



SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

THURSDAY, JUNE 25, 2015 at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 CITIZEN INPUT

4.0 APPROVAL OF MINUTES

4.1 May 14, 2015

5.0 DOCKET # SB1-15, ZC1-15, SLDP1-15, SLDP2-15

Stafford Land Company, Inc. has requested approval for Tentative Subdivision Plat Approval (SB1-15) to subdivide Columbia County Assessor Map No. 3213-BO-02300 into 88 residential lots in the R-4 zone. The site is located at 51403 Old Portland Road. The applicant also requests approval for a Planned Development Overlay Zone Change (ZC1-15), Sensitive Lands Development Permit- Floodplain (SLDP1-15), and Sensitive Lands Development Permit- Riparian Corridor (SLDP2-15).

Format: Quasi-Judicial and Limited Land Use (there will be no opportunity to provide verbal testimony under Limited Land Use)

6.0 COMMUNICATIONS

6.1 Calendar Check

6.2 Commission Comments

6.3 Staff Comments

7.0 ADJOURNMENT

This is an open meeting and the public is welcome. The City of Scappoose does not discriminate on the basis of handicap status in its programs and activities. If special accommodations are required, please contact Susan M. Reeves, MMC, City Recorder, in advance, at 543-7146, ext 224.

TTY 1-503-378-5938

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

THURSDAY, MAY 14, 2015 at 7:00 p.m.

CALL TO ORDER

Chair Kulp called the Scappoose Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

Planning Commission:

Carmen Kulp	Chair
Mike McGarry	Vice Chair
Don Dackins	Commissioner
Bill Blank	Commissioner
Angela Kane	Commissioner
Jim Dahla	Commissioner
Sydnee Alyster	Commissioner

Staff:

Laurie Oliver	Associate City Planner
Susan M. Reeves	City Recorder

Excused: Commissioner Bruce Shoemaker

CITIZEN INPUT

No citizen input.

APPROVAL OF MINUTES ~ April 23, 2015

Commissioner Blank moved and Vice Chair McGarry seconded the motion to approve the March 23, 2015 Planning Commission minutes. Motion passed (7-0) Chair Kulp, aye; Vice Chair McGarry aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Kane, aye; Commissioner Dahla, aye and Commissioner Alyster, aye.

DOCKET # SDR3-15

O'Reilly Auto Enterprises, LLC has requested approval of an application for Site Development Review for a proposed 6,721 square foot commercial retail auto parts store to be owned and operated by O'Reilly Auto Enterprises, LLC. The site is located at the corner of SW Joe's Drive and SW Edward's Lane, on property described as Columbia County Assessor Map #3213-CA-01300.

Format: Limited Land Use (there will be no opportunity to provide verbal testimony).

Chair Kulp called the public hearing to order at 7:02 p.m. and read the opening statement and guidelines for the hearing. She asked if any Planning Commissioners wish to declare any ex parte contacts or conflict of interest regarding this matter? There were none. She asked if any party wished to challenge any commissioner's impartiality or legal capacity to participate in this matter? She stated seeing none she explained the order of the hearing.

Associate City Planner Laurie Oliver went over the staff report. She explained the applicant has requested approval for site development review for a proposed 6,721 square foot commercial retail auto parts store. She explained staff has found that the applicant has met the approval standards for site development review and the findings are listed in the staff report. Staff recommends based on the findings and facts of the material submitted that the Planning Commission approve.

Paul Engel, Civil Engineer of Record for the project, explained he appreciates the opportunity to be here. He stated staff has done an excellent job and they agree to both of the conditions. He showed a couple of pictures to the Planning Commission.

Chair Kulp asked about recycling oil.

Paul Engel explained if they decide to do that they contract with a company, it is just a customer service, and it may not happen in this store.

Chair Kulp closed the hearing at 7:16 p.m.

Commissioner Dahla moved and Commissioner Kane seconded the motion to approve Docket #SDR3-15, an application from O'Reilly Auto Enterprises, LLC for Site Development Review, with the conditions of approval. Motion passed (7-0) Chair Kulp, aye; Vice Chair McGarry aye; Commissioner Dackins, aye; Commissioner Blank, aye; Commissioner Kane, aye; Commissioner Dahla, aye and Commissioner Alyster, aye.

COMMUNICATIONS ~ Calendar Check

Associate City Planner Oliver went over the calendar. The next Planning Commission meetings will be June 25, July 9 and July 23, 2015.

Commission Comments

Commissioner Blank explained the Farmer's Market starts this Saturday, May 16.

Commissioner Alyster stated she just got appointed to the board Habitat for Humanity.

Staff Comments

No staff comments.

ADJOURNMENT ~ Chair Kulp adjourned the meeting at 7:24 p.m.

Attest:

Chair Carmen Kulp

Susan M. Reeves, MMC, City Recorder

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for Subdivision Tentative Plan Approval (SB1-15) to subdivide Columbia County Assessor Map No. 3213-BO-02300 into 88 residential lots. The applicant also requests a Planned Development Overlay Zone Change (ZC1-15) to allow for more flexibility in lot sizes, a Sensitive Lands Development Permit (SLDP1-15) since a portion of the site is within a designated floodplain, and an additional Sensitive Lands Development Permit (SLDP2-15) for an identified Fish and Riparian Corridor within the site.

Location: The site is located at 51403 Old Portland Road, west of the Old Portland Road & Havlik Drive intersection.

Applicant: Stafford Land Company, Inc.

Owner: Alta Mae Lynch

Exhibits:

1. Vicinity Map
2. Application and Narrative
3. Scappoose Riparian Inventory Figure 5D
4. City of Scappoose Floodplain Map
5. Flood Insurance Rate Map
6. Preliminary Plat
7. Preliminary Site Plan
8. Preliminary Grading Plan
9. Preliminary Utility Plan
10. Preliminary Open Space Park and Trail Plan
11. Proposed vs. Standard Building Plan Pattern (Attached vs. Detached Dwellings)
12. Typical Detached Lot Plans depicting 22', 26' and 35' Wide Dwellings
13. Example Elevations of 22', 26' and 35' Wide Dwellings
14. Geotechnical Report by Rapid Soil Solutions, dated February 18, 2015
15. Drainage Report by NW Engineers, dated March 28, 2015 (Appendix B and C available upon request)

16. Traffic Analysis Report by Charbonneau Engineering, dated March 2015 (Appendix available upon request)
17. Fire Chief Comments, dated April 23, 2015
18. Lonny Welter – Columbia County Road Department Comments, dated June 9, 2015
19. Letter from Duane, Betty & Tome Meissner, dated June 12, 2015
20. ODOT Region 2 Comments, dated June 16, 2015
21. Response to ODOT Comments by Charbonneau Engineering, dated June 19, 2015
22. Havlik Drive & Old Portland Road Intersection

SUBJECT SITE

- The subject site consists of a 14.94 acre per survey (15.25 acres per tax map) parcel west of the Old Portland Road & Havlik Drive intersection. The site contains one single family residence and several outbuildings, which will be removed as part of the development. A majority of the site is farmed, except the far west portion of the site, which is in the floodplain and riparian corridor overlay. The site slopes west to east, at a slope of generally less than 5%. The site is bordered to the north by residences, and to the east by Old Portland Road. To the south, the site is bordered by residences, and to the west by the South Fork of the Scappoose Creek.
- The site is designated as Suburban Residential (SR) on the Comprehensive Plan Map and is zoned Moderate Density Residential (R-4). Adjacent zoning is R-4 to the north; Expanded Commercial (EC) to the east; and R-4 to the south and west.

OBSERVATIONS

PROPOSED SUBDIVISION & PLANNED DEVELOPMENT OVERLAY

- The applicant requests approval of an application to subdivide the 14.94 acre (per survey) parcel into 88 single family residential lots (SB1-15), four open space tracts, and four access tracts (**Exhibit 6**). The largest open space tract, Tract "E" is approximately 2.92 acres, and is located at the west end of the site in the Scappoose Creek Floodplains and Fish & Riparian Corridor. Two of the other three open space tracts provide area for stormwater detention, and Tract "C" (3,648 sq. ft.) is a neighborhood park. Tract "D" is a private access tract that serves lots 82-85 and functions as an emergency vehicle turn around. Tracts "F", "G", and "H" are private access tracts to serve rear Lots 28 & 29, 36 & 37, and 76 & 77.
- The applicant requests concurrent approval for a Planned Development Overlay (ZC1-15), which would change the current zoning from R-4 to R-4-PD. Planned developments

are meant to offer a balance of flexibility and predictability regarding the City's development standards. Any latitude granted by the City is offset by the fact that development must conform to the unique set of standards applicable to the site. The City is assured that the construction will be consistent with the vision endorsed in the approval of the Planned Development. This would allow the applicant to have more flexibility in lot sizes, reduced setbacks between structures, and provides for open space and parks within the development.

- As illustrated on the Preliminary Site Plan (**Exhibit 7**), the development has been designed to accommodate varying house plans with three typical building widths: 22-foot, 26-foot, and 35-foot, with some lots allowing plans slightly larger. As shown on **Exhibit 7**, the 22-foot wide plans are located on the east end of the site, totaling about 17 lots around the proposed South Fork Loop. The 26-foot wide plans are mostly located in the center of the site totaling about 38 lots. The 35-foot wide plans are located at the west end of the site, west of Fifth Street, totaling around 33 lots. Dwelling plans showing these three widths are attached as Exhibit 13. The small lot sizes proposed by the developer have a number of advantages, including reduced land costs for home purchasers, efficient use of land, and increased housing choice within the City. The proposal would help maintain housing affordability by permitting residents to purchase smaller lots than can be found in many other parts of the City. The applicant proposes lot sizes ranging from 2,660 sq. ft. to 10,210 sq. ft.
- Within the R-4 zone, single family common wall attached dwellings are an outright permitted use. The applicant proposes to utilize lot sizes similar to lot sizes that would facilitate attached dwellings, however, due to the flexibility that the PD overlay affords, the applicant has requested internal side yard setbacks of 3-feet, rather than zero-feet. External side yard setbacks would be to the R-4 zoning standards.
- The applicant has provided an attached-detached dwelling comparison which shows six proposed detached dwellings under this Planned Development over the same 210 linear feet of street frontage as could contain six attached dwellings with standard side yard setbacks (**Exhibit 11**). This exhibit shows that the proposed setbacks for this Planned Development offer more side yard area overall than standard development patterns would, since with attached dwellings internal setbacks would be zero-feet, while the applicant is proposing a minimum setback of 3-feet or more. This is done while still offering 5-foot and 10-foot setbacks at intervals similar to that found in a standard development.
- As proposed by the applicant, the site would have an overall residential density of 7.3 dwelling units per net acre (exclusive of streets dedicated by the applicant). By comparison, if the applicant developed the site with four-plexes, which is an outright permitted use in the R-4 zone, the density would increase to 14.5 dwelling units per net acre.

- Staff supports the proposed setback standards requested by the applicant, however, the Building Official has observed that the Building Code's requirements for fire-resistant construction are closely linked to the distance between the structure and the property line. Furthermore, it is imperative that the structures' foundations be located precisely in relation to the property line separating adjoining lots. The proposed Conditions of Approval require that the foundation forms be surveyed prior to placement of concrete for house construction. Additionally, the applicant should be aware that overhanging eaves will need to comply with the applicable provisions of the building code for fire-rated construction.

TRAFFIC IMPACT ANALYSIS & STREET IMPROVEMENTS

- Access to the site is from two public streets: Havlik Drive and Fifth Street. As part of the proposed development, Havlik Drive would be extended through the length of the site beginning at its intersection with Old Portland Road, and running west. Fifth Street would be extended through the site (from the north) and would stub to the south property line (**Exhibit 7**). Two other interior public streets are proposed: Sixth Street, which stubs to the south property line located at the west terminus of Havlik Drive, and South Fork Loop, which is located at the east end of the subject site.
- Fifth Street, Sixth Street, and Havlik Drive are proposed with a 32 foot paved width, within a 50 foot right of way along most of the site. Along an approximately 500 foot section, at the southeast portion of the site, Havlik Drive is proposed as a $\frac{3}{4}$ street improvement with 28 foot paved width, with full frontage improvements on the north side of the street within a 39 foot right of way. South Fork Loop is a proposed new public street with a 28 foot wide paved width within a 40 foot right of way. At the northern portion of the loop, South Fork Loop will be a $\frac{3}{4}$ street improvement and will have a slightly narrower right of way (approximately 34.7 feet), but will still have a 28 foot paved width.
- The applicant has submitted a Traffic Analysis Report (**Exhibit 16**) prepared by Charbonneau Engineering that analyzed the effect of development on the surrounding neighborhood including the adjacent streets, and the intersections at Havlik Drive & Old Portland Road and at Havlik Drive & US30. The study estimated that the proposed 88 lot development would generate 838 daily trips, with 66 AM peak hour trips, and 88 PM peak hour trips. The report states that the project will not negatively impact the adjacent collectors and arterials, and that the additional AM and PM peak hour trips are expected to represent an increase of 1% or less to the Hwy 30 intersection.
- While ODOT does not have jurisdiction to review the subdivision impacts (since the development does not front directly onto Hwy 30), the City did ask for their review of the Traffic Analysis Report submitted by the applicant. In a letter dated June 16, 2015, ODOT recommended that a different equation method be used to calculate AM and PM

trips. They suggested that a count of 71 AM and 94 PM peak hour trips should be utilized instead.

- The applicant has proposed an exclusive right lane and a shared through/left lane on each eastbound and westbound approach at the four-leg intersection of Old Portland Road and Havlik Drive. ODOT has recommended (based on their projected volumes) that operations would be improved if instead an exclusive left lane and a shared through/right lane were installed on the above mentioned approaches. ODOT has noted that either configuration will meet the City's Level of Service standards.
- In consultation with the City Engineer and Traffic Engineer, staff has determined to support the applicants proposed lane configurations, however, City staff believes that a northbound left turn lane on Old Portland Road into the development would be a beneficial addition to the project and the applicant has agreed to the recommendation, which will be included as a Condition of Approval. **Exhibit 22** is attached to demonstrate the proposed Re-striping Plan and the ADA crosswalk.
- The applicants Traffic Engineer submitted a memo in response to ODOT's comments, addressing each issue raised by ODOT, and it is attached as **Exhibit 21**. The City Engineer has reviewed the memo and does not have any objections to the information provided.

PUBLIC UTILITY IMPROVEMENTS

- A preliminary utility plan for the proposed subdivision is included as **Exhibit 9** in the applicant's report. Water and Sewer public utility systems are available to serve the subject property, with extensions as needed to be constructed by the developer.
- A 12-inch water line is located in Old Portland Road and an 8-inch water line is located in Fifth Street. The applicant proposes to connect to the existing water lines and will be required to loop the water lines as a Condition of Approval.
- Public sanitary sewer lines are proposed within the development connecting with an existing main line in Old Portland Road (10 inch line).
- Storm drainage will be conveyed in proposed public storm lines to water quality swales in Tracts "A", "B", and "E". Storm water from the east portion of the site will be conveyed to water quality facilities in Tracts "A" and "B", then overflow, if necessary, into the existing system in Old Portland Road. Storm drainage from the west portion of the site is conveyed to a water quality facility in the upland portion of Tract "E", then outfall and flow into the Scappoose Creek floodplain. A preliminary storm drainage report is attached as **Exhibit 15**.

STREET TREES & LANDSCAPING

- The Scappoose Development Code requires street trees along all street frontages. The applicant will be required to plant street trees included in the Approved Street Tree List in

the Scappoose Comprehensive Urban Forestry Plan at the spacing specified in the Scappoose Development Code. Trees are to be planted behind the sidewalks.

- Additional landscaping consisting of trees and shrubs is proposed to be planted at the neighborhood park in Tract "C" (**Exhibit 10**).

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose Engineering, Building, Public Works, and Police Departments; Columbia County Road Department; ODOT Region 2; the Scappoose School District; and Scappoose Rural Fire Protection District have been provided an opportunity to review the proposal. Staff did not receive any objections from these agencies. Comments are attached as **Exhibits 17-21** and those issues applicable to the Planning Commission have been included in the recommended Conditions of Approval.
- Notice of this request was mailed to property owners located within 300 feet of the subject site on June 4, 2015. Notice was also posted on the property on June 8 and published in the local newspaper on June 12 & 19, 2015.
- One written comment has been submitted by the Meissner family as of June 18, and is included as **Exhibit 19**.
- The first concern in the letter submitted by the Meissner family on June 12, 2015 is in regards to the request for fencing on the east side of Lot 46 (**Exhibit 7**), which is already included as a Condition of Approval, and will include the fencing of the east side of Lot 46, as well as the southern boundary of Tract "C". Secondly, they have requested that a fence be installed from the SE corner of Lot 46 to Old Portland Road due to privacy concerns. The applicant is not required to provide fencing along this section, and the City Engineer has indicated that it would be a clear zone issue and that by fencing this section it would infringe of the width needed for emergency vehicles to use the east bound lane of Havlik Drive safely. For this reason, staff has not required the applicant to provide a privacy fence as requested. The third question in the letter is asking for clarification that fences will be installed at the rear of Lots 46-70, along the southern property boundary of the subject site. Fencing is proposed to be installed along the rear of Lots 46-70, and in fact, is proposed on all north and south site boundaries in the rear or side yards along external residential lots during home construction. The last concern stated in the letter is in regards to the offset intersection where Havlik Drive extends into the proposed subdivision. The Meissner's have requested that Lot 5 be dropped to allow for better alignment. The City Engineer has examined the offset alignment, and has found that the centerline offset does not create an unsafe head on issue since the addition of the east bound right turn lane allows for the left-through lane to align with the travel lane on the east side of the intersection. This can be seen more clearly on the Grading Plan, attached as **Exhibit 8**.

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:

A. Citizen Involvement (Goal 1)

Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding:

The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review and comment on the zoning map amendment to make a recommendation to the City Council. Within the zone change process (a Planned Development overlay to an existing zone is handled as a zone change), the applicant is required to post site notices, the City mails notices to nearby property owners, notice is published in the newspaper, and public hearings will be held; this process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding:

The proposal is to change the zoning designations of urban land within the Urban Growth Boundary and to permit a residential subdivision using the Planned Development procedure, in compliance with Goal 2. Notice of the proposed zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. DLCD staff has not commented on the proposal.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and is currently zoned for residential uses.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and City Limits.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:

A portion of the northwest corner of the subject site is protected by a Fish and Riparian Corridor overlay. The applicant will maintain a 50 foot buffer, as required, to protect the natural resources in this area. Additionally, the applicant has proposed a conservation easement over a portion of lots 83-85. Therefore, the proposed zone change, planned development overlay, and subdivision is not in conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:

The site is currently designated for moderate density residential use, and is also subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other “nuisance” effects. For this reason, the potential harmful effects on air, water and land resource quality is already limited. The proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:

The subject site is located within a mapped flood plain, however, floodway and flood hazard area elevation has been provided by FIRM maps at approximately 62-feet msl (**Exhibit 5**) and site development will be constructed well above that elevation (The proposed building envelopes on lots nearest to the floodplain are proposed to be at an elevation of approximately 90-feet msl). Since no alteration, filling or development within the floodplain is proposed within the application, this project is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Finding:

The subject site is not identified in local plans for devotion to recreational needs. Since the property is not identified for recreational use, the proposed Zone Change will have no significant impact on the City's planning for recreational needs. The applicant has, however, proposed as part of the development two areas for recreation, Tract "C" (3,648 sq. ft.) is proposed to have a playground, benches and landscaping, and Tract "E" is an open space that will have trail access (for a future trail near the creek), picnic tables, and a grassy field. This Goal is met.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:

The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:

The proposed zone change, planned development, and subdivision will assist the City of Scappoose in maintaining a supply of moderately priced homes to meet the housing needs of local citizens. The proposed amendment is supportive of this Goal.

K. *Public Facilities and Services (Goal 11)*

Objective: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Finding:

The subject property lies within the Urban Growth Boundary (UGB) and is therefore considered to be urban property, which requires the extension of public facilities and services at the developer's expense. The applicant proposes to extend existing public facilities and services into the subject site in a timely, orderly and efficient manner, therefore, Goal 11 is satisfied.

L. *Transportation (Goal 12)*

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:

The proposed planned development and subdivision allows for the eastern extension of Havlik Drive and the southern extension of Fifth Street, thereby creating a more functional transportation system. The internal roads of South Fork Loop and the southern stub of Sixth Street to the southern property line have been designed with a safe and efficient circulation system with north-south and east west connections with on street parking, where appropriate and safe, therefore, Goal 12 is met.

M. *Energy Conservation (Goal 13)*

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:

- a. Lot size, dimension, and siting controls;*
- b. Building height, bulk and surface area;*
- c. Density of uses, particularly those which relate to housing densities;*
- d. Availability of light, wind and air;*
- e. Compatibility of and competition between competing land use activities; and*
- f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.*

Finding:

The subject property is at a desirable location for residential development because its central location is close to many local businesses and amenities. This makes it possible and convenient to meet basic daily needs close to home. This reduces the need for automobile travel and

supports alternative transportation modes (walking, cycling) that are more energy efficient. Therefore, the proposal will contribute to a more energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:

The subject property is at a central location within the Urban Growth Boundary and no expansion of the Urban Growth Boundary is proposed. The proposed Zone Change will not affect the City's Goal 14 compliance.

O. Other Goals

Finding:

The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as they pertain to this request:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:

The applicant's traffic engineer, Charbonneau Engineering, LLC, has prepared a Traffic Analysis Report for the proposed 88-unit Planned Development (**Exhibit 16**). The report finds that the studied intersections on Havlik Drive will continue to operate at LOS "C" and impacts to Old Portland Road and Hwy 30 will be minimal. Therefore, no change in functional classification will result as a condition of this development. The development also does not require any change in standards implementing a functional classification system. Traffic Analysis Report states that the project will not negatively impact the adjacent collectors and arterials.

3. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

GOAL FOR TRANSPORTATION

[...]

8) *To assure that roads have the capacity for expansion and extension to meet future demands.*

POLICIES FOR TRANSPORTATION

1) *Require all newly established streets and highways to be of proper width, alignment, design and construction, and to ensure that they are in conformance with the City's Subdivision Ordinance.*

- 2) *Review diligently all subdivision plats and road dedications to insure the establishment of a safe and efficient road system.*

Finding:

As noted, the Traffic Analysis Report concluded that local streets have adequate capacity to absorb the traffic generated by the site, and that the intersections of Hwy 30 & Havlik Drive and Old Portland Road & Havlik Drive will continue to operate acceptably. The applicant has submitted a subdivision application with a street system that includes the extension of two existing streets (Havlik Drive and Fifth Street), the construction of 2 new local streets (South Fork Loop and Sixth Street), a private access way- Tract "D", and private alleys to access rear Lots 28 & 29, 36 & 37 and 76 & 77 via Tracts "F", "G", and "H". All streets shall be the proper width, alignment, and structural design to meet the City's Development Code and Public Works Design Standards, except where deviations from the standards are allowed and approved by the City Engineer due to the flexibility of the Planned Development overlay.

