (Parcel I and Parcel II), and the remaining parcel (Parcel III), will be within the City of Tigard's jurisdiction. Future Development of Parcel III will be reviewed by the City of Tigard.

**FINDING: Therefore, the Committee finds that the proposal meets the criterion.**

- D. *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Regulations) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Regulations), 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.

Transportation Facilities (Section 60.55)

Transportation facilities were reviewed and approved as part of the South Cooper Mountain Heights PUD. Compliance with the requirements and conditions of the South Cooper Mountain Heights PUD is not modified by this proposal. As such the applicant will be required to construct future vehicular, pedestrian, and bicycle improvements as identified in the previous approval.

The site is not currently served by transit. The nearest bus stop is over a mile to the east.

Trees and Vegetation Requirements (Section 60.60)

There is no physical development proposed as part of this partition. Tree removal associated with the South Cooper Mountain Heights PUD was reviewed and approved by TP2015-0008. All applicable requirements of 60.60 will be reviewed at the time of future development proposals. There are SNRA areas as part of the approved South Cooper Mountain Heights PUD, which will be addressed accordingly, and mitigated in accordance with the Beaverton Development Code when future land use applications are reviewed for residential development.

Staff find that all applicable provisions of Chapter 60 will be provided or can be provided in rough proportion to identified impact(s) at the time of development for the South Cooper Mountain Heights residential project(s) as necessary in order to complete all phases of said development.

**FINDING: Therefore, the Committee finds that 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's narrative states that the property will continue to be farmed until said properties are developed. At the time property development is complete a Homeowner's Association will be established in order to provide long-term maintenance.

**FINDING: Therefore, the Committee finds that the proposal meets the criterion.**

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

The applicant states no vehicular or pedestrian circulation is proposed at this time. Under the South Cooper Mountain Heights PUD review and approval process in January 2016, a circulation plan was approved accordingly for all future single-family residential development. Future development of Parcel II will be reviewed for safe and efficient circulation patterns at the time of proposal.

**FINDING: Therefore, the Committee finds the proposal meets the criterion.**

- 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 states in the narrative that no development is proposed at this time, as a result there will be no new connections made to the surrounding circulation system. Staff concurs with the applicant, in that this partition application is necessary in order to separate the City of Tigard remnant pieces from the parent parcel, resulting in 3 separate parcels after final plat approval. Future development proposals will be reviewed for safe and efficient connections to the surrounding circulation system.

**FINDING: Therefore, the Committee finds that 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.**

The applicant states in the narrative that no structures are proposed with this application for preliminary partition. The previously approved land division as part of the South Cooper Mountain Heights PUD includes a number of proposed structures which will require building permits to ensure they are designed in accordance with adopted City codes and standards and provide adequate fire protection.

**FINDING: Therefore, the Committee finds 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 indicates that no structures or facilities are proposed with this application for preliminary partition. All streets and public facilities contained within the previously approved South Cooper Mountain Heights PUD are designed in accordance with the City of Beaverton's Engineering Design Manual.

**FINDING: Therefore, the Committee finds 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 states no grading is proposed under this preliminary partition application.

**FINDING: Therefore, the Committee finds 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 states no facilities are proposed at this time. The street network and facilities are approved as part of the South Cooper Mountain Heights subdivision, and were designed in accordance with the City of Beaverton's Engineering Design Manual in order to provide accessibility as required.

**FINDING: Therefore, the Committee finds 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 application on March 23, 2016 and the applicant was deemed complete on May 17, 2016. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1, are contained within this proposal.

**FINDING: Therefore, the Committee finds the proposal meets the criterion.**

**City of Beaverton Code Conformance Analysis  
Chapter 20 Use and Site Development Requirements  
Urban High, Medium and Standard Density (R1, R2, R4, R5, R7) Zoning  
Districts**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.05.20</b>			
Permitted Uses	Attached & Detached Residential	No development is proposed with this partition application, attached and detached residential lots were permitted with the South Cooper Mountain Heights PUD (CU2015-0006/DR2015-0071/LD2015-0013/TP2015-0008/ZMA2015-0006)	<b>Yes</b>
<b>Development Code Sections 20.05.15</b>			
Minimum Lot Area	R1-1,000 sq. ft. R2-2,000 sq. ft. R4-4,000 sq. ft. R5-5,000 sq. ft. R7-7,000 sq. ft.	The proposed partition is intended an interim step to separate portions of the subject site which are in the City of Tigard from those in the City of Beaverton and create the R1 multi-family parcel intended for future development. The partition is a condition of approval 52 of the South Cooper Mountain Heights PUD approval. The proposal is consistent with the PUD approval.	<b>Yes</b>
Yard Setbacks Minimums:	Varied by zoning district	No development is proposed with this application, therefore setbacks do not apply. Setbacks will be governed by the base zoning district and the South Cooper Mountain Heights PUD approval.	<b>N/A</b>
Maximum Building Height	Varied by zoning district	No development is proposed with this application, therefore maximum building heights do not apply. Building height will be governed by the base zoning district and the South Cooper Mountain Heights PUD approval.	<b>N/A</b>