GOAL FOR PUBLIC FACILITIES AND SERVICES

- 1) *Provide the public facilities and services which are necessary for the well-being of the community and which help guide development into conformance with the Comprehensive Plan.*
- 2) *Direct public facilities and services, particularly water and sewer systems, into the urban growth area.*
- 3) *Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.*

POLICIES FOR PUBLIC FACILITIES AND SERVICES

- 1) *Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.*
- 4) *Require in new residential developments that water, sewer, street and other improvements be installed as part of initial construction.*
- 5) *Ensure that capacities and patterns of utilities and other facilities are adequate to support the residential densities and land use patterns of the Comprehensive Plan."*

Finding:

The applicant has submitted a subdivision application for land within the urban area that can provide for the extension of sanitary and storm sewers, water lines, and streets in a manner designed to serve the designated urban growth area. The grading plan and storm water outfall will be designed to limit erosion impacts to the creek and riparian areas. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

The applicant will provide all onsite facilities necessary to serve the proposed development. Adequate levels of public services will be provided by water lines, sanitary sewer, storm sewer, and streets to be installed by the applicant.

The proposed subdivision tentative plan conforms with these policies because the development will receive public water supply and wastewater treatment from the City of Scappoose. City water and sewer master plans indicate that adequate water and sewer services can be provided to the site.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GOAL FOR HOUSING

- 1) *Increase the quantity and quality of housing for all citizens.*
- 2) *Locate housing so that it is fully integrated with land use, transportation and public facilities.*
- 4) *Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.*

Finding:

The applicant proposes an 88-lot single-family planned development and residential subdivision that is located within the urban area, and is proposed to be constructed in such a manner as to be fully integrated with land use, transportation, and public facilities. The subdivision proposal includes the provision of additional single-family residential housing stock and provides an improved street system and all required public facilities. The proposed subdivision will increase the quantity of housing within the City of Scappoose by adding a variety of single-family homes.

The proposed subdivision substantially conforms to the public facility plans adopted by the City of Scappoose with regard to facilities necessary to serve the proposed residential development.

Adequate levels of public services will be provided by water lines, sanitary sewer, storm sewer, and streets to be installed by the applicant. Therefore, the proposed zoning map amendment is supportive of this Goal.

The proposal will result in the addition of a unique new housing stock at a central location in Scappoose, consistent with this Goal. The central location of the property makes it nearly ideal with respect to community design (land use patterns), transportation, and public facilities, which are present to serve residential development.

The proposed subdivision is surrounded by residential areas mainly, with the eastern most portion of the site near an Expanded Commercial zone. The current use of the eastern most portion of the site near the subject site in the EC zone is a medical clinic. This use generally keeps daytime hours and is not expected to generate any undesirable influences or create any conflicts between land uses. The proposed change therefore contributes to the protections of residential areas from “conflicting land uses, unnecessary through traffic, or other undesirable influences.” The applicable goals of the GOAL FOR HOUSING are satisfied.

POLICIES FOR HOUSING

- 1) *Maintain adequate zoning, subdivision and building codes to help achieve the City’s housing goals.*
- 7) *Ensure that subdivisions provide a full array of public services at the expense of the developer.*
- 12.) *Encourage the concepts inherent in planned unit developments.*

Finding:

City and State codes are in place to ensure adequate housing development and to achieve the City’s housing goals. The developer will be required to construct all public and private improvements. Unique concepts included in this planned unit development include a mix of detached housing types, a large open space area near South Fork Scappoose Creek, a small private park, and efficient vehicular and pedestrian circulation. The applicable POLICIES FOR HOUSING are satisfied.

4. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS

17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:

- 1. The applicable comprehensive plan policies and map designation;*
- 2. The change will not adversely affect the health, safety and welfare of the community;*
- 3. The applicable standards of this title or other applicable implementing ordinances; and*
- 4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.*

B. The council shall decide the applications on the record.

C. A quasi-judicial application may be approved, approved with conditions or denied.

Finding:

1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

The proposed 88-unit Planned Development is designed in compliance with the applicable Comprehensive Plan policies (noted above) and the R-4 zone Moderate Density Residential map designation.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

Supporting evidence has been provided in the application narrative, reports and exhibits that demonstrates that the proposed 88-unit Planned Development will not adversely affect the health, safety and welfare of the community. Specifically, the Traffic Analysis Report, Storm Drainage Report, and the road and utility design demonstrate that the proposal is both safe and compatible with surrounding development.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed Planned Development overlay zone change is a policy decision subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive

Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

A Planned Development zone change would offer smaller lot sizes which have a number of advantages, including reduced land costs for home purchasers, efficient use of land, and increased housing choice within the City. The proposal would help maintain housing affordability by permitting residents to purchase smaller lots than can be found in many other parts of the City. Currently, there is a shortage of available homes for purchase in Scappoose, and the Planned Development overlay seeks to offer more affordable choices to residents, in a location that is close to many amenities, which will encourage active modes of transportation. The proposal is consistent with the Comprehensive Plan and compatible with surrounding neighborhoods.

Chapter 17.50 R-4 MODERATE DENSITY RESIDENTIAL

17.50.030 Permitted uses. A. In the R-4 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:

[...]

3. Duplex;

[...]

6. Multifamily up to four units per lot;

[...]

9. Single-family detached residential dwelling units.

[...]

13. A single-family dwelling having a common wall with one other single-family dwelling, provided: a. each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot; b. the two dwellings shall have a common wall at the "zero" lot line; c. both lots combined shall comprise not less than seven thousand square feet in area. There is no minimum lot area for the individual lots created; d. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot;

[...]

17.50.050 Dimensional requirements. A. The minimum lot area shall be:

1. Six thousand (6,000) square feet for a single-family detached dwelling unit when located outside of the Scappoose Creek Flood Plain;

2. Seven thousand square feet for the first two attached units plus an additional two thousand five hundred square feet for each additional dwelling unit for triplex or fourplex when located outside of the Scappoose Creek Flood Plain;

3. Twenty thousand (20,000) square feet for a single-family detached dwelling unit when located inside the Scappoose Creek Flood Plain. No other residential uses are permitted in the Scappoose Creek Flood Plain.

B. The minimum lot width shall be fifty feet, except the minimum lot width front property line on the arc of an approved full cul-de-sac shall not be less than thirty feet.

C. The minimum setback requirements are as follows:

1. The front yard setback shall be a minimum of fifteen feet;
2. The front of garages or carports shall be located a minimum of twenty feet from the property line where access occurs;
3. Side yard setbacks shall total a minimum of fifteen feet with any street side setback no less than ten feet. Internal lots shall have one side setback no less than ten feet;
4. The rear yard setback shall be a minimum of twenty feet, except the minimum rear yard setback for an accessory building shall be five feet.

Finding:

The site falls within the R-4 zoning district, and although the extreme western portion of the site falls within the floodplain (**Exhibit 5**), no dwellings are proposed within that area. Single family residential detached lots of varying sizes (2,660 sq. ft. – 10,210 sq. ft.) are proposed with this development (**Exhibit 7**). Lot areas smaller than 6,000 sq. ft. (the standard minimum lot size for the R-4 zone) are authorized by the request for a Planned Development overlay. All proposed single family dwelling units will be fully outside of the floodplain.

Lot widths are adjusted through the request for a Planned Development Overlay and vary from 28 feet to 54 feet (the standard minimum lot width is 50- feet for the R-4 zone). **Exhibit 12** shows typical detached lot plans with proposed dwelling widths of 22-feet, 26-feet, and 35-feet. The proposed development meets or exceeds the R-4 standards for front yard setback, garage setback, and rear yard setback (with the exception of Lot 1, which has a portion of the rear yard setback at 16-feet rather than the standard 20-foot setback for the R-4 zone). The R-4 zone requires a combined total of 15-feet for side yard setbacks – with one side being 10-feet (required on the street side) and the other being 5-feet, for detached residential dwelling units. Lot sizes, lot width, and setbacks shall meet the minimum requirements of the Planned Development overlay at the time of development of each lot. Sections 17.50.030 and 17.50.050 are satisfied.

Chapter 17.81 PLANNED DEVELOPMENT OVERLAY (PD)

17.81.010 Purpose. The purpose of this district is to provide more flexibility in the development of land; encourage variety and creativity in the development pattern of the community; conserve natural land features; facilitate aesthetic and efficient use of open space; create public and private open space; encourage the application of new techniques and technology to

community development which contribute to superior living or development patterns; use land efficiently in order to reduce the costs of housing, maintenance, street systems and utility networks; promote energy conservation and crime prevention; and relate development to the natural environment and its users.

A planned development shall be considered as an overlay to an existing zone, and the development of said property shall be in accordance with that zone's requirements, except as may be specifically allowed by the planning commission. For purposes of implementing these objectives, two means are available:

A. The property owner or his or her representative may apply for a planned development to overlay an existing zone and shall submit an acceptable plan and satisfactory assurances that it will be carried out in accordance with the procedures set forth in Section 17.81.060; or

B. The property owner of a particular parcel, the planning commission, or the city council may apply for a planned development designation to overlay an existing zone without submitting any development plans; however, no development of any kind may occur until a final plan has been submitted and approved. A planned development overlay initiated by the commission or council shall address itself to the purposes set forth herein: a planned development overlay may be approved under these circumstances for a property that has unique characteristics (for example, having geological, ecological or archeological significance), and the development of which may have a significant impact upon the surrounding area or the city as a whole due to its scope, potential housing or employment density, and anticipated traffic generation. However, the commission and council shall set forth the reasons for approval and the areas of concern that must be addressed when final plans are submitted.

Finding:

The applicant has requested a Planned Development overlay to create a residential development that offers single-family residences on lot sizes similar to those that would be found with single family attached residences sharing a common wall on the zero lot line (Instead of a zero-foot setback, the applicant has proposed 3-foot internal setbacks). Such a layout would use land efficiently to reduce the cost of housing and infrastructure, which has the secondary benefit of conserving energy. The applicant has submitted a combined application for a Planned Development overlay, and Subdivision, and Sensitive Lands Development Permits. Section 17.81.010 is satisfied.

17.81.020 Applicability. A. Commercial, Industrial, and Residential. The planned development process may be applied in any zone to all commercial and industrial uses, and excluding the R-1 zone, all residential uses for site-constructed housing, subject to requirements of the underlying district, the land division regulations, and sections 17.81.040 and 17.81.050 of this chapter.

Finding:

The applicant is requesting a Planned Development overlay zone change from R-4 to R-4PD for site constructed single family housing. Section 17.81.020 is satisfied.

17.81.030 Permitted uses. A. For residential districts:

- 1. Uses permitted in the underlying district;*
- 2. Housing concepts may include, but are not limited to, single-family residences, duplexes, row houses, townhouses, cluster units, multiple-family dwellings or manufactured homes;*
- 3. Related commercial uses as part of the development;*
- 4. Related public lands uses designed to serve the development;*
- 5. Accessory buildings and uses, not to exceed twenty-five percent of the lot area of the principal use.*

Finding:

The applicant has proposed single-family detached residences. Section 17.81.030 is satisfied.

17.81.040 Dimensional standards. A. Lot Width, Depth, Coverage, Setback and Frontage Requirements.

Minimum lot size, width, depth, coverage, setback and frontage requirements for lots in a planned development may be less than the minimums specified in the underlying district if in accordance with the approved general plan and the density standards of this section.

B. Minimum Site Size. A planned development shall be established on a parcel of land that is suitable for the proposed development, and shall not be established on less than four acres of contiguous land, unless the planning commission finds that property of less than four acres is suitable as a planned development by virtue of its unique character, topography or natural features, or by virtue of its qualifying as an isolated problem area as determined by the planning commission.

Finding:

The applicant has requested dimensional standards which are less stringent than the R-4 zone would typically allow. The applicant's request is outlined in the table below:

Requirement	Detached housing units
Minimum Lot Area	2,660 square feet
Lot Width	28 feet minimum
Setbacks:	
Front/dwelling	15 feet minimum
Front/garage	20 feet minimum
Side/street	5 feet minimum

Requirement	Detached housing units
Side/internal	3 feet minimum
Rear	20 feet minimum (accessory buildings 5 feet min.)
Height	35 feet
Lot Coverage	45% (buildings & impervious)
Additional Requirements	Based on all applicable sections of the Development Code

The applicant requests a reduction to the lot width, coverage, side setbacks, frontage, and lot area requirements of the R-4 zone. The subject site is 14.94 acres in area (as surveyed), which exceeds the minimum site size. Section 17.81.040 is satisfied.

17.81.050 General requirements. A. Compatibility with Neighborhoods.

- 1. The planned development shall present an organized arrangement of buildings, facilities, open spaces and improvements such as recreation facilities, landscaping and fencing to ensure compatibility with the comprehensive plan and the area in which it is to be located.*
- 2. Peripheral yards of a planned development site shall be at least as deep as those required by the yard regulations of the adjoining district, unless the planning commission finds that equal protection will be accorded through specific features of the approved plan.*

Finding:

The applicants proposed layout appears to be well-organized for a detached residential subdivision with public streets, and open space parks. The proposed subdivision shows compatibility with the housing to the north of the site in terms of dwelling size and lot width and the proposed arrangement of buildings. Lots 28, 29, 36, 37, 45, 71, 76, 77, 82 and 83 (which abut the northern property boundary) are a minimum 6,000 sq. ft. in area and have a depth of between 111 – 136-feet, and proposed setbacks are the same as the standards for the R-4 zone. Lots 46-70 & 88 (which abut the southern property boundary) have a depth of approximately 100 to 102-feet, similar to what would be found in a typical R-4 neighborhood. Fencing and landscaping is proposed at the north end of the driveways with construction of lots

28 & 29, 36 & 37, and 76 & 77 to assure screening. Fencing is also proposed on the north and south site boundaries in the rear or side yards along external residential lots during home construction and prior to occupancy. Section 17.81.050 is satisfied.

B. Open Space.

- 1. Open space in a planned development means the land area to be used for scenic landscaping, or open recreational purposes within the development. It shall not include street right-of-ways, driveways or open parking areas.*
- 2. Open space shall be provided for the recreational and leisure use of the individuals occupying the planned development, and designed to enhance the present and future value of the development.*
- 3. To the maximum extent possible, natural features of the land shall be preserved and landscaping provided.*
- 4. In order to assure that open space will be permanent, dedication of development rights to the city for other than open space use may be required.*
- 5. Instruments guaranteeing the maintenance of open space shall be reviewed and approved by the planning commission. Documents dedicating development rights and provisions for maintenance of open space shall be approved as to form by the city attorney.*
- 6. The planning commission may require that instruments of conveyance provide that in the event the open space is permitted to deteriorate, or is not maintained in a condition consistent with the approved plan, the city may, at its option, cause such maintenance to be done and assess the costs to the affected property owners.*

Finding:

There are two open space parks within the proposed planned unit development; Tracts “C” and “E” are intended to be used for scenic and recreational purposes (**Exhibit 10**). These tracts do not include street right-of-ways, driveways, or open parking areas. Tract “C” is a proposed 3,648 sq. ft. park with a play structure, benches and landscaping to be used by residents of the subdivision. A very large existing tree within Tract “C” will be retained in the park. Tract “E” is a proposed 2.92 acre open space park at the west end of the subject site and is proposed with trail access (for a future trail near the creek), picnic tables, a grassy playfield, and natural vegetation. Tract “E” lies within the South Fork Scappoose Creek floodplain and riparian areas (**Exhibit 3 and 4**). Existing trees and vegetation are proposed to be retained in Tract “E” open space. Preliminary open space park and trail plans are included as **Exhibit 10**. Natural features, including the floodplain, riparian areas and several mature trees, are proposed to remain in permanent open space tracts. Front and rear yards are proposed to be landscaped following home construction. The two open space tracts will be platted as tracts and will be required to be owned and maintained by a Homeowners Association managed by residents of the Planned Development. Section 17.81.050(B) is satisfied.

C. Residential Density.

1. *In a residential planned development, the density permitted is the same as that of the underlying district or districts. In a mixed-use planned development, the number of allowable units is based on net residential area. The net residential area for a planned development shall be calculated by taking the total area of the development less streets, commercial, industrial, public lands and other nonresidential uses. Recreational trails and areas, and open space, etc., shall be included in the net residential area. The number of dwelling units permitted in a planned development shall be calculated by dividing the net residential area by the minimum lot size required in the underlying residential district or districts. In a commercial or expanded commercial district, multifamily densities shall be permitted where limited residential use is determined to be appropriate by the planning commission.*
2. *Greenways, streams and steep topography areas will be counted as contributing to the density only to the extent that it can be shown, through a planning commission review, that a typical development could be accommodated on the site with realistic street configuration, grades and standard lot sizes. The number of dwellings yielded from such a tentative subdivision review process shall be used as a base in determining the overall density for the site.*
3. *An increase of up to twenty-five percent in the number of dwelling units may be permitted upon a finding by the planning commission that such increased density will contribute to:*
 - a. *Satisfaction of the need for additional urban area housing of the type proposed;*
 - b. *The provision of housing which is convenient to commercial, employment, and community services and opportunities;*
 - c. *The creation of a land use pattern that is complementary to the community and its identity, and to the community design process;*
 - d. *The conservation of energy;*
 - e. *The efficient use of transportation facilities; and*
 - f. *The effective use of land and available utilities and facilities.*

Finding:

As proposed by the applicant, the site would have an overall residential density of 7.3 dwelling units per net acre (exclusive of streets dedicated by the applicant). By comparison, if the applicant developed the site with four-plexes, which is an outright permitted use in the R-4 zone, the density would increase to 14.5 dwelling units per net acre.

The applicant has not requested a density bonus. Section 17.81.050(C) is satisfied.

D. Employment Density.

[...]

Finding:

This item is not applicable to this application because the applicant has not proposed a commercial or industrial use.

E. Staging.

1. *The applicant may elect to develop the site in successive stages in a manner indicated in the general plan. Each such stage shall be substantially complete within itself.*
2. *The planning commission may require that development be done in stages if public facilities are not adequate to service the entire development initially.*

Finding:

The applicant's narrative indicates that the subdivision will be platted and developed in a single phase. Section 17.81.050(E) is satisfied.

17.81.060 Procedure. An application for a planned development overlay shall be heard and approved under the public hearing procedures set forth in Chapter 17.162 of Title 17 of the Scappoose Municipal Code. A planned development, quasi-judicial zone change, and as necessary, a quasi-judicial comprehensive plan map amendment, may be processed concurrently. The fee charged for initiating a planned development overlay shall be equal to that charged for zone changes.

Finding:

The applicant has requested the concurrent approval of a Planned Development overlay (zone change from R-4 to R-4PD), Subdivision, and Sensitive Lands Development permits. The applicant has paid the applicable land use fees. Section 17.81.060 is satisfied.

17.81.070 Approval criteria. An application may be approved, approved with conditions, or denied based upon substantial conformance with the following criteria:

- A. The proposed development complies with the comprehensive land use plan and is compatible with the surrounding area or its proposed future use;*
- B. That exceptions from the standards of the underlying district are warranted by the design and amenities such as usable common open space, cluster development, etc.*
- C. That the proposal include designs and construction standards in compliance with city code and that all completed infrastructure be approved by the city and ownership of all infrastructure and public utilities deeded to the city upon completion;*
- D. That the development can be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;*
- E. That streets are adequate to support anticipated traffic, and the development will not overload the streets outside the planned area (as supported, when necessary, by a formal traffic impact analysis);*
- F. That proposed utility and drainage facilities are adequate for the population densities and type of development proposed;*
- G. That the proposed development can be substantially completed within a reasonable period of time.*

Finding:

The Findings of Fact identify that the application is consistent with the Statewide Planning Goals, Comprehensive Plan, Transportation Planning Rule, and applicable sections of the Development Code. The proposed development would be compatible with the surrounding area. Section 17.81.070(A) is satisfied. The Planning Commission and City Council may grant exceptions from the R-4 dimensional standards based on the provision of a variety of housing size options that support individual ownership of lots and promotes housing affordability and through the provision of common open space. Section 17.81.070(B) is satisfied. City staff will review and approve construction plans to ensure compliance with City standards. Section 17.81.070(C) is satisfied. The Planned Development proposal extends Havlik Drive and Fifth Street into the development and accommodates the future extension of Sixth Street and Fifth Street to adjoining properties for future development. Section 17.81.070(D) is satisfied. The Traffic Analysis Report submitted by the applicant demonstrates that the existing and proposed street network will continue to operate acceptably with the addition of the houses constructed from the development. Section 17.81.070(E) is satisfied. The Preliminary Utility Plan (**Exhibit 9**) and associated storm and sanitary sewer profiles and details demonstrate the adequacy of the utility and drainage facilities for the proposed planned development. Initial computations submitted by the applicant (**Exhibit 15**) indicate that the proposed stormwater facility is adequate for the impervious area associated with the site. Section 17.81.070(F) is satisfied. The Conditions of Approval require the public infrastructure to be constructed in a timely manner. Section 17.81.070(G) is satisfied.

*17.81.080 Tentative Plan.**[...]**B. Procedures.**[...]*

4. Tentative Plan Expiration Date. Within one year following the effective date of approval of a tentative plan, the general plan and program shall be submitted, and shall incorporate any modification or condition required by approval of the tentative plan. The planning services manager may, upon written request by the applicant, grant an extension of the expiration date of up to six months, upon a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant re-filing of the tentative plan, and after finding that no other development approval would be affected.

Finding:

The applicant is required to submit the Final Plan for the Planned Development and Subdivision for review by City staff within one year from the effective date of the approval by City Council. Section 17.81.080(B, 4) is satisfied.

E. Expiration. If substantial construction or development, as determined by the director, has not taken place within four years from the date of approval of the general plan, the planning

commission shall review the planned development permit at a public hearing to determine whether or not its continuation in whole or in part is in the public interest, and if found not to be, shall remove the planned development designation on the subject.

Finding:

The Conditions of Approval impose a timeline for the construction of the Planned Development. Section 17.81.080(E) is satisfied.

17.81.110 Application of development standards--Conflict of planned development standards and zoning district standards. In cases of conflict between standards of the underlying district and the planned development, the standards of the planned development shall apply.

Finding:

If approved, the provisions of the Planned Development would take precedence over the standards of the R-4 zone. Section 17.81.110 is satisfied.

CHAPTER 17.150 - LAND DIVISION: SUBDIVISION

17.150.020. General Provisions.

[...]

H. All subdivision proposals shall include neighborhood circulation plans that conceptualize future street plans and lot patterns to parcels within five hundred feet of the subject site. Circulation plans address future vehicular/bicycle/pedestrian transportation systems including bike lanes, sidewalks, bicycle/pedestrian paths, and destination points. A circulation plan is conceptual in that its adoption does not establish a precise alignment. An applicant for a subdivision is required to submit a circulation plan unless the applicant demonstrates to the planning services manager one of the following:

- 1. An existing street or proposed new street need not continue beyond land to be divided in order to complete or extend an appropriate street system or to provide access to adjacent parcels within five hundred feet of the proposed development; or*
- 2. The proposed street layout is consistent with a street pattern adopted as part of the city's transportation system plan, or a previously adopted circulation plan.*

Finding:

The neighborhood circulation plan proposed by the applicant is attached as **Exhibit 7**. The plan demonstrates that the site can be developed in a logical pattern. The proposed streets would allow future access to neighboring parcels and will provide opportunity to define blocks within the site. Section 17.150.020(H) is satisfied.