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review is not applicable to single family dwellings. However Design Review will be applicable at the time of future development of multi-family and/or attached housing. Section 60.35, <i>Planned Unit Development</i> has been addressed in the approved Conditional Use for South Cooper Mountain Heights PUD, CU2015-0006.	<b>N/A</b>
<b>Development Code Section 60.07</b>			
Drive-Up window facilities	Requirements for drive-up, drive-through and drive-in facilities.	No drive-up window facilities are proposed.	<b>N/A</b>
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	No mapped floodplains are located within the subject site.	<b>N/A</b>
<b>Development Code Section 60.12</b>			
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.	<b>N/A</b>
<b>Development Code Section 60.15 – Land Division Standards</b>			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Preliminary Subdivision was approved as part of the South Cooper Mountain Heights PUD review, specifically Land Division (LD2015-0013). The applicable standards of 60.05 were reviewed with LD2015-0013. This Preliminary Partition application does not propose physical development and compliance with the conditions of approval for LD2015-0013 is required.	<b>N/A</b>
<b>Development Code Section 60.25 – Off Street Loading</b>			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	<b>N/A</b>

<b>Development Code Section 60.30 – Off-Street Parking</b>			
Off-street motor vehicle parking Parking Zone A	<u>Detached Dwellings</u> 1 space per unit= 271 spaces min  <u>Attached Single Family</u> 1.75 space per unit= 193 spaces min  <u>Apartments</u> Yet to be determined. The PUD seeks to vest the right to build up to 340 apartments, subject to a future Design Review application which will evaluate parking for the multi-family units.	No physical development is proposed as part of this application. Parking was previously addressed with CU2015-0006.	<b>N/A</b>
Required Bicycle Park	No bicycle parking is required for detached dwellings or single family attached dwellings. Multi-family bike parking will be evaluated at the time of Design Review for those units.	No physical development is proposed as part of this application. Parking was previously addressed with CU2015-0006.	<b>N/A</b>

<b>Development Code Section 60.55 - Transportation</b>			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to the Facilities Review Committee findings herein.	<b>Yes- with COA</b>
<b>Development Code Section 60.60</b>			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	No trees are proposed to be removed with this application.	<b>N/A</b>
<b>Development Code Section 60.65</b>			
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.	No physical development or utility placement is anticipated with this application.	<b>N/A</b>

**City of Tigard Code Conformance Analysis**  
**Table 18.510.2 Development Standards in Residential Zones**  
**Medium High Density Residential R-25 Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Table 18.510.2 Development Standards</b>			
Minimum Lot Area	Detached-3,050 sq. ft. Attached-1,480 sq. ft. Duplex-1,480 sq. ft. Boarding/ Lodging/Rooming-6,100 sq. ft.	No physical development is proposed with this application. The proposed parcel, located in the City of Tigard is 54,450 square feet, well in excess of minimum lot sizes, independent of what type of development occurs at a future date.	<b>Yes</b>
Yard Setbacks Minimums:	Varied by proposal type.	No physical development is proposed with this application. Future development proposals will be required to comply with setback requirements.	<b>N/A</b>
Maximum Building Height	45 feet	No physical development is proposed with this application. Future development proposals will be required to comply with building height requirements.	<b>N/A</b>

LD2016-0008  
ANALYSIS AND FINDINGS FOR  
PRELIMINARY PARTITION

**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 Partition 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 Partition 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 to divide one parcel into three parcels, and no Legal Lot Determination is pending for either parcel, meeting the threshold for a Preliminary Partition below.

- 1. The creation of up to and including three (3) new parcels from at least one (1) lot of record (parent parcel) in one (1) calendar year.*

**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 Partition 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 partition process to comply with current Code standards and requirements.***

The application is part of the implementation of the South Cooper Mountain Community Plan. Approval of the South Cooper Mountain Heights PUD (CU2015-0006, DR2015-0013, LD2015-0013, TP2015-0008 and ZMA2015-0006) resulted in the R1, R2, R4 and R7 zoning designations. The proposed application will not affect or modify any applicable current or previous land use approvals.