17.150.060 Approval standards--Tentative plan. A. The planning commission may approve, approve with conditions or deny a tentative plan based on the following approval criteria:

1. *The proposed tentative plan complies with the city's comprehensive plan, the applicable chapters of this title, the public works design standards, and other applicable ordinances and regulations;*
2. *The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92[.090(1)];*
3. *The streets and roads are laid out so as to conform to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects, including conformance with submitted neighborhood circulation plans, unless the city determines it is in the public interest to modify the street or road pattern; and*
4. *An explanation has been provided for all public improvements.*

Finding:

The proposed Tentative Plan complies with the City's Comprehensive Plan through its conformance with applicable standards of the Development Code as detailed within the Findings of Fact. Review by the City Engineer and all referral agencies insures compliance with the City's Public Works Design Standards and Standard Specifications and all other applicable regulations regarding street, sewer, water and all other public improvement configurations and construction materials, as well as private utilities. Appropriate Conditions of Approval detailing required improvements, and in particular development of a street system satisfying the policies outlined within the Comprehensive Plan, Development Code, and Public Works Design Standards and Specifications, are included. Section 17.150.060(A, 1) is satisfied.

The applicant has proposed "South Fork" as the name for this subdivision. Prior to recording, the surveyor will need to confirm with the County Surveyor's office that the subdivision name is acceptable. Section 17.150.060(A, 2) is satisfied.

Road layout takes into consideration the proposed circulation plan included in **Exhibit 7**. Section 17.150.060(A, 3) is satisfied.

The applicant's narrative and preliminary plans (**Exhibits 2 & 7**) sufficiently describe all required public improvements. Section 17.150.060(A, 4) is satisfied.

Chapter 17.84 SENSITIVE LANDS--FLOODING

17.84.010 Purpose. A. It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flooding. In general, the city's flood hazard chapter is designed:

- 1. To protect human life and health;*
- 2. To minimize expenditures of public money and costly flood control projects;*
- 3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;*

4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard.

17.84.015 Definitions.

[...]

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

[...]

“Structure” is a term that, for floodplain management purposes, means a walled and roofed building. The term also includes manufactured homes, and gas and liquid storage tanks that are principally above ground.

17.84.030 General provisions. A. This chapter shall apply to all special flood hazard areas (Zones A, AE, AO) within the jurisdiction of the city.

B. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled the “Flood Insurance Study for Columbia County, Oregon and Incorporated Areas,” effective November 26, 2010, with accompanying Flood Insurance Rate Maps, is adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at the Planning Department.

C. All new construction and substantial improvements shall be constructed with materials and utilize equipment resistant to flood damage.

D. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

E. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

F. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system in accordance with the state of Oregon Building Codes and Plumbing Code.

G. All new construction, all manufactured homes and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure.

H. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.

Finding:

This western most portion of the subject site lies within the Special Flood Hazard Area (Floodplain) as illustrated in **Exhibits 4 & 5**. The floodplain associated with South Fork Scappoose Creek has been mapped by multiple sources including FEMA (**Exhibit 5**). The

narrative indicates that the floodplain and flood hazard area elevation has been established by a registered surveyor, and is approximately 62 feet msl. All proposed structures and improvements are well above this level (Building envelopes on lots adjacent to the floodplain are at elevations of approximately 80-feet msl or greater). Since no alteration, filling or development is proposed within the floodplain, no permit will be required. Sections 17.84.010 and 17.84.030 are satisfied.

Chapter 17.89 SENSITIVE LANDS--FISH AND RIPARIAN CORRIDOR OVERLAY

17.89.030 Applicability of provisions. *The sensitive lands - fish and riparian corridor overlay shall apply to the following riparian corridors as shown on the Scappoose Riparian Inventory dated December 1998 and adopted within the city comprehensive plan. The riparian corridor boundary is fifty feet from the top of the bank except as follows:*

- A. *Where the riparian corridor includes all or portions of a significant wetland as identified in the Scappoose Riparian Inventory, the standard distance to the riparian corridor boundary shall be measured from, and include, the upland edge of the wetland; and*
- B. *Except as provided for in subsection A of this section, the measurement of distance to the riparian corridor boundary shall be from the top of bank. The measurement shall be a slope distance. In areas where the top of each bank is not clearly defined, the riparian corridor boundary shall be measured from the ordinary high water level, or the line of nonaquatic vegetation, whichever is most landward.*

Finding:

The western portion of the subject site falls within 50 feet of the top of the bank of South Fork Scappoose Creek, therefore, the requirements of Chapter 17.89 apply to the proposed subdivision. Section 17.89.030 is satisfied.

17.89.040 Activities allowed within the fish and riparian corridor. *A. The permanent alteration of the riparian corridor by grading or by the placement of structures or impervious surfaces is prohibited. However, certain activities may be allowed within the fifty-foot fish and riparian corridor boundary, provided that any intrusion into the riparian corridor is minimized, and no other options or locations are feasible. A sensitive lands development permit - fish and riparian corridor overlay is necessary to approve the following activities:*

- 1. *Streets, roads and paths;*
- 2. *Drainage facilities, utilities, and irrigation pumps; [...]*

Finding:

As shown on **Exhibit 23**, the Preliminary Creek Buffer Exhibit, the riparian corridor for South Fork Scappoose Creek is measured from the top of the creek bank, and a 50 foot setback from the bank edge is shown on the submitted plans. A conservation easement is proposed across lots 83-85 which will prohibit activities that are not in compliance with the Fish and Riparian

Corridor Overlay. No grading or structures are proposed within the 50 foot Fish and Riparian Corridor boundary as part of this application, however, a storm pipe and outfall are shown on the submitted plans (**Exhibit 23**). While **Exhibit 23** shows the outfall pipe outside of, and to the south of the Fish and Riparian Corridor boundary, it is shown on subsequent **Exhibits 8 & 9** as being within that boundary. Staff requested that the outfall pipe be relocated, if possible, outside of the Fish and Riparian Corridor boundary, and the applicant complied and resubmitted **Exhibit 23** to reflect that change. The Conditions of Approval will require the applicant to demonstrate compliance with Chapter 17.89 - Fish and Riparian Corridor Overlay by indicating how the 50-foot setback was established per the "top of bank" definition, and if an adjustment to the setback is necessary, it shall be shown on the Final Plat. The placement of structures or impervious surfaces is prohibited within the Fish and Riparian Corridor boundary. Proposed drainage facilities shall be sited outside of the Fish and Riparian Corridor boundary, unless no other options or locations are feasible, in which case the applicant shall adhere to the City Planners recommendation's to minimize the impacts to the surrounding habitats after consultation with Oregon Department of Fish and Wildlife staff. Section 17.89.040 is satisfied.

17.89.090 Review standards. The following criteria shall be included in review of any application to which the fish and riparian corridor overlay is applicable:

- A. In consultation with a representative of the Oregon Department of Fish and Wildlife, the planner shall identify which areas of the site are the most sensitive and susceptible to destruction, and which are the most significant;*
- B. After consultation with a representative of the Oregon Department of Fish and Wildlife, the planner shall analyze what the effect of proposed development will have on the fish and wildlife, hydrology, water quality, and riparian functions; determine if there will be a significantly adverse impact on the fish and wildlife resource; and, if the fish and wildlife habitat will be adversely impacted, the planner shall investigate if other development proposals could protect the fish and riparian corridor and still reasonably allow permitted activities;*
- C. The planner may condition the approval of an application to require protection of the habitat, or if the project is unable to mitigate habitat degradation, the planner may deny the application.*

Finding:

In consulting with ODFW staff, their main concern with a proposal such as this is:

- 1) Storm water discharge directly into Scappoose Creek, an ESA fish bearing stream, and what the possible toxics are that the surface water may carry off the developed site,
- 2) Removal of riparian vegetation that exceeds City code or affects the ecologic performance of the floodplain,
- 3) Removal of certain large trees that could both provide for avian habitat but also enhance the landscaped look of the development.

In response, staff has found that storm water will not be discharged directly into the creek, but will be located more than 60-feet south of the creek (as indicated on **Exhibit 23**), and that the

storm water will be treated to City standards prior to being discharged to limit the release of any possible toxins from the surface water. Removal of riparian vegetation will not be permitted, nor will the removal of any trees be permitted within the riparian corridor. Since the applicant has agreed to place the storm pipe and outfall outside of the 50-foot Fish and Riparian Corridor buffer, staff finds that the applicant is in compliance with the Fish and Riparian Corridor and no mitigations are proposed at this time. Section 17.89.090 is satisfied.

Chapter 17.100 LANDSCAPING, SCREENING AND FENCING

17.100.090 Buffering and screening requirements. *A. Buffering and screening are required to reduce the impacts on adjacent uses which are of a different type. The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening. When different uses abut one another, buffering and screening are required. When different uses would be abutting one another except for separation by a right-of-way, buffering, but not screening, shall be required.*

B. A buffer consists of an area within a required interior setback adjacent to a property line, having a width of ten feet, except where the planning commission requires additional width, and a length equal to the length of the property line of the abutting use or uses.

C. Occupancy of a buffer area shall be limited to utilities, screening, and landscaping. No buildings, accessways or parking areas shall be allowed in a buffer area.

D. The minimum improvements within a buffer area shall include:

1. One row of trees, or groupings of trees equivalent to one row of trees. At the time of planting, these trees shall not be less than ten feet high for deciduous trees and five feet high for evergreen trees measured from the ground to the top of the tree after planting. Spacing for trees shall be as follows:

a. Small or narrow stature trees, under twenty-five feet tall or less than sixteen feet wide at maturity shall be spaced no further than fifteen feet apart;

b. Medium sized trees between twenty-five feet to forty feet tall and with sixteen feet to thirty-five feet wide branching at maturity shall be spaced no greater than twenty-five feet apart;

c. Large trees, over forty feet tall and with more than thirty-five feet wide branching at maturity, shall be spaced no greater than thirty feet apart.

2. In addition, at least one five-gallon shrub shall be planted for each one hundred square feet of required buffer area.

3. The remaining area shall be planted in groundcover, or spread with bark mulch.

Finding:

The eastern boundary of the site abuts the Expanded Commercial (EC) zone. The Conditions of Approval require landscape buffering along Old Portland Road, as room allows (Staff recognizes that there will be a storm water facility in this location and will work with the applicant to address the buffering requirements prior to Final Plat) . The required street trees may be used to satisfy a portion of the buffering requirement. Section 17.100.090 is satisfied.

Chapter 17.104 STREET TREES

17.104.020 Applicability. A. The provisions of this chapter shall apply to all development as defined in Scappoose Municipal Code Chapter 17.26, Definitions, except a building permit to add to or remodel an existing single- family residence.

B. All development shall be required to plant street trees. Street trees shall be defined as trees located on land lying between the property lines on either side of all streets, avenues or public rights-of-way within the city or within easements defined on a recorded plat as street tree easements.

[...]

17.104.040 Standards for street trees. A. Street trees shall be selected from the approved street tree list included as Appendix A of the Scappoose Comprehensive Urban Forestry Plan.

B. At the time of planting, street trees shall not be less than ten feet high for deciduous trees and five feet high for evergreen trees.

C. Spacing and minimum planting areas for street trees shall be as follows:

1. Street trees under twenty-five feet tall and less than sixteen feet wide at maturity shall be spaced no further than fifteen feet apart in planting areas containing no less than sixteen square feet of porous surface and not less than four feet wide;

2. Street trees under twenty-five feet tall and greater than sixteen feet wide at maturity shall be spaced no further than twenty feet apart in planting areas containing no less than sixteen square feet of porous surface and not less than four feet wide;

3. Street trees between twenty-five feet to forty feet tall and less than twenty-five feet wide at maturity shall be spaced no greater than twenty-five feet apart in planting areas containing no less than twenty-four square feet of porous surface and not less than six feet wide;

4. Street trees between twenty-five feet to forty feet tall and greater than twenty-five feet wide at maturity shall be spaced no greater than thirty feet apart in planting areas containing no less than twenty-four square feet of porous surface and not less than six feet wide;

5. Street trees greater than forty feet tall at maturity shall be spaced no greater than forty feet apart in planting areas containing not less than thirty-six square feet of porous surface and not less than eight feet wide.

D. Street trees located under or within ten feet of overhead utility lines shall be less than twenty-five feet tall at maturity.

E. Street trees shall be planted in accordance with the requirements of Scappoose Municipal Code Section 13.28.010(C).

Finding:

The Conditions of Approval require the applicant to plant street trees and to select species from the Approved Street Tree List in the Scappoose Comprehensive Urban Forestry Plan. Final tree species and placement will be determined when street permit plans are prepared and final

design of street lights, driveways, and utility placement can be taken into consideration
Sections 17.104.020 and 17.104.040 are satisfied.

Chapter 17.106 OFF-STREET PARKING AND LOADING REQUIREMENTS

17.106.020 General provisions.

A. The dimensions for parking spaces are subject to the requirements in Section 17.106.050, and as follows:

1. Nine feet wide and eighteen feet long for a standard space;
2. Eight and one-half feet wide and fifteen feet long for a compact space; and
3. In accordance with the applicable state and federal standards, at least twelve feet wide and eighteen feet long for designated handicapped parking spaces.

[...]

H. Location of Required Parking.

1. Off-street parking spaces for single-family, duplex dwellings and single-family attached dwellings shall be located on the same lot with the dwelling.

[...]

Finding:

Single car and two-car garages and driveways are proposed with this development and are proposed with sizes that meet or exceed the above standards. Parking spaces shall be located on the same lot with the dwelling. Section 17.106.020 is satisfied.

17.106.030 Minimum off-street parking requirements.

A. Residential Uses.

[...]

1. Single-family residence or duplex: 2 spaces for each dwelling unit.

Finding:

A minimum of 2 parking spaces is proposed for each dwelling unit. Section 17.106.030 is satisfied.

Chapter 17.154 STREET AND UTILITY IMPROVEMENT STANDARDS

17.154.030 Streets. A. No development shall occur unless the development has frontage or approved access to a public street:

1. Streets within a development and streets adjacent to a development shall be improved in accordance with this title and the public works design standards and specifications.

2. Any new street or additional street width planned as a portion of an approved street plan shall be dedicated and improved in accordance with this title and the public works design standards and specifications.

[...]

Finding:

The proposed public street system illustrated on the submitted drawings (**Exhibit 7**) shall be dedicated in accordance with the Public Works Design Standards and Specifications. All of the proposed lots will have frontage, or approved access, onto a local public street. The subject site has approximately 240 feet of frontage on Old Portland Road, which is a fully improved street, however, the applicant will need to verify that the existing improvements meet the City's Public Works Standards and current ADA code regarding condition and access requirements. Section 17.154.030(A) is satisfied.

B. Rights-of-way shall be created through the approval of a final subdivision plat or major partition; however, the council may approve the creation of a street by acceptance of a deed, provided that such street is deemed essential by the council for the purpose of general traffic circulation:

[...]

D. The location, width and grade of all streets shall conform to an approved street plan and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets:

1. Street grades shall be approved by the public works director in accordance with the city's public works design standards; and

[...]

3. New streets shall be laid out to provide reasonably direct and convenient routes for walking and cycling within neighborhoods and accessing adjacent development.

E. The street right-of-way and roadway widths shall not be less than the minimum widths described in the city's public works design standards.

F. Where necessary to give access or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary lines of the tract to be developed. A reserve strip across the end of a dedicated street shall be deeded to the city; and a barricade shall be constructed at the end of the street by the property owners which shall not be removed until authorized by the public works director, the cost of which shall be included in the street construction cost.

Finding:

The proposed public rights-of-way will be dedicated by the approval of the Final Subdivision Plat. The proposed streets will conform to all of the applicable City of Scappoose standards and specifications. Section 17.154.030(B) is satisfied.

The proposed South Fork Loop roadway geometry does not meet the City's Public Works Design Standards. The applicant shall be required to demonstrate how the road meets site distance requirements per ASHTTO Policy on Geometric Design of Highways and Streets, and that road speeds will meet the proposed geometry. Pedestrian access is provided from Sixth Street to open space Tract "E". Section 17.154.030(D) is satisfied.

The City's Public Works Design Standards require public rights-of-way and paved roadways with curbs and sidewalks. The submitted drawings demonstrate 50-foot rights-of-way for Havlik Drive, Fifth Street, and Sixth Street, with paved widths of 32 feet, curb, gutter, sidewalks, with street trees behind the sidewalks. South Fork Loop is proposed with a 28 foot paved width, within a 40 foot right-of-way, which the applicant requests under the flexibility of the Planned Development overlay. The applicant has proposed a 5 foot public utility easement (PUE) along all rights-of-way for public utilities. Section 17.154.030(E) is satisfied.

Havlik Drive, Sixth Street, Fifth Street and South Fork Loop are either adjacent to, or stub to the property line providing access to adjacent properties upon redevelopment. Barricades shall be required at the edge of pavement as a Condition of Approval. Section 17.154.030(F) is satisfied.

G. No street name shall be used which will duplicate or be confused with the names of existing streets within the city's urban growth boundary, except for extensions of existing streets. Street names and numbers are subject to review and approval the Scappoose rural fire district.

Finding:

The applicant is required to propose new street names and receive City and Fire District approval. Section 17.154.030(G) is satisfied.

H. Concrete vertical curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in this chapter and the city's public works design standards. Concrete curbs and driveway approaches are required and shall be built to the city's configuration standards.

Finding:

The RV parking proposed on Lots 30, 35, 75 & 78 indicate a gravel pad encroaching into the right-of-way. After consultation with City staff, the applicant has proposed to use the Alley Street Section per the Public Works Design Standards for all of the access ways to serve rear

lots 28 & 29, 36 & 37, and 76 & 77 (**Exhibit 7**). This would create Tracts “F”, “G” and “H” and would eliminate the flag pole configuration showing on **Exhibits 6, 8 and 9**. Rules require all streets to be constructed to the standards detailed within the City’s Public Works Design Standards and Standard Specifications, except where deviations from the standards are allowed and approved by the City Engineer due to the flexibility of the Planned Development overlay. Section 17.154.030(H) is satisfied.

O. The developer shall install all street signs, relative to traffic control and street names, as specified by the public works director for any development. The cost of signs shall be the responsibility of the developer.

P. Joint mailbox facilities shall be provided in all residential developments, with each joint mailbox serving at least two dwelling units.

1. Joint mailbox structures shall be placed adjacent to roadway curbs;

2. Proposed locations of joint mailboxes shall be designated on a copy of the tentative plan, and shall be approved by the U.S. Post Office prior to plan approval; and

3. Plans for the joint mailbox structures to be used shall be submitted for approval by the planner prior to final approval.

[...]

R. Street lights shall be installed in accordance with the city’s public works design standards.

S. Street names are subject to the approval of the Scappoose rural fire district and street name signs shall be required as specified in the city’s public works design standards.

Finding:

The developer will incur the costs of all required traffic control devices and street signs. The Conditions of Approval require the applicant to install group mailbox facilities in coordination with the Scappoose Post Office. Street lights will be installed in accordance with the City’s Public Works Design Standards and in coordination with the Columbia River PUD. The proposed public street names will be submitted for review and approval to the Scappoose Rural Fire District. Street name signs shall meet the applicable Public Works Design Standards. Section 17.154.030(O), (P, 1-3), and (R-S) are satisfied by the Conditions of Approval.

17.154.040 Blocks. *A. The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated, consideration of needs for safe and convenient pedestrian and vehicular access and circulation and recognition of limitations and opportunities of topography.*

B. Except for arterial streets, no block face shall be more than six hundred feet in length between street corner lines and no block perimeter formed by the intersection of pedestrian accessways and local, collector and arterial streets shall be more than one thousand six hundred feet in length. The recommended minimum length of blocks along an arterial street is one thousand eight hundred feet. A block shall have sufficient width to provide for two tiers of building sites. Reverse frontage on arterial streets may be required by the planning commission.

Finding:

The proposed blocks will provide adequate building sites for the use contemplated. The block face between South Fork Loop and Fifth Street does exceed the 600-foot maximum, however, the neighborhood to the north of the subject site did not provide the proper block length when it was developed, which prevented the applicant from making a through connection at the proper spacing. This deviation from the normal block length has been approved by the City Engineer. Pedestrian access is provided between Lots 86 and 87 so that residents may access the open space in Tract "E". There are no lots fronting an arterial. The interior blocks have two tiers of building sites, while the rear of the lots on the east boundary are separated from Old Portland Road by a landscaped area. Sections 17.154.040(A-B) are satisfied.

17.154.050 Easements. A. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be either dedicated or provided for in the deed restrictions, and where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance.

B. A property owner proposing a development shall make arrangements with the city, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development.

[...]

17.154.070 Sidewalks. A. Sidewalks are required and shall be constructed, replaced or repaired in accordance with the city's public works design standards.

[...]

Finding:

The applicant is required to illustrate all existing and proposed easements on the Final Plat and to provide a 5-foot public utility easement adjacent to all rights-of-way. A drainage easement shall be required across Tract "E" and on Tracts "A" and "B".

Sidewalks and public utility easements are required within the development per the Conditions of Approval and shall be constructed in accordance with the City's Public Works Design Standards. Sections 17.154.050 and 17.154.070 are satisfied.

17.154.080 Public use areas. A. Where a proposed park, playground or other public use shown in a development plan adopted by the city is located in whole or in part in a subdivision, the commission may require the dedication or reservation of such area within the subdivision.

B. Where considered desirable by the commission in accordance with adopted comprehensive plan policies, and where a development plan of the city does not indicate proposed public use areas, the commission may require the dedication or reservation of areas within the subdivision

or sites of a character, extent and location suitable for the development of parks and other public use.

Finding:

Two parks are proposed within the subdivision (Tracts "C" and "E") as required by the Planned Development requirement for open space, however, they will remain privately owned by the HOA for use by the residents of the development. An easement along the creek through Tract "E" is proposed to be granted to the City on the final plat for future trail connection (to be aligned with any easement for a trail connection existing on adjacent properties). Section 17.154.080 is satisfied.

17.154.090 Sanitary sewers. *A. Sanitary sewers shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth by the city's public works design standards and the adopted policies of the comprehensive plan.*

B. The public works director shall approve all sanitary sewer plans and proposed systems prior to issuance of development permits involving sewer service.

C. Proposed sewer systems shall include consideration of additional development within the area as projected by the comprehensive plan and the wastewater treatment facility plan and potential flow upstream in the sewer sub-basin.

D. Applications shall be denied by the approval authority where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system.

Finding:

The applicant proposes to connect to the existing public sewer main in Old Portland Road, a 10 inch PVC main line (**Exhibit 9**). The new sewer lines would be installed by the developer. Section 17.154.090 is satisfied.

17.154.100 Storm drainage. *A. The planner and public works director shall issue permits only where adequate provisions for stormwater and floodwater runoff have been made, and:*

1. The stormwater drainage system shall be separate and independent of any sanitary sewerage system.

2. Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street.

3. Surface water drainage patterns shall be shown on every development proposal plan.

4. All stormwater analysis and calculations shall be submitted with proposed plans for public works directors review and approval.

5. All stormwater construction materials shall be subject to approval of the public works director.

B. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance.

C. A culvert or other drainage facility shall, and in each case be, large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development. The public works director shall determine the necessary size of the facility.

D. Where it is anticipated by the public works director that the additional runoff resulting from the development will overload an existing drainage facility, the planner and engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development.

Finding:

The storm drainage system is separate from the sanitary sewer system. Catch basins in the proposed subdivision would collect stormwater runoff from the new streets, and the stormwater from the east portion of the site (from approximately Lot 23 east) would be conveyed to the stormwater infiltration facilities in Tracts "A" and "B", then overflow, if necessary, to the existing system in Old Portland Road. Storm drainage from the west portion of the site is proposed to be conveyed to a stormwater infiltration facility in the upland portion of Tract "E", then outfall and flow into the South Fork Scappoose Creek floodplain. The Utility Plan is attached as **Exhibit 9**. Inlets are required to be located to prevent storm runoff from being carried across the intersections. Stormwater from the site must be managed in compliance with the Public Works Design Standards and State and Federal regulations. The applicant has submitted preliminary computations to provide evidence that the stormwater facility has adequate capacity for the site's stormwater (**Exhibit 15**). Lonny Welter, from the Columbia County Road Department, submitted a comment in regards to drainage on the site (**Exhibit 18**). He stated that "Attention to storm drainage should be closely looked at, as it appears the natural drainage may have originally drained north from the Dutch Canyon Road area to this property, then to the Scappoose Creek". As detailed on the Utility Plan (**Exhibit 9**), the applicant has proposed a storm water inlet between Lots 52 & 53 to pick up the drainage at the low point on the southern property boundary. All drainage facilities must be designed in conformance with APWA standards and are reviewed and approved by the City Engineer. Section 17.154.100 is satisfied.

17.154.105 Water system. *The planner and public works director shall issue permits only where provisions for municipal water system extensions have been made, and:*

A. Any water system extension shall be designed in compliance with the comprehensive plan existing water system plans.

B. Extensions shall be made in such a manner as to provide for adequate flow and gridding of the system.

C. The public works director shall approve all water system construction materials.

Finding:

All proposed building lots within the subdivision would be served by water lines that must be designed in accordance with the Public Works Design Standards. The applicant proposes connecting to a 12-inch water line installed in Old Portland Road and an 8-inch line in Fifth Street (the connection for Fifth Street is not shown on the plans, but will be required). The Conditions of Approval require that the applicant extend this water line to the southern boundary of the site (at the terminus of Fifth & Sixth Streets, as well as to the southern boundary of the site between Lots 15 & 16 in Havlik Drive) and to loop to the 12" line in Old Portland Road. The City Engineer would review all proposed plans. Section 17.154.105 is satisfied.

17.154.107 Erosion controls. A. Any time the natural soils are disturbed and the potential for erosion exists, measures shall be taken to prevent the movement of any soils off site. The public works director shall determine if the potential for erosion exists and appropriate control measures.

B. The city shall use the city's public works design standards as the guidelines for erosion control.

Finding:

The applicant would need to conduct erosion control measures in accordance with the City's Public Works Design Standards and the Department of Environmental Quality (DEQ). Erosion control Best Management Practices, such as construction entrances, siltation fences, and other appropriate measures as determined by the City and applicant during final engineering will be implemented in accordance with City standards. Section 17.154.107 is satisfied.

17.154.120 Utilities. A. All utility lines including, but not limited to those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at fifty thousand volts or above [...]

B. The applicant for a subdivision shall show on the development plan or in the explanatory information, easements for all underground utility facilities [...]

Finding:

All new utility lines shall be placed underground. All private utilities will be underground in a 5-foot Public Utilities Easement (PUE) behind the right-of-way line, as required by the Conditions of Approval. Additional easements may be required for transformers upon coordination of final design with the Columbia River PUD. The City Engineer would review all proposed plans. Section 17.154.120 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]

C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:

[...]

2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;

3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Chapter 17.164 PROCEDURES FOR DECISION MAKING—LIMITED LAND USE DECISIONS

17.164.110 Approval authority responsibilities. [...]

B. The planning commission shall have the authority to approve, deny or approve with conditions the following applications:

1. Subdivisions pursuant to Chapter 17.150;

[...]

C. The decision shall be based on the approval criteria set forth in Section 17.164.150.

[...]

17.164.150 Decision process. A. The decision shall be based on proof by the applicant that the application fully complies with:

1. The city comprehensive plan; and

2. The relevant approval standards found in the applicable chapter(s) of this title and other applicable implementing ordinances

Finding:

The applicant has requested the concurrent review of a Planned Development Overlay, Sensitive Lands Development Permits, and Tentative Subdivision. The Planning Commission will make a recommendation to the City Council regarding the applicant's request. Based on the submitted materials and the staff report, and as conditioned within this report, the applicant's proposal complies with the City's Comprehensive Plan, and with the requirements of Title 17 of the Scappoose Municipal Code. Sections 17.162.090(C), 17.164.110(B) and (C) and 17.164.150(1) and (2) are satisfied.

RECOMMENDATION

Based on the Findings of Fact, the Conclusionary Findings for Approval, and the materials submitted by the applicant, staff recommends that the Planning Commission **APPROVE** SB1-15/ZC1-15/SLDP1-15/SLDP2-15, subject to the following:

PUBLIC UTILITIES/INFRASTRUCTURE

1. That all streets, utilities, and other public infrastructure improvements shall be in accordance with the City of Scappoose Public Works Design Standards, except where deviations from the standards are allowed and approved by the City Engineer due to the flexibility of the Planned Development overlay.
2. That prior to approval of final subdivision construction plans, detailed storm drainage, sanitary sewage collection, and water distribution plans, which incorporate the requirements of the City of Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications shall be submitted to, and approved by, the City Engineer. Following construction and paving, the existing sanitary sewer manholes and lines shall be vacuum tested in accordance with the Public Works Design Standards. Water lines shall be tested in accordance with the AWWA and the City of Scappoose Public Works Design Standards. In addition, the following shall occur:
 - a. Obtain NPDES permit from the Department of Environmental Quality prior to any earthwork. A copy of the approved NPDES permit shall be submitted to the City Engineer prior to approval of the subdivision design for construction.
 - b. Provide stormwater quality treatment meeting the requirements of the City of Scappoose Public Works Design Standards.
 - c. Provide storm drainage meeting the City of Scappoose Storm Water Master Plan and Public Works Design Standards. The storm retention system shall be privately owned and maintained. Provide calculations demonstrating that the capacity of the proposed storm system is adequate.
 - d. Obtain approval by the City Engineer for all stormwater treatment systems.
 - e. Provide erosion control measures meeting the requirements of the City of Scappoose Public Works Design Standards, Section 2.0051.
 - f. Construct 8-inch minimum water mains to serve the subdivision. Install a blow-off after 8" valves at the ends of the water lines in accordance with the Public Works Design Standards.
 - g. Provide computations to the City Engineer and Fire Chief demonstrating adequate domestic and fire flow for the subdivision.
 - h. Provide sanitary sewers meeting the requirements of the City of Scappoose Public Works Design Standards.

- i. Meet City of Scappoose Public Works Standards for all construction in the public right-of-way.
3. That easements and maintenance agreements as may be required by the City Engineer for the provision, extension, and maintenance of utilities shall be submitted to the City Engineer for review and approval prior to filing of the Final Plat. All public utilities that run across private property shall be within an exclusive public easement, as required by the Public Works Designs Standards, but in all cases shall be wide enough to allow construction and/or maintenance work to proceed within the easement limits. Combined utility easements shall only be allowed with the consent of the City Engineer, and only when they are of sufficient width to allow work on any utility contained within the easement to be conducted within the easement limits. All required easements, including those for natural gas, cable, electric, and telephone shall be shown on the face of the Final Plat. All required public utilities shall be installed or a performance bond provided prior to the final approval of the plat for recording.
4. That all public utility services shall be extended to and through the property to points where a future extension may reasonably be expected prior to the issuance of building permits for individual residences (Public Works Design Standards Sections 3.0010 & 4.0010). Specifically, that utilities be extended to the southern property boundary at the terminus of Fifth & Sixth Streets, and at the southern property boundary between Lots 15 & 16 in Havlik Drive.
5. That the applicant shall loop the water system from Fifth Street through the development and back to the 12" line in Old Portland Road.
6. That Public Utility Easements shall be located along the frontage of the existing and proposed rights-of-way, and be recorded as such on the Final Plat. The width of these easements shall be approved by the City Planner and City Engineer.
7. That Tract "A", "B" and "E" shall be created by the Final Plat for the purposes of stormwater management. The Tracts shall be privately held. A Homeowners Association shall maintain the stormwater facilities, and the applicant shall sign a maintenance agreement with the City. The applicant may be required to install a fence along the perimeter of tracts "A" and "B", to be determined prior to construction.

STREET SYSTEM

1. That the paved width of on-site local streets shall be 32 feet in a 50-foot right-of-way. Improvements shall include curb, gutter, storm drainage, and 5-foot sidewalks. Havlik Drive shall have a 500-foot section near the eastern property boundary (as depicted on the site plan) with a paved width of 28-feet allowing for the completion of the road upon future development of the adjacent parcel.
2. South Fork Loop shall have a paved width of 28 feet in a 40-foot right-of-way and shall include curb, gutter, storm drainage, and 5-foot sidewalks. The northern most portion of South Fork Loop shall have a paved width of 28-feet within a 34.7-foot (approximately) right-of-way.
3. That the paved width of private street, Tract "D", shall be 28-feet in a 38-foot right-of-way and shall include curb, gutter, storm drainage, and 5-foot sidewalks.
4. That the applicant shall provide curb & gutter and 5-foot sidewalks along all on-site 32-foot wide paved streets, and curb & gutter and 5-foot sidewalks on one side of 28-foot wide paved streets. The sidewalk shall generally be located tight against the curb.
5. That the applicant shall provide access to rear lots 28 & 29, 36 & 37 and 76 & 77 via Tracts "F", "G", and "H", and that the Tracts shall be constructed according to the Alley Section of the Public Works Design Standards.
6. That private alleys (Tracts "F", "G", and "H") which serve Lots 28 & 29, 36 & 37, and 76 & 77 shall not exceed 150-feet unless an approved fire truck turnaround is provided.
7. That the applicant shall provide a 5-foot easement extending into Lots 70 & 88 along the southern corner of the lots adjacent to Sixth Street, for maintenance and to accommodate the future construction of the Sixth Street extension, which shall be shown on the Final Plat.
8. That all street improvements shall meet City of Scappoose Public Works Design Standards, Section 5.0000. The design life of all streets shall be 50 years (Section 5.0023).
9. That the applicant shall install stop signs and stop bars at intersections as directed by City staff during final engineering.

10. That barricades shall be installed at the edge of pavement at the terminus of Fifth & Sixth Streets.
11. That the applicant shall provide a northbound left turn lane from Old Portland Road into the development.
12. That an ADA compliant pedestrian crossing shall be provided at the northern leg of the Havlik and Old Portland Road intersection.
13. That the applicant will repair, reconstruct and restripe their frontage along Old Portland Road as needed to comply with current Public Works Design Standards.

FIRE AND LIFE SAFETY

14. That prior to Final Plat approval, the developer shall propose street names for the review and approval of the Scappoose Rural Fire District Chief.
15. That the applicant shall provide fire hydrants as required by the Scappoose Rural Fire Department and Public Works Design Standards:
 - Fire hydrants shall have two (2) 2½-inch discharge ports and one (1) 4½-inch steamer port with a 5" storz locking fitting end cap.
 - Fire hydrants will be located with an average spacing of 500-feet and structures not greater than 250-feet from the fire hydrant.
 - The hydrant system shall be designed to flow 1000 gallons per minute for residential structures less than 3500 square feet and 1500 gallons per minute for residential structures greater than 3500 square feet.
 - The Fire Chief has recommended fire hydrants on the following lots, and will have final approval:
 - SW corner of Lot 5
 - SE corner of Lot 16 or SW corner of Lot 15
 - SW corner of Lot 27
 - SW corner of Lot 44
 - SW corner of Lot 75
 - SW corner of Lot 81 or NE corner of Lot 87
 - Addresses for flag lots will be posted at the driveway entrance off Havlik Drive and again on the structure.
16. That the applicant shall have the foundation forms surveyed prior to placement of concrete for house construction and shall provide documentation of the building

locations to the Building Official. Final documentation of the location of the structure and all structural projections shall be provided to the Building Official in the form of an ALTA (American Land Title Association) survey, or as acceptable to the Building Official.

17. That "No Parking" signs shall be posted by the applicant along dead-end streets, and narrow streets as determined by the Fire Chief and City of Scappoose.

GEOTECHNICAL:

18. That the applicant shall provide a Geotechnical report to the City Engineer in accordance with the Public Works Design Standards.
19. That the applicant shall submit a review by the Geotechnical Engineer of record to verify conformance of the final plan with the Geotechnical report.
20. That a Geotechnical Engineer registered to practice in the state of Oregon shall oversee earthwork portions of the development.

STREET TREES, LANDSCAPING & FENCING

21. That street trees shall be provided along all street frontages in the subdivision and along the frontage on Old Portland Road and that an irrigation system be installed for use during the establishment period.
22. That the applicant shall submit a complete Landscaping and Irrigation Plan detailing the location of underground irrigation system, location and height of fences, buffers and screening, and the location, type, size and species of proposed plant materials and shall be subject to the City Planners approval.
23. That due to the differing uses, a landscape buffer shall be provided along the frontage of Old Portland Road, including Lot 1. The required street trees may be used to satisfy a portion of the buffering requirement.
24. That prior to the issuance of final building permits (occupancy), the applicant shall be responsible for the installation of a street tree plan conforming to the requirements

of Chapter 17.104 (Street Trees) of the Scappoose Development Code, or post security equal to 120 percent of the cost of installing the required street trees with the City. The amount and form of such security shall be as required by the City Planner. All street trees shall have a two-inch minimum caliper, exhibit size and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. In addition, street trees shall not be planted within 25 feet of street intersections or within 10 feet of hydrants. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1) as certified by a registered landscape architect licensed in the state of Oregon. Street trees located under or within ten feet of overhead utility lines shall be less than twenty-five feet tall at maturity. The City Planner reserves the right to reject any plant material that does not meet this standard.

25. That the applicant shall submit a landscaping plan detailing the proposed landscaping in the neighborhood park, Tract "C", and provide fencing along the southern and western boundaries of that tract.
26. That the applicant shall install fencing, as acceptable by the Planner, during home construction at the north and south site boundaries in the rear or side yards along external residential lots during home construction.

OPEN SPACE

27. That the applicant shall provide open space as is required within the Planned Development, and such tracts shall be privately owned and maintained by a Homeowners Association. In order to ensure that open space will be permanent, dedication of development rights to the City for other than open space use may be required. Documents dedicating development rights and provisions for maintenance of open space shall be reviewed as to form by the City Attorney.
28. Tract "C" shall be platted as a tract and shall serve neighborhood residents and the applicant shall provide a play structure, benches and landscaping.
29. Tract "E" shall be platted as a tract and shall remain open space. The applicant shall retain the natural features and natural vegetative cover to the maximum extent possible. Picnic tables, and a grassy playfield shall be provided. A conservation easement shall be recorded on the final plat across lots 83-86, which will prohibit activities that are not in compliance with the Fish and Riparian Corridor Overlay.

30. That an easement along Scappoose Creek, through Tract "E", shall be granted to the City on the final plat for future trail connection.

FISH & RIPARIAN CORRIDOR

31. That the applicant must demonstrate compliance with Chapter 17.89 - Fish and Riparian Corridor Overlay by indicating how the 50-foot setback was established per the "top of bank" definition, and if an adjustment to the setback is necessary, it shall be shown on the Final Plat. The placement of structures or impervious surfaces is prohibited within the Riparian Corridor Boundary.
32. Proposed drainage facilities shall be sited outside of the Riparian Corridor Boundary, unless no other options or locations are feasible, in which case the applicant shall adhere to the City Planners recommendation's to minimize the impacts to the surrounding habitats after consultation with Oregon Department of Fish and Wildlife staff.

PLANNED DEVELOPMENT OVERLAY

33. That the applicant shall provide a minimum of two parking spaces on each lot. Garages may be utilized to satisfy this requirement.
34. That the following dimensional standards shall apply to the project:

Requirement	Detached housing units
Minimum Lot Area	2,660 square feet
Lot Width	28 feet minimum
Setbacks:	
Front/dwelling	15 feet minimum
Front/garage	20 feet minimum
Side/street	10 feet minimum
Side/internal	3 feet minimum

Requirement	Detached housing units
Rear	20 feet minimum (accessory buildings 5 feet min.)
Height	35 feet
Lot Coverage	45% (buildings & impervious)
Additional Requirements	Based on all applicable sections of the Development Code

35. That chimneys and similar structural projections shall not intrude into the required 3-foot side setback. Cornices and eaves are permitted to extend into the 3-foot side setback provided that they meet the applicable building code regulations for fire-resistant construction.

MISCELLANEOUS

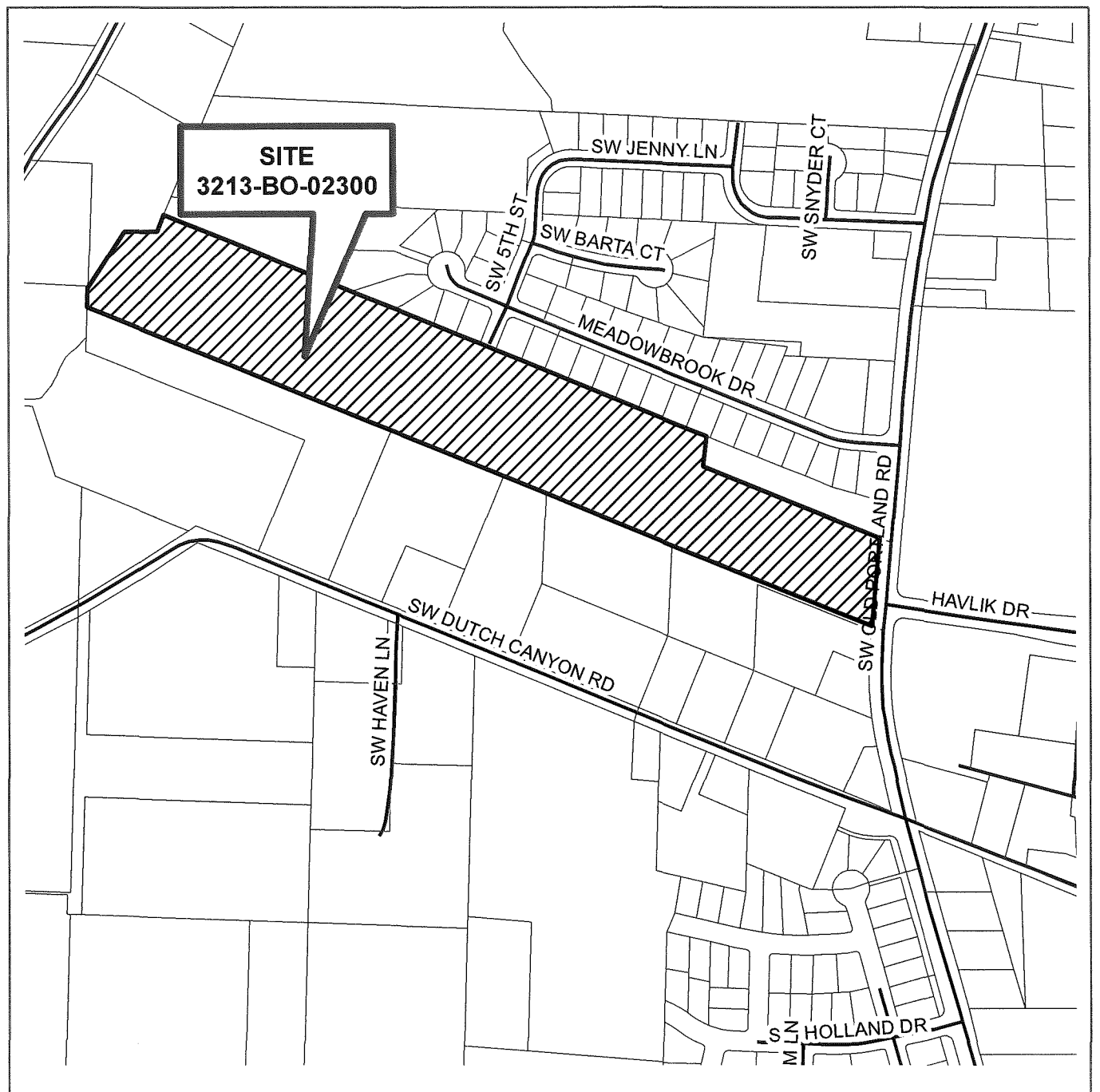
36. That all structures on site shall meet the requirements of the applicable building code as determined by the Building Official. Eaves and other structural projections may require fire-resistant construction as determined by the distance to the property line.
37. That the applicant shall submit a copy of the Codes, Covenants and Restrictions (CC&R's) for the subdivision for the review and approval by the City Planner.
38. That the developer and engineer shall schedule a pre-design conference with the City Engineer and City Planner.
39. That the applicant shall provide site-specific geotechnical evaluation for Lots 83-88 prior to issuance of building permits.
40. That subdivision plans shall be submitted to and approved by the City Engineer prior to the commencement of construction. An engineering design storm report shall be provided as required in City of Scappoose Public Works Design Standards, Section 1.2040. Final drawings shall meet the requirements of the City of Scappoose Public Works Design Standards, Sections 1.2020 and 1.2032.

41. That the applicant shall follow all requirements of the City of Scappoose Public Works Design Standards.
42. That the developer shall be responsible for the installation of all street lights, street name signs, stop signs, and any parking restriction signs or curb painting delineating parking restriction, per the requirements of the Scappoose Public Works Design Standards and Specifications.
43. That joint mailbox facilities shall be provided in all residential developments, with each joint mailbox serving at least two dwelling units, located adjacent to roadway curbs, and shall be approved by the U.S. Post Office and the City Planner prior to Final Plat approval.
44. That the developer shall obtain a fill and grading permit for lot fill and grading from the City Engineer, including the installation of any necessary erosion control measures, per the standards set forth in the Scappoose Public Works Design Standards and Specifications. Erosion control measures shall be reviewed and approved by the City Engineer and the Oregon Department of Environmental Quality as part of an Erosion Control Plan. The applicant shall submit an acceptable Erosion Control Plan meeting DEQ requirements and City of Scappoose Public Works Design Standards, Section 2.0051.
45. That the developer shall enter into a construction improvement agreement with the City of Scappoose for all public improvements. A performance bond of 110% of the Public Works Construction costs shall be provided prior to the commencement of work.
46. That all existing and proposed easements shall be illustrated on the Final Plat.
47. That the Final Plat shall conform to the requirements of ORS Chapter 92 (Subdivisions and Partitions).
48. That if the Final Plat is recorded prior to construction and acceptance of the subdivision, the developer shall provide a performance bond for 110% of the Public Works construction costs.

49. That approval of a Tentative Plat will expire twelve (12) months after the date of the formal notice of decision. If a Phasing Plan as delineated within an improvement agreement for the Final Plat has not been submitted prior to expiration of the Tentative Plat, the developer must resubmit a Tentative Plat for further consideration and comply with regulations and conditions applicable at that time. The applicant is required to install all underground utilities and street improvements for the entire subdivision prior to filing the Final Plat for the initial phase. All public works construction shall be completed within 18 months of the date of the formal notice of decision.
50. That if substantial construction or development has not taken place within four years from the date of approval of the Final Plat, the Planning Commission shall review the Planned Development permit at a public hearing to determine whether or not its continuation in whole or in part is in the public interest, and if found not to be, shall remove the planned development designation on the subject.
51. That the applicant shall furnish a full-size copy of the Final Subdivision Plat to the City of Scappoose after the Plat has been recorded with Columbia County.