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

- 4. Oversized parcels (oversized lots) resulting from the Replat 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 lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.**

The application will result in two oversized parcels which are more than twice the size of the minimum lot dimensions of the R1, R2, R4 and R7 zoning districts. With the approval of the South Cooper Mountain Heights PUD (SCM-PUD) under land division case LD2015-0013, the applicant received approval for a 383 lot subdivision (271 lots for detached single-family homes, 110 lots for attached single-family homes) within the proposed Parcel I area and identified Parcel II for future multi-family development of 340-units, (10.94 acres).

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

- 5. Applications that apply the lot area averaging standards of Section 20.05.15.D. 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, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.**

The applicant does not propose to apply the lot averaging standards of Section 20.05.15.D.

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

- 6. Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.**

The applicant does not propose to apply the lot averaging standards of Section 20.05.15.D.

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

- 7. The proposal does not create a lot which will have more than one (1) zoning designation.**

The proposal is intended to separate the City of Tigard remainder areas (Parcel III, 1.25 acres) from Tax Lot 200 and per the approved Intergovernmental Agreement (IGA) between the City of Beaverton and City of Tigard. Proposed Parcel II is zoned R1 High Density Residential. The ultimate layout of proposed Parcel I will be comprised of R7, R5, R4 and R2 zoning districts until the final land divisions,

approved through LD2015-0013 are recorded. The zoning districts on Parcel 1 align with the approved preliminary subdivision of South Cooper Mountain Heights, once the final plat is recorded for LD2015-0013 no split zone parcels will occur.

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

- 8. *Applications and documents related to the request requiring further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents for this stage of City approvals

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

### **RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2016-0008 (West Hills Development 3 Lot Partition)**, subject to the applicable conditions identified in Attachment D.

## Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Grading Standards</b>			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed, but do not supersede Section 60.05.25 <i>Design Review</i> .	No grading is proposed as part of this preliminary partition.	<b>N/A</b>
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.	No grading is proposed as part of this preliminary partition.	<b>N/A</b>
60.15.10.3.A-E On-site Surface Contouring	When grading a site within 25 feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe A-E of this code section.	No grading is proposed as part of this preliminary partition.	<b>N/A</b>
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	No grading is proposed as part of this preliminary partition.	<b>Yes</b>
<b>Significant Trees and Groves</b>			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	No grading is proposed as part of this preliminary partition.	<b>N/A</b>

### Attachment C

**COMPLIANCE WITH APPROVAL STANDARDS OF TIGARD COMMUNITY DEVELOPMENT  
CODE TITLE 18****18.420.050 Approval Criteria: Land Partition****A. A request to partition land shall meet all of the following criteria:**

- 1. The proposed partition complies with all statutory and ordinance requirements and regulations.**

The applicant states there are no known conflicts with any statutory or ordinance requirements or regulations. Compliance with the minimum lot size and dimension standards of the R-25 zone applied to this area are addressed below.

- 2. There are adequate public facilities available to serve the proposal;**

The applicant states there is no development proposed for Parcel III at this time within the City of Tigard. If at the time of future development, all public facilities will be placed nearby within the right-of-way for SW Friendly Lane to the south.

- 3. All proposed improvements meet City and applicable agency standards; and**

The applicant states in the narrative that the lands in question are remnants from right-of-way expansion, with no plans for development. No improvements to the property or adjacent streets are proposed as part of this application. The site's frontage include SW Scholls Ferry Road and SW Roy Rogers Road.

- 4. All proposed lots conform to the specific requirements below:**

- a. The minimum width of the building envelope area shall meet the lot requirement of the applicable zoning district.**
- b. The lot area shall be as required by the applicable zoning district. In the case of a flag lot, the accessway may not be included in the lot area calculation.**
- c. Each lot created through the partition process shall front a public right-of-way by at least 15 feet or have a legally recorded minimum 15-foot wide access easement.**
- d. Setbacks shall be as required by the applicable zoning district.**
- e. When the partitioned lot is a flag lot, the developer may determine the location of the front yard, provided that no side yard is less than 10 feet. Structures shall generally be located so as to maximize separation from existing structures.**
- f. A screen shall be provided along the property line of a lot of record where the paved drive in an accessway is located within ten feet of an abutting lot in accordance with Sections 18.745.050. Screening may also be required to maintain privacy for abutting lots and to provide usable outdoor recreation areas for proposed development.**
- g. The fire district may require the installation of a fire hydrant where the length of an accessway would have a detrimental effect on fire-fighting capabilities.**

***h. Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved partition map.***

The applicant states that the proposed partition of Parcel III will not change the configuration of the area in question, except for “dividing” it on paper from the remainder of the existing tax lot 200 on the north side of SW Scholls Ferry Road. As such, the “paper” partition should have no effect upon possible compliance with the dimensional standards of the Code or service provision requirements. Development potential may be reliant upon combining Parcel III with other adjacent parcels and/or be a potential stormwater facility or similar.