SB1-15, ZC1-15, SLDP1-15, SLDP2-15 Vicinity Map for South Fork Subdivision

Location: 51403 Old Portland Rd.
Columbia County Assessor Map: 3213-BO-02300



SCAPPOOSE GIS

Legend

-  Streets
-  Taxlots Boundary

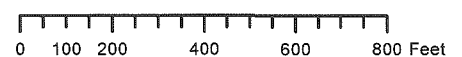


Exhibit 2

CITY OF SCAPPOOSE

Planning Department

52610 NE 1st Street, Suite 120

Mailing address: 33568 E. Columbia Avenue, Scappoose, OR 97056

Phone: (503) 543-7184 fax: (503) 543-5679

CHECK THE TYPE OF APPLICATION YOU ARE APPLYING FOR:	
Development Code/ Comprehensive Plan Text Amendment	Variance (Major or Minor)
Comprehensive Plan Map Amendment	Sign Permit
Zone Change	Temporary Commercial Use
Annexation	Vacation (Street or Easement)
Subdivision	Public Land Tree Removal
Partition (Major or Minor)	Type II Home Occupation
Property Line Adjustment	Determination of Similar Use
Sensitive Lands Development Permit	Modification to Previous Approval
Site Development Review	Pre-Application Conference
Conditional Use	

Requirements for each specific type of application will be attached to this form and constitute part of the application packet.

Applicant: STAFFORD LAND COMPANY, INC. Property Owner: ALTA M. LYNCH

Mailing Address: 485 SOUTH STATE ST. Mailing Address: P.O. Box 369

City LAKE OSWEGO State OR Zip 97034 City SCAPPOOSE State OR Zip 97056

Phone: 503-939-3902 Fax: 503-305-7647 Phone: _____ Fax: _____

Email: _____ Email: _____

Property Address or Location: 51403 OLD PORTLAND ROAD

Columbia County Tax Account Number: ACCOUNT # 4578 CODE-TAX # 0101-4578

A Legal Description of the Property must be attached.

A pre-application conference may be required depending on the type of application. Confirm with City Planner.

I certify that this application and its related documents are accurate to the best of my knowledge. I understand that the signature on this application authorizes the City and its agents to enter upon the subject property to gather information pertinent to this request.

Rick Noble
(Rick Noble)

Signature of Applicant (required)

Alta M. Lynch
Alta M. Lynch

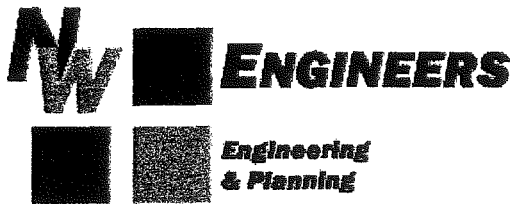
Signature of Property Owner (required)

To be completed by City Staff:

Date application was submitted: _____ Amount of Fee paid: _____ Receipt Number: _____

Before this application will be processed, the Planner must certify that all applicable items are included and the application is complete. Date application accepted as complete: _____

R:\PLANNING\FORMS\APPLICATION FOR LAND USE APPROVAL\UPDATING2.DOC



NW Engineers, LLC
3409 NW John Olsen Place
Hillsboro, OR 97124
Phone (503) 601-4401
Fax (503) 601-4402
Email gregt@nw-eng.com
Website www.nw-eng.com

March 31, 2015

APPLICANT'S STATEMENT

**APPLICANT'S
REPRESENTATIVE:**

Matt Newman
NW Engineers, LLC
3409 NW John Olsen Place
Hillsboro, Oregon 97124

APPLICANT/DEVELOPER:

Stafford Land Company, Inc.
Morgan Will
485 South State Street
Lake Oswego, Oregon 97034

PROPERTY OWNER:

Alta Mae Lynch
PO Box 369
Scappoose, Oregon 97056

REQUEST:

Preliminary Plat Approval for an 88-Lot Planned
Development "South Fork" for single-family detached
residences.

LEGAL DESCRIPTION:

Tax Lot 2300; Tax Map 3N2W 13B
Scappoose, Oregon

ADDRESS:

51403 Old Portland Road
Scappoose, Oregon 97056

SIZE:

14.94 acres (per survey)
15.25 acres (per tax map)

LAND USE ZONE: R-4 Zone (moderate density residential)

I. APPLICABLE REGULATIONS

- A. City of Scappoose Comprehensive Plan
- B. Scappoose Zoning Ordinance Title 17:

II. AFFECTED JURISDICTIONS

Domestic Water:	City of Scappoose
Drainage:	City of Scappoose
Erosion Control:	City of Scappoose
Fire Protection:	Scappoose Joint RFPD
Parks:	City of Scappoose
Police Protection:	City of Scappoose
Schools:	St. Helens School District
Sewer:	City of Scappoose
Streets:	City of Scappoose
Water Quality/Quantity:	City of Scappoose

III. INTRODUCTION

This request is for preliminary plat approval for an 88-lot detached single-family residential planned development, "South Fork." The subject property is 14.94 acres per survey (15.25 acres per tax map) and designated "R-4" (Moderate Density Residential) on the City of Scappoose zoning map. The site is defined by the Columbia County Assessor as Tax Lot 2300 of Tax Map 3N2W 13B (See Exhibit 1).

There is one residence on the property near the front (east end) with access from Old Portland Road (aka: Old Columbia River Highway). It will be removed as part of this development. A majority of the site, which has dimensions of approximately 2300-ft. (east-west) x 300-ft. (north-south), is farmed in hay or other grains, excepting the far west portion of the site which is flood plain/riparian area. Topography of the site varies gently from 92-ft. MSL 700-ft. from the west property line, to less than 60-ft. MSL in the South Fork Scappoose Creek (at the west end of the site), and 69-72-ft MSL in a low area near the center of the site and at the residence (east end of the site). The grade of much the site slopes at less than 5% (See Exhibits 2-3).

The proposed planned development subdivision includes 88 single-family detached lots, four open space tracts and an access tract. It will be developed and the subdivision platted in a single phase. The largest open space tract, Tract "E" is approximately 127,265 sq. ft. in area (2.92 acres), is located at the west end of the site in the South Fork Scappoose Creek floodplain, riparian area and adjacent uplands. Pedestrian access to this proposed park/open space area will be provided from the main east-west public street, Havlik Drive. Two of the other three open space tracts provide area for water quality, detention and infiltration, and Tract "C" (3,648 sq. ft.) is a community park. Tract "D" is an access tract. Proposed lot sizes range from 2,660 sq. ft. on the east end of the site, to 9,187 sq. ft. on the west end of the site. Lot widths and depths range from 28-ft. x 95-ft. on the west end of the site, to 54-ft. x more than 160-ft. on the east end of the site.

Access to the site is from two public streets: Old Portland Road at its intersection with Havlik Drive (on the east); and Fifth Street near its intersection with Meadowbrook Drive (on the north). Both Havlik Drive and Fifth Street extend onto the site, and Fifth Street extends through the site and stubs to the south property line. Two other interior public streets are proposed in the development: Sixth Street which stubs to the south property line located at the west terminus of Havlik Drive; and South Fork Loop which could provide access to the property to the north should that parcel redevelop in the future. All lots have frontage on these four interior public streets with the exception of Lots 82-85 which access the private street in Tract "D" (See Exhibit 4).

Proposed street improvements and right-of-way widths for the interior public streets are described below and shown on Exhibits 4 & 5. Fifth Street, Sixth Street and Havlik Drive are proposed with a 32-ft. paved width with curb-tight sidewalk within a 50-ft. right-of-way along most of the site. An approximate 500-ft. section of Havlik Drive at the southeast portion of the site is proposed as a half-street improvement with 28-ft. paved width and full frontage improvements on the north side within 39-ft. right-of-way. On-street parking is proposed on both sides of Fifth Street and Havlik Drive except in the 28-ft. paved width portion which will allow parking only on the north side of the street. Parking is permitted on only one side of Sixth Street due to emergency vehicle turn-around restrictions at private street Tract "D." South Fork Loop is a proposed new public street in a 40' right-of-way with a 28-ft. paved width with a curb-tight sidewalk on one side, except the north segment which is a half street improvement with a slightly narrower right-of-way (approximately 37-ft.) but still has a 28-ft. paved width. Parking is permitted on one side of the proposed South Fork Loop. Finally, private street Tract "D", serving four lots, is designed with a 28-ft. paved width with curb and sidewalk on one side within the 38-ft. tract width. It also serves as one leg of the temporary emergency vehicle hammerhead with Sixth Street located at the west terminus of Havlik Drive until such time as Sixth Street is extended south. Profiles of these streets with utilities (described below) are attached as Exhibits 7-9.

With respect to utility design, the site is served by public sanitary, storm and water lines, in Old Portland Road and Fifth Street. Preliminary utility design and associated grading and erosion control plans are attached as Exhibits 6, 10 & 11. Public sanitary sewer will be served by an existing 10-inch line in Old Portland Road and 8-inch line in Fifth Street. Public sanitary service will be extended onto the site within the proposed rights-of-way. Storm drainage will be conveyed in proposed public storm lines to water quality swales in Tracts "A," "B," and "E". Drainage to Tracts "A" and "B" is designed to infiltrate, yet any overflow from Tract "B" is proposed to flow into a public system in Old Portland Road. Drainage to Tract "E" will flow through a swale with an outfall into the flood plain of the South Fork Scappoose Creek. Grading is proposed to fill the low section of the site east of Fifth Street with fill materials from a cut on the west portion of the site. Special attention to grading and drainage plans is taken to intercept storm water and to convey it through the site in the public storm system. Water lines will be "looped" through the site connecting the existing lines in Old Portland Road and Fifth Street. Fire hydrants will be installed throughout the site in accordance with Fire District standards.

Two community parks are proposed. These include a 3,648-sq. ft. park near the east end of the site in Tract "C" with a play structure, benches, and landscaping, and a 2.92-acre park at the west end of the site in Tract "E" with trail access, picnic tables, a grassy play field, and natural vegetation adjacent to the South Fork Scappoose Creek floodplain and riparian area. A very large old tree located at the south side of Tract "C" will be retained in the community park. Existing landscaping and trees within Tract "E" will also be retained. Preliminary open space park and trail plans are included as Exhibit 12.

Regarding density, the R-4 Moderate Density Residential Zone provides for attached and detached dwellings based on typical lot sizes. Specifically, detached single family residential lots are permitted on 6,000 sq. ft. lots. Two unit attached dwellings are permitted on lots composed of 7,000 sq. ft. (for 2-unit townhouse structures and duplexes), and triplexes and four-plexes are permitted on 9,500 sq. ft. and 12,000 sq. ft. lots, respectively. Therefore between 7 and 15 dwelling units per gross acre are permitted in this zone. At 88 single-family detached dwelling units, the proposed density is 5.9 dwellings per gross acre ($14.94/88 = 5.9$). Net density is determined by subtracting right-of-way from gross lot area. For this development, 2.88 acres of right-of-way is proposed, therefore net lot area is 12.06 acres (rounded down), or 525,429 sf. Net density for typical single-family detached lots is 88 units ($525,429/6,000 \text{ sf} = 87.57$ or 88 units). Net density for typical four-plex is 175 units ($4 \times 525,429/12,000 \text{ sf} = 175.14$ or 170 dwelling units). As part of the flexible standards offered through a Planned Development, the applicant proposes all detached dwellings, rather than the triplex on a 9,500 sq. ft. lot or a 4-plex on a 12,000 sq. ft. lot offered through the standard subdivision process. This concept offers future homeowners and residents a detached home in a development at a scale that is at a similar or lower density than that which is permitted outright in the zone for attached home types.

The development has been designed to accommodate varying house plans with three typical building widths: 22-ft, 26-ft. and 35-ft, and some lots allowing plans slightly larger than typical. As shown on Exhibit 5, the 22-ft. width plans are located on the east end of the site totaling about 17 lots around the proposed South Fork Loop. The 26-ft. width plans are mostly located in the center of the site between 5th Street and South Fork Loop, totaling about 38 lots, with a few located between Old Portland Road and South Fork Loop. The 35-ft. width plans are located on the west end of the site, west of 5th Street, totaling about 33 lots. The example dwelling plans showing these three widths are attached as Exhibit 15.

Regarding building setbacks, the R-4 Zone requires front yard, garage and rear yard setbacks of 15-ft, 20-ft. and 15-ft., respectively. The proposed development meets or exceeds these standards. The R-4 Zone requires side yard setbacks of a combined 15-ft. including 10-ft. on all street sides and zero on interior sides for attached dwellings. Exhibit 13 is an attached-detached dwelling comparison which shows six proposed detached dwellings under this planned development over the same 210 linear feet of street frontage as could contain six attached dwellings with standard side yard setbacks in the R-4 zone. This exhibit shows that the proposed setbacks for this planned development offer more side yard area overall than standard development patterns would, since with attached dwellings many internal side setbacks would be zero feet (0-ft.) where as the proposed minimum setback is 3-ft. or more (6-ft. between structures). This is done while still offering 5-ft and 10-ft. setbacks at an interval similar to that found in a standard development.

The detached plan proposes 3-ft., 5-ft., and 10-ft. internal side yard setbacks. External side yard setbacks are the standard 5-ft. or 10-ft. Building separation varies by lot, as shown in Exhibit 5, from 6-ft. to 8-ft. to 13-ft. with all street side yard setbacks of 10-ft. (as is standard in the zone). Those side yards of 10-ft. are capable of supporting RV or boat/utility trailer parking and have driveways to accommodate this parking. These lots are intermixed throughout the development and are shown on Exhibit 5 with a symbol. Typical detached dwelling lot plans for the 22-ft. unit, 26-ft. unit and 35-ft. unit showing side yard setbacks, driveways and on-street parking are attached as Exhibit 14 (14a, 14b & 14c).

A series of other supporting exhibits are attached with this application. Scappoose Zoning, Wetland, Floodplain, Utility, Soils and other maps are attached as Exhibits 16-23. A Geotechnical Report, prepared by Rapid Soil Solutions LLC., is attached as Exhibit 24. A Preliminary Storm Drainage Report prepared by NW Engineers, LLC. is attached as Exhibit 25. A Traffic Analysis Report, prepared

by Charbonneau Engineering, LLC. is attached as Exhibit 26. A preliminary Title Report is attached as Exhibit 27, and Site photographs are attached as Exhibit 28.

IV. FINDINGS OF FACT

A. CITY OF SCAPPOOSE COMPREHENSIVE PLAN:

COMMENT:

Except where required by the City of Scappoose Zoning Ordinance, this application is not required to address goals and policies related to the development of land, since the City of Scappoose's comprehensive plan is implemented by the zoning ordinance.

B. CITY OF SCAPPOOSE CODE

Chapter 17.50 R-4 MODERATE DENSITY RESIDENTIAL

Sections:

17.50.010 Purpose.

17.50.030 Permitted uses.

17.50.040 Conditional uses.

17.50.050 Dimensional requirements.

17.50.010 Purpose. The R-4 zone is intended to provide minimum standards for residential use in areas of moderate population concentrations. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The development site, Tax Lot 2300; Tax Map 3N2W 13B, is located in the R-4 Zone.

17.50.030 Permitted uses.

A. In the R-4 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:

- 1. Churches previously zoned RC-4;**
- 2. Day care home;**
- 3. Duplex;**
- 4. Home occupation (Type I) subject to Chapter 17.142;**

5. Manufactured homes on individual lots subject Section;
6. Multifamily up to four units per lot;
7. Public support facilities;
8. Residential care home;
9. Single-family detached residential dwelling units;
10. Sewage pump station;
11. Public park and recreation areas, provided that all building setbacks shall be a minimum of thirty feet from any property line;
12. Accessory Dwelling Units (ADU's) subject to the provisions of Chapter 17.92;
13. A single-family dwelling having a common wall with one other single-family dwelling, provided:
 - a. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot;
 - b. The two dwellings shall have a common wall at the "zero" lot line;
 - c. Both lots combined shall comprise not less than seven thousand square feet in area. There is no minimum lot area for the individual lots created;
 - d. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot;
 - e. Each dwelling unit must have independent services that include but are not limited to sewer, water, and electricity;
 - f. The common wall shall be a rated fire wall and shall be of a kind of construction that will insure fire protection as per the Oregon Structural Specialty Code;
 - g. Single-family residential common wall structures shall be required to provide a sound barrier at the common wall that has a sound transmission class rating of not less than fifty as per the Oregon Structural Specialty Code. The building technique used to the achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection by the Building Official if it meets the code requirements and is supported by proof of meeting sound emission controls as specified;
 - h. Existing duplexes will be allowed to be converted to single-family residential common wall if they can be altered to meet the provisions of this title.

COMMENT:

Subsection 9 is applicable to this application. Single-family detached residential dwelling units are proposed with this development. No single-family attached dwellings are proposed.

- B. In the R-4 zone within the Scappoose Creek Flood Plain only uses listed in Section 17.84.040 shall be permitted. (Ord. 740 §5, 2004; Ord. 716 §1(part), 2002; Ord. 714 Exh. A (part), 2002; Ord. 705 §1(part), 2001; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Although the extreme western portion of the site is located within the Scappoose Creek (South Fork) Flood Plain, no dwellings are proposed within this area.

17.50.040 Conditional uses.

The following uses and their accessory uses may be permitted in the R-4 zone when authorized by the planning commission in accordance with the requirements of Chapter 17.130, other relevant sections of this title and any conditions imposed by the Planning Commission when such uses are located outside of the Scappoose Creek Flood Plain:

- A. Bed and breakfast facilities, provided that no other such facilities exist within four hundred feet;
- B. Church, provided that all building setbacks shall be a minimum of thirty feet from any property line;
- C. Electric power substation;
- D. Day care facility;
- E. Home occupation (Type II) subject to Chapter 17.142;
- F. Library services;
- G. Minor impact utilities;
- H. Professional office building under four thousand square feet;
- I. Public safety facilities;
- J. Retail sales establishments under two thousand five hundred square feet;
- K. Residential care facility;
- L. Schools, provided that all building setbacks shall be a minimum of thirty feet from any property line;

- M. Wireless communications facilities, not to include antenna support structures, subject to the provisions of Chapter 17.93. (Ord. 740 §6, 2004; Ord. 705 §1(part), 2001; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

No Conditional uses are proposed with this application.

17.50.050 Dimensional requirements.

A. The minimum lot area shall be:

1. Six thousand (6,000) square feet for a single-family detached dwelling unit when located outside of the Scappoose Creek Flood Plain;
2. Seven thousand square feet for the first two attached units plus an additional two thousand five hundred square feet for each additional dwelling unit for triplex or fourplex when located outside of the Scappoose Creek Flood Plain;
3. Twenty thousand (20,000) square feet for a single-family detached dwelling unit when located inside the Scappoose Creek Flood Plain. No other residential uses are permitted in the Scappoose Creek Flood Plain.

COMMENT:

As noted in the introduction section above, single-family residential detached lots of varying size are proposed in this development. Lot areas smaller than 6,000 sq. ft. are authorized through a Planned Development, applicable code sections of which are addressed herein. All proposed single-family detached dwelling units will be fully outside of the floodplain and dwelling units on Lots 83-85 will have a setback of at least 10-ft from the floodplain boundary with a conservation easement over those portions of the lots within the floodplain shown on the face of the plat.

- B. The minimum lot width shall be fifty feet, except the minimum lot width front property line on the arc of an approved full cul-de-sac shall not be less than thirty feet. Flag lots shall provide a minimum of twenty-five feet of frontage along a public right-of-way.**

COMMENT:

Lot widths are adjusted through the Planned Development application.

C. The minimum setback requirements are as follows:

1. The front yard setback shall be a minimum of fifteen feet;
2. The front of garages or carports shall be located a minimum of twenty feet from the property line where access occurs;
3. Side yard setbacks shall total a minimum of fifteen feet with one setback not less than ten feet, which shall be on the street side for corner lots. The side setbacks for an accessory building located behind a residence shall be five feet;

4. The rear yard setback shall be a minimum of twenty feet, except the minimum rear yard setback for an accessory building shall be five feet.

COMMENT:

The proposed development meets or exceeds these standards 1, 2, & 4, and requests adjustment of standard 3 through the planned development application as outlined herein and shown on the exhibits.

- D. No building in an R-4 zoning district shall exceed thirty-five feet in height. Maximum height for accessory buildings shall be twenty-two feet.
- E. One principal building per lot.
- F. Buildings shall not occupy more than forty percent of the lot area.
- G. Additional requirements shall include any applicable section of this title. (Ord. 828 2013; Ord. 740 §7, 2004; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Only one dwelling per lot is proposed with this development. The proposed dwellings will not exceed 35-ft. in height. Dwellings on some lots may exceed the 40% lot area standard of the zone, to be authorized through this planned development application and reviewed prior to building permit issuance.

Chapter 17.81 PLANNED DEVELOPMENT OVERLAY (PD)

Sections:

- 17.81.010 Purpose.**
- 17.81.020 Applicability.**
- 17.81.030 Permitted uses.**
- 17.81.040 Dimensional standards.**
- 17.81.050 General requirements.**
- 17.81.060 Procedure.**
- 17.81.070 Approval criteria.**
- 17.81.080 Tentative plan.**
- 17.81.090 Final plan.**
- 17.81.100 Changes and modifications.**

17.81.110 **Application of development standards–Conflict of planned development standards and zoning district standards.**

17.81.010 **Purpose.** The purpose of this district is to provide more flexibility in the development of land; encourage variety and creativity in the development pattern of the community; conserve natural land features; facilitate aesthetic and efficient use of open space; create public and private open space; encourage the application of new techniques and technology to community development which contribute to superior living or development patterns; use land efficiently in order to reduce the costs of housing, maintenance, street systems and utility networks; promote energy conservation and crime prevention; and relate development to the natural environment and its users.

COMMENT:

The applicant requests an 88-unit detached single family residential Planned Development on the subject site that meets the purpose of this section.

The proposal is designed to apply the flexibility allowed by a planned development district in the development of single-family detached dwellings of varying size on a range of lot sizes. Rather than a cookie cutter approach one finds in a standard subdivision with all 60-ft. by 100-ft. lots for single-family detached lots or 35-ft. by 100-ft. attached townhouse lots, or 25-ft. by 100-ft. area for internal dwellings in a multi-plex structure, this proposal contributes to a superior living pattern because it offers all detached dwellings at a similar scale to a standard attached dwelling unit development. It offers unique detached dwellings not found anywhere else in Scappoose. This creates a superior development pattern because all dwellings have windows on all four sides and two side yards as opposed to an attached dwelling of similar scale where residents don't enjoy these amenities. It also allows construction of a new single-family detached dwelling units at different price points than can be currently found in the City of Scappoose. Currently a buyer has to look for an attached single-family dwelling if a 60-ft. by 100-ft. lot is not affordable. This will open up a intermediate range home price for buyers and help meet the City's need for housing. This new technique of constructing detached single-family dwellings on smaller lots is popular with buyers as they do not need to share a common wall or have a cumbersome and sometimes costly common wall legal agreement and exterior building maintenance with their neighbor in a townhouse structure.

The proposal creates usable and pleasant open space for residents including a play structure in Tract C and a picnic area and play field in Tract E outside of the floodplain (see Exhibit 12). It is preserving the natural area associated with the South Fork Scappoose Creek flood plain and riparian area in Tract E and a valued tree in Tract C.

In addition to the tangible open space amenities, the site is also located adjacent to a commercial area, so residents can walk not only walk to the picnic area in Tract E, but also to the shops across Old Portland Road at Havlik Drive. The mix of housing has been arranged to have the most dense area or smaller lots on the east end closest to shops with the lower density portion of the site or larger lots on the west end farther from, but still within walking distance to the shops. The walkability of the neighborhood promotes energy conservation. The site was also planned to minimize streets to reduce the public's cost of future maintenance. Streets are stubbed for future extension upon development of adjacent properties, but where future street connectivity is not expected due to existing development patterns private access ways are proposed, such as Tract D and the flag lot driveways, and where vehicle trip volumes are anticipated to be extremely low narrower public street

section is proposed under the flexibility of a planned development, also known as skinny streets, namely the proposed South Fork Loop.

A planned development shall be considered as an overlay to an existing zone, and the development of said property shall be in accordance with that zone's requirements, except as may be specifically allowed by the planning commission. For purposes of implementing these objectives, two means are available:

- A. The property owner or his or her representative may apply for a planned development to overlay an existing zone and shall submit an acceptable plan and satisfactory assurances that it will be carried out in accordance with the procedures set forth in Section 17.81.060; or
- B. The property owner of a particular parcel, the planning commission, or the city council may apply for a planned development designation to overlay an existing zone without submitting any development plans; however, no development of any kind may occur until a final plan has been submitted and approved. A planned development overlay initiated by the commission or council shall address itself to the purposes set forth herein: a planned development overlay may be approved under these circumstances for a property that has unique characteristics (for example, having geological, ecological or archeological significance), and the development of which may have a significant impact upon the surrounding area or the city as a whole due to its scope, potential housing or employment density, and anticipated traffic generation. However, the commission and council shall set forth the reasons for approval and the areas of concern that must be addressed when final plans are submitted. (Ord. 717 §1 (part), 2002)

COMMENT:

The applicant is applying for the planned development to overlay the R-4 zone and including a development plan as outlined in subsection A above.

17.81.020 Applicability.

- A. Commercial, Industrial, and Residential. The planned development process may be applied in any zone to all commercial and industrial uses, and excluding the R-1 zone, all residential uses for site-constructed housing, subject to requirements of the underlying district, the land division regulations, and sections 17.81.040 and 17.81.050 of this chapter.
- B. Manufactured Homes. The planned development process may also be applied to manufactured home subdivisions in the MH and A-1 residential districts, subject to the requirements of the underlying district and this code. (Ord. 737 §1, 2003; Ord. 717 §1 (part), 2002)

COMMENT:

The proposed planned unit development is located in the R-4 zone. Site built single-family detached dwelling are proposed for this development. No manufactured homes are proposed.

17.81.030 Permitted uses.

A. For residential districts:

1. Uses permitted in the underlying district;
2. Housing concepts may include, but are not limited to, single-family residences, duplexes, row houses, townhouses, cluster units, multiple-family dwellings or manufactured homes;
3. Related commercial uses as part of the development;
4. Related public lands uses designed to serve the development;
5. Accessory buildings and uses, not to exceed twenty-five percent of the lot area of the principal use.

COMMENT:

Single-family detached dwellings are proposed in this development in the R-4 zone. Future homeowners may choose to construct an accessory building such as a shed setbacks of which shall conform to that of the underlying zone.

B. For commercial and industrial districts:

1. Uses permitted in the underlying district;
2. Public lands uses;
3. Other uses approved as part of the general plan;
4. Accessory buildings and uses, not to exceed twenty-five percent of the lot area of the principal use. (Ord. 717 §1(part), 2002)

COMMENT:

The site is located in the R-4 zone.

17.81.040 Dimensional standards.

- A. Lot Width, Depth, Coverage, Setback and Frontage Requirements. Minimum lot size, width, depth, coverage, setback and frontage requirements for lots in a planned development may be less than the minimums specified in the underlying district if in accordance with the approved general plan and the density standards of this section.

COMMENT:

The applicant requests a reduction to the lot width, coverage, setback, frontage and lot area requirements of the R-4 zone through this 88-unit planned unit development application as described herein and on the Exhibits. The proposal does not exceed the maximum density standard of the zone.

- B. **Minimum Site Size.** A planned development shall be established on a parcel of land that is suitable for the proposed development, and shall not be established on less than four acres of contiguous land, unless the planning commission finds that property of less than four acres is suitable as a planned development by virtue of its unique character, topography or natural features, or by virtue of its qualifying as an isolated problem area as determined by the planning commission. (Ord. 737 §2, 2003; Ord. 717 §1 (part), 2002)

COMMENT:

The development site is 14.94 acres in area (per survey) which exceeds the minimum site size.

17.81.050 General requirements.

A. Compatibility with Neighborhoods.

1. The planned development shall present an organized arrangement of buildings, facilities, open spaces and improvements such as recreation facilities, landscaping and fencing to ensure compatibility with the comprehensive plan and the area in which it is to be located.

COMMENT:

As shown on Exhibits 1-12, the proposed planned unit development is an organized single-family detached residential subdivision with public streets, and open space parks with ensuring compatibility with the comprehensive plan and adjacent properties. Specifically, the development is compatible with the subdivision on the site's north perimeter in terms of dwelling size and lot width and proposed arrangement of buildings. Lots 28, 29, 36, 37, 45, 71, 76, 77, 82, and 83 are a minimum 6,000 sq. ft. in area and 54-ft. wide, and proposed setbacks are 5-ft. and 10-ft. for a total of 15-ft. in compliance with the minimum area and dimensional standards of the R-4 zone. Furthermore, Lot 1 and 21 have a 10-ft. north side yard setback and Lot 88 has a 5-ft. south side yard setback dimensions in compliance with side setbacks for buildings in the R-4 zone. Front and rear setbacks will also be compatible as they will be standard. Fencing and landscaping is proposed with home construction of flag lots at the north end of the driveway to assure screening. Fencing will also be installed on the north and south site boundaries in the rear or side yards along of external residential lots during home construction. The development is compatible with the comprehensive plan since it does not exceed the maximum density standards of the R-4 zone, complies with circulation and utility city design standards, and protects the site's natural resources.

2. Peripheral yards of a planned development site shall be at least as deep as those required by the yard regulations of the adjoining district, unless the planning commission finds that equal protection will be accorded through specific features of the approved plan.

COMMENT:

As noted above, perimeter yards are in compliance with the R-4 zone standards of the adjoining properties.

B. Open Space.

1. Open space in a planned development means the land area to be used for scenic landscaping, or open recreational purposes within the development. It shall not include street right-of-ways, driveways or open parking areas.

COMMENT:

There are two open space parks within the planned unit development: Tracts "C" and "E" and are intended to be used for scenic and recreational purposes. These tracts do not include street right-of-ways, driveways or open parking areas.

2. Open space shall be provided for the recreational and leisure use of the individuals occupying the planned development, and designed to enhance the present and future value of the development.

COMMENT:

The open space areas are intended for recreational use by the residents of the development. Tract "C," a 3,648 sq. ft. park, is designed as an active park with a play structure, benches and landscaping. A very large tree located at the south side of Tract "C" will be retained in the park. Tract "E," a 2.92-acre park at the west end of the site, is proposed with trail access, picnic tables, a grassy playfield, and natural vegetation adjacent to the South Fork Scappoose Creek floodplain and riparian area. Existing landscaping and trees within Tract "E" will also be retained. Preliminary open space park and trail plans are included as Exhibit 12.

3. To the maximum extent possible, natural features of the land shall be preserved and landscaping provided.

COMMENT:

As shown on Exhibits 2 and 12, natural features including flood plain, riparian area and several significant trees will remain in permanent open space tracts. Lot front and rear yards will also be landscaped following home construction.

4. In order to assure that open space will be permanent, dedication of development rights to the city for other than open space use may be required.
5. Instruments guaranteeing the maintenance of open space shall be reviewed and approved by the planning commission. Documents dedicating development rights and provisions for maintenance of open space shall be approved as to form by the city attorney.
6. The planning commission may require that instruments of conveyance provide that in the event the open space is permitted to deteriorate, or is not maintained in a condition consistent with the approved plan, the city may, at its option, cause such maintenance to be done and assess the costs to the affected property owners.

COMMENT:

The two open space areas will be platted as tracts, and owned and maintained by the homeowners association managed by residents of the planned development. Documents regarding ownership and long-term maintenance of the open space will be to city standards.

C. Residential Density.

1. In a residential planned development, the density permitted is the same as that of the underlying district or districts. In a mixed-use planned development, the number of allowable units is based on net residential area. The net residential area for a planned development shall be calculated by taking the total area of the development less streets, commercial, industrial, public lands and other nonresidential uses. Recreational trails and areas, and open space, etc., shall be included in the net residential area. The number of dwelling units permitted in a planned development shall be calculated by dividing the net residential area by the minimum lot size required in the underlying residential district or districts. In a commercial or expanded commercial district, multifamily densities shall be permitted where limited residential use is determined to be appropriate by the planning commission.

COMMENT:

The permitted net residential density of the site is based on gross lot area less dedication of public rights-of-way. The two open space areas are included in the net residential area. As summarized in the introduction the site meets residential density standards with the proposed 88 lots for single-family detached residential dwelling units.

2. Greenways, streams and steep topography areas will be counted as contributing to the density only to the extent that it can be shown, through a planning commission review, that a typical development could be accommodated on the site with realistic street configuration, grades and standard lot sizes. The number of dwellings yielded from such a tentative subdivision review process shall be used as a base in determining the overall density for the site.

COMMENT:

The area of Tract "E" is included in the net lot area of the site since it has been shown that the development can be accommodated with realistic street configuration and lot sizes. As noted, the minimum lot size for a 4-unit attached residential structure is 12,000 sq. ft., or 3,000 sq. ft. per unit.

3. An increase of up to twenty-five percent in the number of dwelling units may be permitted upon a finding by the planning commission that such increased density will contribute to:
 - a. Satisfaction of the need for additional urban area housing of the type proposed;
 - b. The provision of housing which is convenient to commercial, employment, and community services and opportunities;
 - c. The creation of a land use pattern that is complementary to the community and its identity, and to the community design process;

- d. The conservation of energy;
- e. The efficient use of transportation facilities; and
- f. The effective use of land and available utilities and facilities.

COMMENT:

No density bonus is requested as a part of this planned unit development.

D. Employment Density.

1. In a commercial or industrial planned development, the employment density permitted for full-time equivalent (FTE) employees per acre may be limited by the ability of the city's infrastructure and available residential inventory to accommodate projected water and sanitary sewer loads, traffic generation and projected jobs to housing ratios. In a commercial or industrial planned development, the number of FTE's per acre is based on net developable area. The net developable area for a commercial or industrial planned development shall be calculated by taking the total area of the development less streets, public lands, and other nonemployment generating uses. Recreational trails and facilities, and open space, etc., shall be included in the net developable area. The number of FTE's per acre within an employment district planned development shall be determined to be appropriate by the planning commission.
- E. Staging. 1. The applicant may elect to develop the site in successive stages in a manner indicated in the general plan. Each such stage shall be substantially complete within itself.
2. The planning commission may require that development be done in stages if public facilities are not adequate to service the entire development initially. (Ord. 717 §1(part), 2002).

COMMENT:

This section is not applicable to this planned development.

17.81.060 Procedure.

An application for a planned development overlay shall be heard and approved under the public hearing procedures set forth in Chapter 17.162 of Title 17 of the Scappoose Municipal Code. A planned development, quasi-judicial zone change, and as necessary, a quasi-judicial comprehensive plan map amendment, may be processed concurrently. The fee charged for initiating a planned development overlay shall be equal to that charged for zone changes. (Ord. 717 §1(part), 2002) 17.81.070 Approval criteria. An application may be approved, approved with conditions, or denied based upon substantial conformance with the following criteria:

- A. The proposed development complies with the comprehensive land use plan and is compatible with the surrounding area or its proposed future use;

COMMENT:

The proposed development is in compliance with the comprehensive plan and it is compatible with surrounding properties. The development is in compliance with the R-4 zone in terms of residential uses and permitted density, and is compatible with the existing subdivision to the north since standard sized 6,000 sq. ft. lots for detached single-family residential dwellings are proposed along that boundary and other proposed lots adjacent to under developed adjoining land has standard setbacks. An extra right turn lane proposed on-site at old Portland Road for traffic exiting the site eastbound on the proposed new leg of Havlik Drive facilitates the future capacity in that road segment that may be needed for eventual redevelopment of the commercially zoned property to the south. Additionally, natural areas and flood plain/riparian areas are preserved in open space.

- B. That exceptions from the standards of the underlying district are warranted by the design and amenities such as usable common open space, cluster development, etc.;**

COMMENT:

Exceptions to the lot area and side yard setback standards of the R-4 zone are warranted by superior design and open space, and preservation of natural areas in the South Fork Scappoose Creek flood plain and riparian area (See Exhibit 12).

- C. That the proposal includes designs and construction standards in compliance with city code and that all completed infrastructure be approved by the city and ownership of all infrastructure and public utilities deeded to the city upon completion;**

COMMENT:

The street and utility design will be in accordance with City of Scappoose standards.

- D. That the development can be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;**

COMMENT:

East-west and north-south streets within the development provide safe and adequate access from Old Portland Road and Fifth Street, and efficient internal circulation. The proposed 6th Street and an extension of 5th Street are stubbed for future extension of road and utilities to the adjoining properties, and the half-street along Havlik Drive and the proposed South Fork Loop on the east end of the site provide for the same.

- E. That streets are adequate to support anticipated traffic, and the development will not overload the streets outside the planned area (as supported, when necessary, by a formal traffic impact analysis);**

COMMENT:

The Traffic Analysis Report prepared by Charbonneau Engineering, LLC. (Exhibit 26), provides evidence that the proposed development will not overload the surrounding street system.

- F. That proposed utility and drainage facilities are adequate for the population densities and type of development proposed;

COMMENT:

The Storm Drainage Report prepared by NW Engineers, LLC. (Exhibit 25), and related Geotechnical Report prepared by Rapid Soils Solutions, LLC., (Exhibit 24), provides evidence that the proposed drainage facilities are adequate.

- G. That the proposed development can be substantially completed within a reasonable period of time. (Ord. 717 §1(part), 2002)

COMMENT:

The proposed planned unit development will be constructed in a single phase. Three typical lot sizes and house plan widths will provide varying price points, increasing homebuyer choice to ensure development and build-out within a reasonable period of time.

17.81.080 Tentative plan.

- A. Submission Requirements. The proponent shall submit an application with applicable fees to the planning commission for approval in principal. The tentative plan shall consist of twenty copies of all plans, maps and diagrams drawn in sufficient detail to indicate the nature of the plan elements and a written narrative description.
- B. Procedures.
1. The planning commission shall review the tentative plan at a regular meeting and may recommend approval, approval with modifications, or denial of the application. Such recommendation shall be based upon the comprehensive plan, this code, other regulations, and the suitability of the proposed development in relation to the character of the area.
 2. The city council shall consider the tentative plan and program at a public hearing and take action based upon action recommended by the planning commission.
 3. Approval of the tentative plan shall be limited to the tentative acceptability of the land uses proposed and their interrelationships and shall not be construed to endorse precise location of uses nor engineering feasibility.
 4. Tentative Plan Expiration Date. Within one year following the effective date of approval of a tentative plan, the general plan and program shall be submitted, and shall incorporate any modification or condition required by approval of the tentative plan. The planner may, upon written request by the applicant, grant an extension of the expiration date of up to six months, upon a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant re-filing of the tentative plan, and after finding that no other development approval would be affected.

COMMENT:

The application will be reviewed in accordance with the above schedule.

- C. Submission Materials.** The tentative plan need not be a finished drawing, but it should present all relevant graphic data, and be drawn to an engineering scale. The information shall include, but is not limited to, the following:
1. Proposed land uses, building locations, housing unit densities and estimated employment densities;
 2. Existing and proposed contour map or maps of the site to a scale commensurate with the size of the development;
 3. Location, widths and names of all existing or platted streets or other public ways, railroad and utility right-of-ways, parks or other public open spaces, and land uses within five hundred feet of the boundaries of the development;
 4. Existing sewers, water mains and other underground facilities within and adjacent to the development and their certified capacities;
 5. Proposed sewers or other disposal facilities, water mains and other underground utilities;
 6. A tentative subdivision plan if the property is proposed to be divided;
 7. Proposed grading and drainage pattern;
 8. Areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, schools sites, public buildings or other uses dedicated or reserved to the public, if any;
 9. Open space that is to be maintained and controlled by the owners of the property and the proposed uses thereof;
 10. A traffic flow map showing the circulation pattern within, and adjacent to, the proposed development;
 11. Location and dimensions of pedestrian walkways, malls, trails or easements;
 12. Location, arrangement, number and dimensions of automobile garages and parking spaces, width of aisles, bays and angle of parking, if any;
 13. Location, arrangement, and dimensions of truck loading and unloading spaces and docks, if any;
 14. Tentative architectural plans and elevations of typical buildings and structures, indicating the general height, bulk, appearance and number of dwelling units, if applicable;

15. A tentative tree planting and landscaping plan including areas of groundcover and approximate finished grades, slopes, banks and ditches. All existing trees over six inches in diameter and groves of trees shall be delineated. Trees to be removed by development shall be so marked;
16. The approximate locations, height and materials of all walls, fences, and screen plantings. Elevation drawings of typical walls and fences shall be included;
17. The stages, if any, of the development construction. Stages shall be clearly marked on the general development plan;
18. Narrative statement of the goals and objectives of the planned development;
19. A completed professional market analysis, if required by the planning commission;
20. Evidence of resources available to develop the project;
21. Tables showing the total number of acres, the distribution of area by use, the percentage designated for each dwelling type, offstreet parking, streets, parks, playgrounds, schools and open spaces as shown on the proposed development plan;
22. Tables showing the overall residential density of a proposed residential development, and overall employment density of a proposed commercial or industrial development, including any proposals for the limitation of density;
23. Drafts of appropriate restrictive covenants and documents providing for the maintenance of any common open space, required dedications or reservations, public open spaces, and any dedications of development rights.

COMMENT:

All of the above applicable submittal requirements are provided with this application. Draft CCR's and other legal documents for long term maintenance of the open space areas will be provided prior to final approval and plat recordation.

- D. Approval of General Plan and Program. The city council may approve the general plan with or without modifications as recommended by the planning commission.
- E. Expiration. If substantial construction or development, as determined by the director, has not taken place within four years from the date of approval of the general plan, the planning commission shall review the planned development permit at a public hearing to determine whether or not its continuation in whole or in part is in the public interest, and if found not to be, shall remove the planned development designation on the subject. (Ord. 828, 2013; Ord. 717 §1(part), 2002)

COMMENT:

The proposed planned unit development will be constructed within the approved schedule.

17.81.090 Final plan.

Following approval of the general plan by the city council, the applicant shall prepare a final plan which shall be submitted to the planner to check for compliance with the approved general plan.

- A. If the final plan is found to be in compliance, it shall be so certified by the planner. The final plat with all documents relating to dedications, improvements, agreements, restrictions and associations which shall constitute the final plan shall be recorded at Columbia County.
- B. Land division regulations shall be met if the property is to be divided or streets are to be dedicated.
- C. All public site dedications, development rights to open spaces or other dedications for the entire site or approved staged portion shall be recorded prior to the issuance of any building permit.
- D. Final copies of all approved articles governing operation and maintenance shall be placed on file with the planning division prior to the issuance of any building permit.
- E. An approved PD shall be identified on the zoning districts map in addition to the existing underlying district. For example, if a PD is approved in an area zoned R-4, the symbol identifying the PD area shall be shown as R-4PD on the zoning map. (Ord. 828, 2013; Ord. 717 §1(part), 2002)

COMMENT:

These findings will be addressed prior to final approval and plat recordation.

17.81.100 Changes and modifications.

- A. Major Changes. Major changes in the general plan after adoption shall be considered the same as a new petition and shall be made in accordance with the procedures specified in this section.
- B. Minor Changes.
 - 1. Minor changes in the general plan may be approved by the planner, provided that such changes:
 - a. Do not increase residential or employment densities;
 - b. Do not change boundaries;
 - c. Do not change any use;
 - d. Do not change the location or amount of land devoted to specific land uses.
 - 2. Such changes may include minor shifting of the location of buildings, proposed streets, public or private ways, utility easements, parks, public open spaces or other features of the plan. (Ord. 828, 2013; Ord. 717 §1(part), 2002) 17.81.110 Application of development standards-Conflict of planned development standards and zoning district standards. In cases of conflict between standards of the

underlying district and the planned development, the standards of the planned development shall apply. (Ord. 717 §1(part), 2002)

COMMENT:

No modification to an approved planned unit development is anticipated.

Chapter 17.84 SENSITIVE LANDS–FLOODING

Sections:

17.84.010 Purpose.

17.84.015 Definitions.

17.84.030 General provisions.

17.84.040 Permitted uses.

17.84.050 Administration.

17.84.060 Approval process.

17.84.070 Maintenance of records.

17.84.120 Alteration of water courses.

17.84.130 Interpretation of FIRM boundaries.

17.84.140 Standards.

17.84.170 Regulations pertaining to fill.

17.84.180 Floodways.

17.84.190 Special standards for Zone AO.

17.84.200 Special regulations for development in the Scappoose Creek floodway fringe (Zones A, AE, and AO).

17.84.210 Storage, placement or stockpiling buoyant or hazardous materials in flood hazard areas (Zones A, AE, and AO).

17.84.220 Variances to flood damage prevention.

17.84.230 Expiration of approval–Standards for extension of time.

17.84.250 Application submission requirements.

17.84.010 Purpose.

- A. It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flooding. In general, the city's flood hazard chapter is designed:
1. To protect human life and health;
 2. To minimize expenditures of public money and costly flood control projects;
 3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 4. To minimize prolonged business interruptions;
 5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard.

COMMENT:

The western-most portion of the site in Tract "E" is designated flood plain, therefore this chapter is applicable to this development. (See Exhibits 19 & 20).

- B. The city seeks to minimize or mitigate flood hazards by:
1. Implementing FEMA floodplain requirements for participation in the National Flood Insurance Program;
 2. Prohibiting all encroachments in floodways (including parking lots) unless they conform to Chapter 17.84.180;
 3. Establishing a general development permit process to ensure compliance with FEMA regulations;
 4. Establishing specific requirements for construction or substantial improvements in the floodway fringe and Zone AO;
 5. Requiring planning commission review and approval of proposals to store, place or stockpile buoyant or hazardous materials in special flood hazard areas;
 6. Advocating the construction of cluster developments in special flood hazard areas over other types of development;
 7. Prohibiting filling in floodways and regulating filling in floodway fringe areas to conform to Section 17.84.170 of this

COMMENT:

The flood plain associated with South Fork Scappoose Creek, located at the west end of the site, has been mapped by multiple sources including FEMA (Exhibits 19 & 20). The 100-year floodplain,

floodway and flood hazard area elevation has been delineated by a registered surveyor. The elevation of the floodplain is approximately 62-ft. msl. Site development is well above that elevation (See Exhibit 3). Since no alteration, filling or development within the flood plain is proposed with this application, no further review of this section is required.