No change to potential building envelop on any or the three “remainder” segments is anticipated and/or proposed. The southeastern segment appears to be realistically able to accommodate a structure(s). The minimum lot area of R-25 zoning district is 1,480 square feet per multi-family dwelling unit, and 3,050 square feet for detached single-family units. The applicant proposes Parcel III to be 1.25 acres in size (over 50,000 sq.ft.), which is in compliance with the standards. There is no minimum lot width in the R-25 zone.

All three segments of proposed Parcel III are bounded by public right-of-way on three sides. In all cases, the segments have substantially more than 15 feet of public right-of-way frontage.

There are currently no structures on any of the three segments of proposed Parcel III, therefore compliance with setbacks is not applicable. Flag lot front yard setbacks is not applicable, as none of the segments is a flag lot.

No access ways or other types of development are proposed on Parcel III, consequently, subsections f and g above are not applicable.

***5. Any accessway shall comply with the standards set forth in Chapter 18.705, Access, Egress, and Circulation.***

The proposed partition will create land area where neither development, nor accessway is planned. As such, the standards are not applicable.

***6. Where landfill and/or development is allowed within or adjacent to the one-hundred-year floodplain, the City shall require consideration of the dedication of sufficient open land area for greenway adjoin and within the floodplain. This area shall include portions at a suitable elevation for the construction of a pedestrian / bicycle pathway with the floodplain in accordance with the adopted pedestrian / bicycle pathway plan.***

The applicant indicates that the partition creates land area where no landfill or development is planned. The subject segments of Parcel III are not located within or adjacent to a 100-year floodplain. The standards, therefore, are not applicable.

***7. An application for a variance to the standards prescribed in this chapter shall be made in accordance with Chapter 18.370, Variances and Adjustments. The applications for the partition and variance(s) / adjustment(s) will be processed concurrently.***

There are no applications for a Variance or Adjustment with this proposal.

Therefore, based upon the submitted application materials, the proposed bifurcation of Tax Lot 200 is consistent with the applicable standards of the City of Tigard for a minor land partition as they would apply to the create of Parcel III.

**CONDITIONS OF APPROVAL  
LD2016-0008  
West Hills - Crescent Grove 3-Lot Preliminary Partition**

**LD2016-0008 – Preliminary Partition**

**Prior to Final Plat Approval, the applicant shall:**

1. Dedicate additional right-of-way to provide 51 feet to 59 feet (dual left turn lanes) from the centerline of SW 175<sup>th</sup> Avenue. (Washington County, Naomi Vogel).
2. Dedicate additional right-of-way to provide for 56 feet from the centerline of SW Scholls Ferry Road. (Washington County, Naomi Vogel)
3. Dedicate additional right-of-way to provide adequate corner radius at all intersections with County-maintained roads and adequate right-of-way for all signalized intersections. (Washington County, Naomi Vogel)
4. Create a provision of a non-access reservation along SW Scholls Ferry Road and SW 175<sup>th</sup> Avenue frontages with the exception of the two public street connections approved as part of this development review. (Washington County, Naomi Vogel)
5. Have verified to the satisfaction of the City Engineer, that the location and width of proposed rights of way and easements are adequate per the overall development plan; that each parcel and tract has proper access provisions; and that each parcel and tract has adequate public utility service provision/availability per adopted City standards and requirements. (Site Development/JD)
6. 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/SF)
7. 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/SF)

**Prior to occupancy of any future development of Parcel II:**

8. The applicant shall construct a sidewalk and planter strip with street trees along the SW Scholls Ferry Road frontage of Taxlot 2S1060000200 or all of its successors that meet the City's Engineering Design Standards for an Arterial Street. (Transportation / KR)

**Prior to occupancy of any future development of Parcel I and/or II:**

9. Construct a southbound left-turn lane on SW 175<sup>th</sup> Avenue at the Road 6C intersection with 100 feet of storage. (Planning KR / SF)
10. Construct a southbound left-turn lane on SW 175<sup>th</sup> Avenue at the Street F / high school entrance intersection with 100 feet of storage. (Planning KR / SF)

**City of Tigard:**

11. The applicant shall submit to the City of Tigard a copy of the recorded final plat within 15 days of recording to be incorporated into the record. The City of Tigard shall determine compliance with this conditions.

**\*\* END OF CONDITIONS \*\***