Chapter 17.85 SENSITIVE LANDS-WETLANDS

Sections:

17.85.010 Purpose.

17.85.020 Definitions.

17.85.030 Applicability of provisions.

17.85.040 Activities within a sensitive lands -wetlands overlay.

17.85.050 Wetlands area density adjustment.

17.85.060 Variance provisions.

17.85.070 Administration and approval.

17.85.080 Expiration of approval-Standards for extension of time.

17.85.090 Review standards.

17.85.100 Application submission requirements.

17.85.010 Purpose. The purpose of this chapter is to protect and restore significant wetland areas, thereby protecting and restoring the hydrologic, ecological and land conservation functions these areas provide. Specifically, this chapter is intended to protect habitat for fish and other aquatic life, protect habitat for wildlife, protect water quality for human uses and for aquatic life, control erosion and limit sedimentation, and reduce the effects of flooding. This chapter attempts to meet these goals by excluding structures from areas adjacent to significant wetlands, and by prohibiting vegetation removal or other alterations in those areas. In addition, the purpose of this chapter is to ensure implementation of requirements of the Division of State Lands and other appropriate regulatory agencies. (Ord. 736 §1, 2003) 17.85.020

COMMENT:

The western-most portion of the site in Tract "E" is a designated significant natural resource area with wetlands and riparian area associated with South Fork Scappoose Creek.

17.85.020 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

"Alteration" means a use that adversely impacts the condition of a wetland and/or buffer area. Alterations include, but are not limited to, buildings or other structures, grading, filling, dredging, draining, channelizing, mining, paving (including sidewalks, roads and bike paths), surface water management facilities, or other land uses that adversely impact the existing vegetation, hydrology, wildlife or wildlife habitat of the wetland.

"Boardwalk" means a raised wooden walkway.

"Compensatory mitigation" means any of three actions used to replace wetland functions and values resulting from permitted impacts to wetlands, including restoration of former wetlands, creation of new wetlands, enhancement of existing wetlands or other acceptable techniques recognized by the Oregon Division of State Lands and, if required, by the U.S. Army Corps of Engineers.

"Development" means a partition, subdivision, or property line adjustment that may or may not include an alteration.

"Enhancement" means an action that improves one or more specific functions or values of an existing wetland.

"Functions and values." Functions refer to the environmental roles served by wetland and buffer areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, flood storage, nutrient attenuation, and sediment trapping. Values refer to the qualities ascribed to a wetland such as educational and recreational opportunities, open space, and visual aesthetic qualities.

"Jurisdictional delineation" is a delineation, approved by the Oregon Division of State Lands and, if required, by the U.S. Army Corps of Engineers, that determines a wetland boundary and is accurate to plus or minus two feet using the methodology described in the 1987 Corps of Engineers Wetlands Delineation Manual or current accepted methodology. "Local wetland" means a significant wetland resource site as determined by the Scappoose Local Wetlands Inventory dated December 1998.

"Mitigation site" is a wetland restored, created or enhanced to compensate for the permitted loss of wetland functions and values (see compensatory mitigation).

"Passive recreational facilities" are low-intensity improvements such as trails, blinds, interpretive kiosks, interpretive signs, lowintensity lights, benches, picnic tables, fences, boardwalks, viewing platforms, gardens, patios and decks.

"Public facilities" are publicly owned above-ground or underground utilities, structures and facilities including, but not limited to, pedestrian/bicycle/road and other transportation facilities, bridge abutments, street lighting systems, traffic signals, utility cabinets, water systems, sanitary sewer systems, power lines, natural gas lines, telephone and communication facilities, cable TV lines, and storm water management facilities.

"Structure" means any building or construction activity or development except that for the purposes of this chapter, the word "structure" shall exclude fences; children's play equipment; picnic tables; sand boxes; grills and similar recreational equipment.

"Wetland boundary" means the boundary of a significant wetland as mapped on the Scappoose Local Wetlands Inventory maps or as established by a jurisdictional delineation approved by the Oregon Division of State Lands and, if required, by the U.S. Army Corps of Engineers. Generally, the boundary is the line, located by a qualified wetland specialist, between wetland and non-wetland area.

"Wetland buffer" means an area around significant wetlands as illustrated within the Scappoose Local Wetlands Inventory. (Ord. 736 §1, 2003) 17.85.030 Applicability of provisions. The sensitive lands - wetlands overlay shall apply to the wetlands as shown on the Scappoose Local Wetlands Inventory dated December 1998 and adopted within the city comprehensive plan, and/or within the most current version of the National Wetland Inventory and within a twenty-five-foot wetland buffer except as follows: where any portion of a significant wetland is included within a riparian corridor per Section 17.89.030(A), the standard distance (fifty feet) to the riparian corridor boundary shall be measured from, and include, the upland edge of the wetland. (Ord. 736 §1, 2003) 17.85.040 Activities within a sensitive lands - wetlands overlay.

17.85.30 **Applicability of provisions.**

- A. The following uses are outright permitted uses within wetland areas, and do not require a sensitive lands development permit - wetlands overlay:
 - 1. Public and private conservation areas for water, soil, open space, forest and wildlife resources;
 - 2. Removal of non-native vegetation including poison oak, tansy ragwort, blackberry or other noxious vegetation; and
 - 3. Maintenance or repair of existing structures or improvements (including asphalt or concrete drives) that do not involve a change in size, use or function.
- B. The alteration of a significant wetland by grading, excavation, placement of fill, or vegetation removal subject to review under Section 17.85.090. Any proposed alteration outside of a significant wetland but within a wetland buffer requires a sensitive lands development permit - wetlands overlay. An alteration is a change in the topography or vegetation of a wetland area, as regulated by this section, which may affect the functions and values of such features and are subject to the permit procedure and standards of this chapter. An alteration includes the following activities:
 - 1. Dredging, filling, excavation or the placement of riprap or a mooring with rock, trees, wood, etc.;
 - 2. The clearing of any native riparian or wetland vegetation with the wetland area, or the removal of any native tree within the wetland area which has a diameter of six inches or greater at four feet above grade;
 - 3. Streets, including bridges, when part of an approved future street plan, subdivision plan construction, improvement or alteration or city transportation system plan, including the installation of underground utilities and construction of roadway improvements including, but not limited to, sidewalks, curbs, streetlights, and driveway aprons;

4. Utilities such as water, stormwater, and sanitary sewer lines;
5. Bicycle pedestrian paths;
6. Parks and recreational facilities;
7. Driveways or pedestrian paths where necessary to afford access between portions of private property that may be bisected by a wetland area and/or buffer;
8. Water detention, filtration facilities and erosion control improvements such as detention ponds, bio-filtration swales or ponds, or bank stabilization measures;
9. Viewing platforms, boardwalks, and other improvements associated with the provision of public access for observation of natural areas/wetland areas; and,
10. Other development proposals determined by the planner as requiring a sensitive lands development permit - wetlands overlay.

COMMENT:

No alteration of wetlands or wetland buffers associated with South Fork Scappoose Creek is anticipated with this planned development application. No fill or construction within this area is anticipated. Therefore no sensitive lands development permit – wetlands overlay application is needed.

- C. Landform alterations or developments other than partitioning and subdividing that are within twenty-five feet of wetland areas that are not identified as “Local Wetlands,” and that meet the jurisdictional requirements and permit criteria of the U.S. Army Corps of Engineers and the Division of State Lands, do not require a local sensitive lands development permit - wetlands overlay. However, no building permit will be issued for such activity unless all pertinent state and federal requirements are met, which the planner shall verify. (Ord. 736 §1, 2003)

COMMENT:

No construction will occur within 25-ft. from a wetland.

17.85.050 Wetlands area density adjustment. In order to provide incentive for siting and re-siting residential dwelling units to avoid wetland areas and buffers, any partition, subdivision, or site development review application involving land that is subject to the wetlands overlay may be paired with a sensitive lands development to,

A.

1. lot or parcel that was in existence on the date this chapter was adopted; and
2. The proposed alteration is the minimum necessary to provide for the proposed use or access.

COMMENT:

No adjustment to density is proposed with this planned development.

B. The following criteria shall be included in review of any application to which the sensitive lands - wetlands overlay is applicable:

1. Activities within a wetland are subject to the permit requirements of the Oregon Division of State Lands (DSL) and the U.S. Army Corps of Engineers. No building permit will be issued for development projects within the wetlands overlay unless all pertinent state and federal requirements are met. DSL and, as necessary, the U.S. Army Corps of Engineers will be notified of any regulated development proposed in a wetland area;
2. Properties that contain wetland areas shall have a wetland determination approved by DSL staff before any development permit is issued. If in making this determination DSL staff indicate that a "jurisdictional delineation" study of the boundary is necessary, the study shall be completed by the applicant and approved by DSL staff before any building permits are issued, including grading permits;
3. A wetland buffer area shall be established between a wetland and a proposed development as condition of development permit approval to achieve the maintenance of vegetative cover and the water quality characteristics of the area;
4. The city will not approve a partition or subdivision in a wetland area that proposes to create a lot that would not have the ability to obtain a building permit without variance approval;
5. Construction sites adjacent to wetlands shall be required to install erosion/sedimentation control devices between the land area to be disturbed and the wetland. All such devices shall conform to the requirements found within the city public works design standards;
6. Developments adjacent to wetlands which have significant impervious surface areas will be required to have stormwater detention and filtration facilities as part of their approved design. The design of such facilities shall conform to the requirements found within the city public works design standards; and
7. All proposed alterations are subject to consultation with ODFW and others potentially affected by the alteration. Agency recommendations to mitigate for the loss of wetland values and functions may be made conditions of approval of a proposed use. (Ord. 736 §1, 2003)

COMMENT:

As stated above the sensitive land - wetlands overlay permit is not applicable because now activities are taking place in wetlands or wetland buffers, thus no application for a permit is requested with this planned development application and these criteria are not applicable.

17.85.100 Application submission requirements.

- A. All applications shall be made on forms provided by the city and shall be accompanied by:**
 - 1. One reproducible copy of the development plan(s) and necessary data or narrative which explains how the development conforms to the standards. Sheet size for the development plan(s) and required drawings shall not exceed eighteen inches by twenty-four inches and the scale for all development plans shall be to a standard engineering scale; and,**
 - 2. A list of the names and addresses of all property owners of record within two hundred feet of the site.**
- B. The development plan and narrative shall include the following information (items may be combined on one map):**
 - 1. Existing site conditions including vicinity map showing the location of the property in relation to adjacent properties and including parcel boundaries, dimensions and gross area;**
 - 2. As applicable, the location, dimensions and names of all existing and platted streets and other public ways, railroad tracks and crossings, and easements on adjacent property and on the site and proposed streets or other public ways, easements on the site;**
 - 3. The location, dimensions and setback distances of all existing structures, improvements, utility and drainage facilities on adjoining properties and existing structures, water, sewer, improvements, utility and drainage facilities to remain on the site; and proposed structures, water, sewer, improvements, utility and drainage facilities on the site;**
 - 4. Contour lines at two-foot intervals for slopes from zero to ten percent and five-foot intervals from slopes over ten percent;**
 - 5. The drainage patterns and drainage courses on the site and on adjacent lands;**
 - 6. Potential natural hazard areas including:**
 - a. Floodplain areas;**
 - b. Areas having a high seasonal water table within zero to twenty-four inches of the surface for three or more weeks of the year;**
 - c. Unstable ground (areas subject to slumping, earth slides or movement). Where the site is subject to landslides or other potential hazard, a soils and engineering geologic study based on the proposed project may be required which shows the area can be made suitable for the proposed development;**
 - d. Areas having a severe soil erosion potential; and**

- e. Areas having severe weak foundation soils;
- 7. The location of trees having a six-inch caliper at four feet. Only those trees that will be affected by the proposed development need to be sited accurately. Where the site is heavily wooded, an aerial photograph at the same scale as the site analysis may be required;
- 8. Identification information, including the name and address of the owner, developer, and project designer, and the scale and north arrow;
- 9. A grading and drainage plan at the same scale as the site conditions and including the following:
 - a. The location and extent to which grading will take place indicating general contour lines, slope ratios, and slope stabilization proposals,
 - b. A statement from a registered engineer supported by factual data that all drainage facilities are designed in conformance A.P.W.A. standards and as reviewed and approved by the public works director; and
- 10. The method for mitigating any adverse impacts upon wetland, riparian or wildlife habitat areas. (Ord. 736 §1, 2003)

COMMENT:

No application is being submitted therefore this section on submittal requirements is not applicable. As noted, no grading or alteration of the wetland or buffer is proposed.

Chapter 17.96 LOTS-EXCEPTIONS AND ADDITIONAL SETBACKS

Sections:

17.96.010 Purpose.

17.96.020 Additional setback from centerline required.

17.96.030 Visual clearance requirements

17.96.040 Lots-General exceptions.

17.96.060 Exceptions to yard requirements.

17.96.080 Projections into required yards.

17.96.090 Lot area for flag lots.

17.96.010 Purpose. The purpose of this chapter is to permit or afford better light, air and vision clearance on more heavily traveled streets and on streets of substandard width, to make the location of structures compatible with the need for the eventual widening of streets by providing for additional yard

setback distances. (Ord. 634 §1 Exh. A (part), 1995) 17.96.020 Additional setback from centerline required.

COMMENT:

The proposed planned unit development is adjacent to a heavily traveled street – Old Portland Road – therefore this section may be applicable.

- A. Structures in any zoning district which abut certain arterial and collector streets shall be set back a minimum distance from the centerline of the right-of-way.

COMMENT:

The structures nearest Old Portland Road include those on Lots 1-5. However, the road is fully dedicated and improved, so no additional dedication will be necessary.

- B. Where the street is not improved, the measurement shall be made at right angles from the centerline or general extension of the street right-of-way. The required setback distance for buildings on the following collector streets is the setback distance required by the zoning district plus twenty-eight feet measured from the centerline of the right-of-way. Columbia Avenue from West Lane to Columbia River Hwy, Elm Street (east from 3rd street) to E.M. Watts Road, East Fourth Street to J.P. West, West First Street to Dutch Canyon Road.
- C. The minimum yard requirement shall be increased in the event a yard abuts a street having a right-of-way width less than required by its functional classification in the city's transportation plan and, in such case, the setback shall be not less than the setback required by the zone plus one-half of the projected road width as shown in the transportation plan.
- D. In addition to the standards for access and egress included in the public works design standards, and due to the potential traffic hazards along Highway 30, the planning commission may require single access ways, frontage roads, joint parking or additional setbacks for lots that the commission determines are strategically important for reducing potential hazards. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

None of the above standards are applicable.

17.96.030 Visual clearance requirements. All development shall conform to the visual clearance area requirements of Scappoose Municipal Code Chapter 12.10. (Ord. 820 §13, 2012)

COMMENT:

Adequate site distance will be provided at all intersections.

17.96.040 **Lots-General exceptions.**

- A. When two lots are under single ownership and only one principal building will be constructed on the two lots, the owner may build across the lot lines without going through the variance or property line adjustment procedures.
- B. When a legal lot of record created prior to 4/4/83 (the date of adoption of Ordinance 466) is located in a residential zone and does not meet the minimum square footage of the zone, a singlefamily detached residence shall be allowed to be constructed on the lot, subject to approval by the planner. All other requirements of this title shall be met. When such lots are located in a zone other than residential and fail to meet the minimum standards of the zone, the lot may occupied by a use permitted in the zone subject to all other requirements of the zone and this title. (Ord. 795 §1, 2008; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The above sections are not applicable to this development.

17.96.060 **Exceptions to yard requirements.**

- A. If there are dwellings on both abutting lots with yard depths less than the required depth for the zone, the depth of the yard for the intervening lot need not exceed the average depth of the yards of the abutting lots.
- B. If there is a dwelling on one abutting lot with a yard of less depth than the required depth for the zone, the yard for the lot need not exceed a depth one-half way between the depth of the abutting lot and the required yard depth. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The above sections are not applicable to this development.

17.96.080 **Projections into required yards.**

- A. Cornices, eaves, belt courses, sills, canopies or similar architectural features may extend or project into a required yard not more than thirty-six inches provided the width of such yard is not reduced to less than three feet.
- B. Fireplace chimneys may project into a required yard not more than three feet provided the width of such yard is not reduced to less than three feet.
- C. Open porches or decks not more than thirty inches in height may extend or project into a required rear or side yard provided such natural yard area is not reduced to less than five feet. Open porches or decks not covered by a roof or canopy may extend into a required front yard not more than five feet. (Ord. 828, 2013; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Compliance with this section will be reviewed prior to building permit issuance.

17.96.090 Lot area for flag lots.

- A. The lot area for a flag lot shall comply with the lot area requirements of the applicable zoning district.
- B. The lot area shall be provided entirely within the building site area exclusive of any accessway (see figure following). Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The proposed planned development includes six flag lots. The flag poles and lot areas are shown on the submitted plans. Lot areas are adjusted through the PUD process.

Chapter 17.100 LANDSCAPING, SCREENING AND FENCING

Sections:

17.100.010 Purpose.

17.100.020 Applicability–Approval process.

17.100.030 General provisions.

17.100.090 Buffering and screening requirements.

17.100.100 Screening–Special provisions.

17.100.110 Fences or walls.

17.100.120 Required fencing of pools.

17.100.140 Re-vegetation.

17.100.010 Purpose. The purpose of this chapter is to establish standards for landscaping, buffering and screening in order to enhance the environment of the city through the use of plant materials as a unifying element and by using trees and other landscaping materials to mitigate the effects of the sun, wind, noise and lack of privacy. (Ord. 634 §1 Exh. A (part), 1995)
17.100.020 Applicability–Approval process.

- A. The provisions of this chapter shall apply to all development including the construction of new structures, major modification of existing structures as defined in Chapter 17.120, and to an application which increases the on-site parking or loading requirements or which changes the access requirements.

COMMENT:

The proposed planned development meets the definition of “development,” therefore this section is applicable.

- B. Where the provisions of Chapter 17.120 do not apply, the planner shall approve, approve with conditions, or deny a plan submitted under the provisions of this chapter. No notice is required.
- C. The applicant shall submit a site plan which includes:
 - 1. Location of underground irrigation system sprinkler heads where applicable;
 - 2. Location and height of fences, buffers and screening;
 - 3. Location of terraces, decks, shelters, play areas, and common open spaces;
 - 4. Location, type, size and species of existing and proposed plant materials; and
 - 5. A narrative which addresses soil conditions and erosion control measures. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Landscaping will be proposed within the proposed open space parks. A preliminary park plan is attached as Exhibit 12.

17.100.030 General provisions.

- A. Unless otherwise provided by the lease agreement, the owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.
- B. All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise so that:
 - 1. Public utilities can be maintained or repaired;
 - 2. Pedestrian or vehicular access is unrestricted;
 - 3. Visual clearance area provisions are met. (See Chapter 12.10, Visual Clearance Areas.)
- C. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or a bond has been posted with the city to insure the completion of landscaping requirements.
- D. Existing plant materials on a site shall be protected to prevent erosion. Existing plant materials may be used to meet landscaping requirements if no cutting or filling takes place within the dripline of the tree. (Ord. 820 §6, 2012; Ord. 634 §1 Exh. A (part), 1995)

17.100.090 Buffering and screening requirements.

- A. Buffering and screening are required to reduce the impacts on adjacent uses which are of a different type. The owner of each proposed development is responsible for the

installation and effective maintenance of buffering and screening. When different uses abut one another, buffering and screening are required. When different uses would be abutting one another except for separation by a right-of-way, buffering, but not screening, shall be required.

COMMENT:

This section is not applicable to this planned unit development since single family detached dwellings – a similar use - are adjacent to the site.

17.100.100 Screening-Special provisions.

- A. If four or more offstreet parking spaces are required under this title, off-street parking adjacent to a public street shall provide a minimum of four square feet of landscaping for each lineal foot of street frontage. Such landscaping shall consist of landscaped berms or shrubbery at least two feet in height, which shall be dispersed adjacent to the street as much as practical. Additionally, one tree which shall provide a canopy of at least three hundred square feet upon maturity shall be provided for each fifty lineal feet of street frontage or fraction thereof. Landscaped parking areas may include special design features which effectively screen the parking lot areas from view. These design features may include the use of landscaped berms, decorative walls, and raised planters. Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way. Materials to be installed shall achieve a balance between low lying and vertical shrubbery and trees,
- B. Loading areas and outside storage shall be screened from public view from public streets and adjacent properties by means of sight obscuring landscaping, fences, walls or other means. The screen shall have a minimum height of six feet and the planning commission may require a taller screen depending on the location and height of the loading or storage area.
- C. Except for one-family and two-family dwellings, any refuse container or disposal area and service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area, shall be screened from view by placement of a solid wood fence, masonry wall or evergreen hedge between five and eight feet in height. All refuse materials shall be contained within the screened area. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

This section is not applicable to this planned development. This is applicable to commercial or multi-family developments.

17.100.110 Fences or walls.

- A. Fences, walls or combinations of earthen berms and fences or walls up to four feet in height may be constructed in required front yards. Rear and side yard fences, or berm/fence combinations behind the required front yard setback may be up to six feet in height without any additional permits. Any proposed fence or fence/berm combination higher than six feet shall require a building permit. Any fence or fence/berm combination

greater than eight feet in height shall require planning commission approval in addition to a building permit.

- B. The prescribed heights of required fences, walls or landscaping shall be measured from the lowest of the adjoining levels of finished grade.
- C. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood or brick, or otherwise acceptable by the planner. Corrugated metal is not considered to be acceptable fencing material. Fences and walls shall be in compliance with other city regulations. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Perimeter fencing on the external side and rear boundaries of lot on the north and south boundaries of the site will install fencing following home construction. Fencing materials, style and height will be in compliance with this section.

17.100.120 Required fencing of pools.

- A. Every person in possession of land within the city, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool or other outside body of water designed or used for swimming, dipping or immersion purposes having a depth of more than eighteen inches shall maintain an enclosure consisting of a fence or wall which shall discourage children climbing and is acceptable to the building inspector.
- B. All gates or doors opening through such enclosure shall be equipped with self-enclosing and self-latching devices installed at least forty inches above the ground or base, designed to help and capable of keeping such door or gate securely closed at all times when not in actual use; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure required need not be so equipped.
- C. Every person in possession of land within the city, either as owner, purchaser under contract, lessee, tenant or licensee, on which there is a fish pond or other decorative pool having a depth of eighteen inches or more shall construct and maintain an acceptable enclosure and securely close off or block any and all entrances thereto. An acceptable enclosure shall be one of the following:
 - 1. A fence completely surrounding the yard where the fish pond or decorative pool is located;
 - 2. A wire screen or cover of sufficient strength to hold a weight of at least seventy-five pounds and installed not more than six inches below the surface of the water at all times. (Ord. 634 §1 Exh. A (part), 1995) 17.100.140 Re-vegetation.

COMMENT:

No pools are proposed with this planned unit development.

Chapter 17.104 STREET TREES

Sections:

17.104.010 Purpose.

17.104.020 Applicability.

17.104.030 Approval process.

17.104.040 Standards for street trees.

17.104.060 Maintenance of street trees.

17.104.070 Excavation approval required.

17.104.080 Penalties for damage or removal of street trees.

17.104.010 Purpose. The purpose of this chapter is to foster retention of the overall tree canopy in the city and require the planting of street trees in order to enhance the environment of the city through the use of plant materials as a unifying element and to protect the health, safety and welfare of the public by using trees to mitigate the negative effects of impervious surfaces and vehicular traffic including increased temperatures, airborne particulates, carbon dioxide, noise and stormwater runoff. (Ord. 659 §3(part), 1997)

17.104.020 Applicability.

- A. The provisions of this chapter shall apply to all development as defined in Scappoose Municipal Code Chapter 17.26, Definitions, except a building permit to add to or remodel an existing single-family residence.
- B. All development shall be required to plant street trees. Street trees shall be defined as trees located on land lying between the property lines on either side of all streets, avenues or public rights-of-way within the city or within easements defined on a recorded plat as street tree easements.
- C. All street trees required under this chapter shall be subject to the requirements of Scappoose Municipal Code Chapter 17.140 Public Land Tree Removal. (Ord. 659 §3 (part), 1997)

COMMENT:

A street tree is proposed to be provided along the frontage of all lots on-site unless superseded by sight distance requirements or other fixtures in the right-of-way, such as street signs, mailboxes, fire hydrants, etc.

17.104.030 Approval process.

- A. The applicant shall submit two copies of a site plan, drawn to an acceptable scale, which includes:
1. North arrow and map scale;
 2. Name and phone number of contact person;
 3. Location of all permanent structures including signs;
 4. Location of right-of-way and all utilities including underground and aboveground;
 5. Location, type, size and species of proposed street trees.

COMMENT:

The above information is provided on Exhibit 5.

- B. Where the development does not require approval by the planning commission, the plan shall be submitted to the planner for determination of completeness. When the plan is determined to be complete, the planner shall send one copy to the public works director for review and comment and shall allow five days for public works comments. The planner shall approve, approve with conditions, or deny a plan submitted under the provisions of this chapter within ten business days of determining the plan to be complete. No additional public notice shall be required.
- C. If no other approvals are required by the project, there shall be no fee for approval of the plan required by this section.
- D. If the project requires other approvals, the following shall apply:
1. Approval of the plan required by this section shall be consolidated with all other required approvals and shall be processed pursuant to the requirements of the other approvals; and
 2. One percent of the total fee for all other approvals shall be placed in a dedicated fund for the planting and maintenance of street trees; and
 3. All required information may be combined with plans required by other approvals.
- E. Certificates of occupancy shall not be issued unless the street tree requirements have been met or a bond has been posted with the city to insure the plantings. (Ord. 659 §3(part), 1997)

COMMENT:

As noted, street trees are shown on Exhibit 5 and shall be installed in accordance with this section prior to issuance of certificates of occupancy.

17.104.040 Standards for street trees.

- A. Street trees shall be selected from the approved street tree list included as Appendix A of the Scappoose Comprehensive Urban Forestry Plan.
- B. At the time of planting, street trees shall not be less than ten feet high for deciduous trees and five feet high for evergreen trees.

COMMENT:

The preliminary street tree plan is provided on Exhibit 5. A final street tree plan designed in accordance with this section will be included with the final civil plans.

C. Spacing and minimum planting areas for street trees shall be as follows:

- 1. Street trees under twenty-five feet tall and less than sixteen feet wide at maturity shall be spaced no further than fifteen feet apart in planting areas containing no less than sixteen square feet of porous surface and not less than four feet wide;
- 2. Street trees under twenty-five feet tall and greater than sixteen feet wide at maturity shall be spaced no further than twenty feet apart in planting areas containing no less than sixteen square feet of porous surface and not less than four feet wide;
- 3. Street trees between twenty-five feet to forty feet tall and less than twenty-five feet wide at maturity shall be spaced no greater than twenty-five feet apart in planting areas containing no less than twenty-four square feet of porous surface and not less than six feet wide;
- 4. Street trees between twenty-five feet to forty feet tall and greater than twenty-five feet wide at maturity shall be spaced no greater than thirty feet apart in planting areas containing no less than twenty-four square feet of porous surface and not less than six feet wide;
- 5. Street trees greater than forty feet tall at maturity shall be spaced no greater than forty feet apart in planting areas containing not less than thirty-six square feet of porous surface and not less than eight feet wide.

COMMENT:

The type of tree and exact spacing will be provided on the final civil plans. Typical spacing on the preliminary plans (Exhibit 5) is 25-ft. The planting area includes porous surface in excess of the standards here as its width includes the functional portions of the front yard as well as the area in the right-of-way behind the back of sidewalk.

- D. Street trees located under or within ten feet of overhead utility lines shall be less than twenty-five feet tall at maturity.
- E. Street trees shall be planted in accordance with the requirements of Scappoose Municipal Code Section 13.28.020(C). (Ord. 659 §3(part), 1997)

COMMENT:

No overhead utility lines are proposed within the development. All trees shall be installed in accordance with Section 13.28.020(c).

17.104.060 Maintenance of street trees.

- A. The adjacent owner, tenant, and their agent, if any, shall be jointly and severally responsible for the maintenance of all street trees which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and tree wells shall be kept free from refuse and debris.
- B. All street trees shall be controlled by pruning to National Arborist Association Pruning Standards for Shade Trees included as Appendix B of the Scappoose Comprehensive Urban Forestry Plan.
- C. Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of thirteen feet above street surface or eight feet above the sidewalk surface. Such owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic-control device or sign or sight triangle at intersections as defined in Scappoose Municipal Code 12.10, Visual Clearance Areas. Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements.
- D. The city shall have the right to plant, prune, and otherwise maintain trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- E. It is unlawful as a normal practice for any person, firm or city department to top any street tree. Topping is defined as the severe cutting back of limbs within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter at the determination of the city manager after consultation with a registered arborist or certified forester. (Ord. 820 §7, 2012; Ord. 659 §3(part), 1997)

COMMENT:

Long term maintenance of the street trees shall be provided by the homeowners in accordance with the standards of this section.

Chapter 17.106 OFF-STREET PARKING AND LOADING REQUIREMENTS

Sections:

17.106.010 Purpose.

17.106.015 Applicability of provisions.

17.106.020 General provisions.

17.106.030 Minimum off-street parking requirements.

17.106.040 Modification to parking requirements.

17.106.050 Parking dimension standards.

17.106.070 Loading/unloading driveways required on-site.

17.106.080 Off-Street loading.

17.106.010 Purpose. The purpose of these regulations is to establish parking areas that have adequate capacity and are appropriately located and designed to minimize any hazardous conditions on-site and at access points. The parking requirements are intended to provide sufficient parking in close proximity to the various uses for residents, customers and employees, and to establish standards which will maintain the traffic carrying capacity of nearby streets. (Ord. 634 §1 Exh. A (part), 1995) **17.106.015 Applicability of provisions.**

COMMENT:

Off-street parking is required for this planned unit development, therefore this section is applicable.

- A. The provisions of this chapter shall apply to all development including the construction of new structures, major modification of existing structures as defined in Chapter 17.120, and to any application which increases the on-site parking or loading requirements or which changes the access requirements.
- B. Where the provisions of Chapter 17.120 do not apply, the planner shall approve, approve with conditions, or deny a plan submitted under the provisions of this chapter. No notice is required.
- C. The applicant shall submit a site plan which includes:
 - 1. The location of the structures on the property and on the adjoining property;
 - 2. The delineation of individual parking and loading spaces and their dimensions;
 - 3. The location and dimension of the circulation area necessary to serve the spaces;

4. The location and dimension of the access point(s) to streets, to accessways and to properties to be served;
5. The location of curb cuts;
6. The location and dimensions of all landscaping, including the type and size of plant material to be used, as well as any other landscape material incorporated into the overall plan;
7. The proposed grading and drainage plans; and
8. Specifications as to signs and bumper guards. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Off-street parking is provided in the driveways and garages of all single-family detached dwellings. No additional off-street parking in a parking lot is proposed with this development.

17.106.020 General provisions.

- A. The dimensions for parking spaces are subject to the requirements in Section 17.106.050, and as follows:
 1. Nine feet wide and eighteen feet long for a standard space;
 2. Eight and one-half feet wide and fifteen feet long for a compact space; and
 3. In accordance with the applicable state and federal standards, at least twelve feet wide and eighteen feet long for designated handicapped parking spaces.

COMMENT:

Single-car and two-car garages and driveways are proposed in this development. Parking spaces meet or exceed the minimum standard parking space dimensions of this section. No ADA spaces are required since only single-family residences are proposed. However, some driveways are sized to accommodate such parking spaces.

- B. The provision and maintenance of off-street and loading spaces are the continuing obligations of the property owner:
 1. No building or other permit shall be issued until plans are presented to the planner to show that property is and will remain available for exclusive use as off-street parking and loading space; and
 2. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this title.

COMMENT:

Maintenance of the individual parking spaces for each dwelling will be the responsibility of the property owner.

- C. Upon application the planner may rule that a use, not specifically listed in Section 17.106.030, is a use similar to a listed use and that the same parking standards shall apply. No notice need be given. The ruling on parking area requirements shall be based on findings that the following criteria are satisfied:

1. The use is similar to and of the same general type as a listed use;
2. The use has similar intensity, density and offsite impact as the listed use; and
3. The use has similar impacts on the community facilities as the listed use. The planner shall maintain a list of approved unlisted use parking requirements which shall have the same effect as an amendment to this chapter. An updated list shall be given to the planning commission at its next regularly scheduled meeting following each determination of the parking requirements for an unlisted use. Annually, all copies of this title shall be updated to include the unlisted uses approved during the previous year.

COMMENT:

This section is applicable to commercial or multi-family uses.

- D. At the time of erection of a new structure or at the time of enlargement or change in occupancy as defined by the Uniform Building Code, off-street parking spaces shall be as provided in accordance with Section 17.106.030; and
1. In case of enlargement of a building or use of land existing on the date of adoption of this title, the number of parking and loading spaces required shall be based only on floor area or capacity of such enlargement; and
 2. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if the elimination would result in less space than is specified in the standards of this section when applied to the entire use.
- E. When an existing structure is changed in occupancy and the parking requirements for each occupancy are the same, no additional parking shall be required; and where a change in occupancy results in an intensification of use in terms of the number of parking spaces required, additional parking spaces shall be provided in an amount equal to the difference between the existing number of spaces and the number of spaces required for the more intensive occupancy.
- F. Within the commercial and expanded commercial zones, owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap by more than two hours; satisfactory legal evidence shall be presented to the planner in the form of deeds, leases or contracts

to establish the joint use; and if a joint use arrangement is subsequently terminated, the requirements of this title thereafter apply to each separately.

COMMENT:

This section is applicable to commercial or multi-family uses.

H. Location of Required Parking.

1. Off-street parking spaces for single-family, duplex dwellings and single-family attached dwellings shall be located on the same lot with the dwelling.

COMMENT:

Parking is provided on each single-family lot in the garage and driveway.

2. Off-street parking spaces for uses other than single-family or duplex residential shall be located not further than four hundred feet from the building or use they are required to serve, measured in a straight line.

COMMENT:

This section is not applicable to this development.

- I. Where several uses occupy a single structure or parcel of land or a combination of uses are included in one business, the total offstreet parking spaces and loading area is the sum of the requirements of the several uses, computed separately.
- J. When a building or use is planned or constructed in such a manner that a choice of parking requirements could be made, the use which requires the greater number of parking spaces shall govern.

COMMENT:

Only single family residences are proposed for this development.

K. Required parking spaces shall:

1. Be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only;
2. Not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use; and
3. Not be rented, leased or assigned to any other person or organization unless the required number of spaces are maintained.

COMMENT:

The development and future property owners will comply with this section.

- M. Parking lots shall be landscaped in accordance with the requirements in Section 17.100.100.
- N. All parking areas which contain over five required spaces shall be provided with one handicapped parking space. All parking provisions required by the ADA shall be met.
- O. All parking spaces designated for compact vehicles shall be labeled by painting the words "COMPACT ONLY" on the parking space.
- P. At least one secured bicycle rack space shall be provided for each ten parking spaces in any development. Bicycle parking areas shall not be located within parking aisles, landscape areas, or pedestrian ways.
- Q. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district.
- R. Required parking spaces shall be completely improved to city standards and available for use at the time of the final building inspection.
- S. A plan drawn to scale, indicating how the off-street parking and loading requirement is to be fulfilled, shall accompany the request for a building permit or development application.
- T. Where square feet are specified, the area measured shall be gross floor area under the roof measured from the faces of the structure, excluding only space devoted to covered off-street parking or loading.
- U. Where employees are specified, the employees counted are the persons who work on the premises including proprietors, executives, professional people, production, sales, and distribution employees during the largest shift at peak season.
- V. Fractional space requirements shall be counted as a whole space.
- W. Parking spaces in the public street or alley shall not be eligible as fulfilling any part of the parking requirement.

COMMENT:

The above sections refer to non-residential or multi-family residential parking.

- X. Off street parking of any vehicle or recreational vehicle, watercraft, or parts designed to be affixed thereto, which obstructs the visual clearance area or creates a potential safety hazard shall not be allowed in required yard.
- Y. Parking and loading areas shall be designed to minimize disturbances of adjacent residents by erection between the uses of a sight-obscuring fence of not less than four feet in height, provided that the provisions for visual clearance areas are met. Parking spaces within a parking lot shall be designed and constructed so that no portion of a parked vehicle, including an opened door, will extend beyond the property line. (Ord. 820 §8, 2012; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Driveways serving the individual dwellings have been located in a manner which does not create a potential safety hazard by blocking sight distance. Vehicles and fencing shall not be placed in a manner which block sight distance.

17.106.030 Minimum off-street parking requirements.

A. Residential Uses.

- 1. Single-family : (2.) Spaces for each dwelling unit residence or or duplex**

COMMENT:

A minimum of 2 off-street parking spaces is provided for each dwelling.

Chapter 17.150 LAND DIVISION-SUBDIVISION

Sections:

17.150.010 Purpose.

17.150.020 General provisions.

17.150.030 Administration and approval process.

17.150.040 Expiration of approval-Standards for extension of time.

17.150.050 Phased development.

17.150.060 Approval standards-Tentative plan.

17.150.070 Application submission requirements- Tentative plan.

17.150.140 Application submission requirements-Final plat.

17.150.150 City review of final plat-Approval criteria.

17.150.160 Centerline monumentation-Monument box requirements.

17.150.170 Improvement agreement.

17.150.180 Bond-Cash deposit.

17.150.190 Filing and recording.

17.150.200 Prerequisites to recording the plat.

17.150.210 Vacation of plats.

17.150.220 **Vacation of streets.**

17.150.010 **Purpose.** The purpose of this chapter is to provide rules, regulations and standards governing the approval of plats of subdivisions; to carry out the development pattern and plan of the city; to promote the public health, safety and general welfare; to lessen congestion in the streets; secure safety from fire, flood, pollution and other dangers; to provide adequate light and air, prevent overcrowding of land, and facilitate adequate provision for transportation, water supply, sewage and drainage; and to encourage the conservation of energy resources. (Ord. 727 §1, 2002; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The proposal is for an 88-lot planned development to be platted in the subdivision, therefore this section is applicable.

17.150.020 **General provisions.**

- A. An application for a subdivision shall be processed through a two-step process, the tentative plan and the final plat:
 - 1. The tentative plan shall be approved by the planning commission before the final plat can be submitted for approval consideration; and
 - 2. The final plat shall reflect all conditions of approval of the tentative plan.

COMMENT:

This application is for tentative plat approval. The final plat will be submitted after preliminary approval and all conditions have been addressed.

- B. All subdivision proposals shall be in conformity with all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.

COMMENT:

This subdivision plat will be in conformity with state regulations.

- C. When subdividing tracts into large lots, the planning commission shall require that the lots be of such size and shape as to facilitate future re-division in accordance with the requirements of the zoning district and this title.

COMMENT:

Lots created through this subdivision will represent complete parcelization of the site and no additional development is proposed.

- D. Where landfill and/or development is allowed within and adjacent to the one hundred-year floodplain, the city may require the dedication of sufficient open land area for a

greenway adjoining and within the floodplain. This area shall include portions at a suitable elevation for the construction of a pedestrian/bicycle pathway within the floodplain.

COMMENT:

Tract "E" includes the South Fork Scappoose Creek floodplain which will be retained as open space for use by residents. Pathways onto and through the site will be provided (See Exhibit 12).

- E. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located to minimize flood damage and constructed according to public works design standards and specifications.

COMMENT:

Utilities will be designed in accordance with this section (See Exhibit 6).

- F. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

COMMENT:

The subdivision is designed with adequate drainage (See Exhibits 6 & 25).

- G. Where base flood elevation has not been provided or is not available from another authoritative source, it shall be generated by the developer.

COMMENT:

The South Fork Scappoose Creek floodplain elevation has been established (See Exhibits 19 & 20).

- H. All subdivision proposals shall include neighborhood circulation plans that conceptualize future street plans and lot patterns to parcels within five hundred feet of the subject site. Circulation plans address future vehicular/bicycle/pedestrian transportation systems including bike lanes, sidewalks, bicycle/pedestrian paths, and destination points. A circulation plan is conceptual in that its adoption does not establish a precise alignment. An applicant for a subdivision is required to submit a circulation plan unless the applicant demonstrates to the planner one of the following:
 - 1. An existing street or proposed new street need not continue beyond the land to be divided in order to complete or extend an appropriate street system or to provide access to adjacent parcels within five hundred feet of the proposed development; or
 - 2. The proposed street layout is consistent with a street pattern adopted as part of the city's transportation system plan, or a previously adopted circulation plan. (Ord. 828, 2013; Ord. 711 §1 Exh. A (part), 2001; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The development circulation plan connects the existing Fifth Street stub and extends it through the site to the south property line. Havlik Drive extends east-west through the site in a logical manner stubbing to the proposed Sixth Street at the southwest portion of the property.

17.150.030 Administration and approval process.

- A. Subdivision proposals shall be processed according to the procedures in Chapter 17.164.
- B. Final action, including the resolution of all appeals and review on the land division application, shall be taken within one hundred twenty days after the application is deemed complete.
- C. The planner shall:
 - 1. Schedule a limited land use decision pursuant to Chapter 17.164 to be held by the planning commission within sixty days from the time the complete application is filed and shall provide a notice of the hearing;
 - 2. Furnish copies of the proposed tentative plan to affected city staff;
 - 3. Furnish copies of the tentative plan and supplemental material to affected government agencies or utilities in accordance with Chapter 17.164; and
 - 4. Incorporate staff recommendations into a report to the planning commission.
- D. The planner shall mail notice of the tentative plan proposal to persons who are entitled to notice.
- E. The planning commission shall approve, approve with conditions, or deny any application for tentative plan. The planning commission shall apply the standards set forth in Section 17.150.060 when reviewing an application for a subdivision.

COMMENT:

This subdivision is being processed through the planned development procedure based on findings in Section 17.81 as discussed previously.

- F. An applicant may request approval of a modification to an approved tentative plan prior to final plat approval by:
 - 1. Submitting an application for modification of approval and providing the planner with a reproducible copy of a revised tentative plan or illustration of the proposed modification accompanied by a written narrative detailing the rationale for the proposed modification;
 - 2. The planner shall determine whether the proposed change is a major or minor modification. Generally, any modification that alters the tentative plan by more than ten percent in regard to the proposed number of lots, or makes significant language

changes within conditions of approval, shall be considered a major modification, and is subject to the administration and approval process detailed within this section; the approval authority shall be the planning commission. A minor modification shall be approved, approved with conditions or denied following the planner's review based on findings that: a. No title provisions will be violated; and b. The modification is not a major modification. (Ord. 828, 2013; Ord. 828, 2013; Ord. 727 §1, 2002; Ord. 711 §1 Ext. A (part), 2001; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

No modification of the tentative plan is anticipated.

17.150.040 Expiration of approval—Standards for extension of time.

- A. The tentative plan approval by the planning commission shall lapse if:
 - 1. A final plat has not been submitted within a one-year period; or
 - 2. The final plat does not conform to the tentative plan as approved or approved with conditions.

COMMENT:

The final plat will be submitted within 1-year from the date of approval and it will conform to the tentative plat.

- B. The planner may, upon written request by the applicant, grant one extension of the approval period not to exceed one year, provided that:
 - 1. No changes are made on the original tentative plan as approved by the planning commission;
 - 2. The applicant has expressed written intent of submitting a final plat within the one-year extension period;
 - 3. There have been no changes to the applicable comprehensive plan policies and ordinance provisions on which the approval was based; and
 - 4. An extension of time will not preclude the development of abutting properties.
- C. Notice of the decision regarding the extension shall be provided to the applicant. The planner's decision may be appealed by the applicant. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The applicant intends to proceed with the final plat during the next year but will file an extension if necessary.

17.150.050 Phased development.

- A. The planning commission may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without submitting a final plat for each completed phase. In no case shall the total time for construction of the development exceed five years. The planning commission may require a new application for a tentative plan for subsequent phases following the final plat approval.
- B. The following criteria shall be satisfied in order to approve a phased subdivision proposal:
 - 1. All underground utilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;
 - 2. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities. A temporary public facility is an interim facility not constructed to the applicable city or district standard; and
 - 3. The phased development shall not result in requiring the city or other property owners to construct public facilities that were required as a part of the approval of the tentative plan.
- C. The application for phased development approval shall be heard concurrently with the tentative plan application and the decision may be appealed in the same manner as the tentative plan. (Ord. 828, 2013; Ord. 727 §1, 2002; Ord. 634 §1 Ex. A (part), 1995)

COMMENT:

The applicant intends to develop the site in a single phase.

17.150.060 Approval standards–Tentative plan.

- A. The planning commission may approve, approve with conditions or deny a tentative plan based on the following approval criteria:
 - 1. The proposed tentative plan shall comply with the city's comprehensive plan, the applicable chapters of this title, the public works design standards, and other applicable ordinances and regulations;
 - 2. The proposed plat name is not duplicative and otherwise satisfies the provisions of ORS Chapter 92.090(1);
 - 3. The streets and roads are laid out so as to conform to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects, including conformance with neighborhood circulation plans, unless the city determines it is in the public interest to modify the street or road pattern; and
 - 4. An explanation has been provided for all public improvements.

- B. The planning commission may attach such conditions as are necessary to carry out the comprehensive plan and other applicable ordinances and regulations and may require reserve strips be granted to the city for the purpose of controlling access to adjoining undeveloped properties. (Ord. 727 §1, 2002; Ord. 711 §1 Exh. A (part), 2001; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The applicable findings and approval criteria are provided in the planned unit development section of this written statement, Section 17.81.

17.150.070 Application submission requirements– Tentative plan.

- A. All applications shall be made on forms provided by the planner and shall be accompanied by:
1. Seven copies of the tentative plan map and required data or narrative. A reproducible copy of the tentative plan and required data or narrative may be substituted for the seven required copies; and
 2. The required fee.
- B. The tentative plan map and data or narrative shall include the following:
1. Sheet size for the tentative plan shall preferably not exceed eighteen inches by twenty-four inches;
 2. The scale shall be an engineering scale, and limited to one phase per sheet;
 3. Vicinity map showing the general location of the subject property in relationship to arterial and collector streets;
 4. Names, addresses and telephone numbers of the owner, developer, engineer, surveyor and designer, as applicable;
 5. The date of application;
 6. The assessor's map and tax lot number and a legal description sufficient to define the location and boundaries of the proposed subdivision;
 7. The boundary lines of the tract to be subdivided;
 8. The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land;
 9. Contour lines related to a city established benchmark at two-foot intervals for grades zero to ten percent and five-foot intervals for grades over ten percent;
 10. The purpose, location, type and size of all the following (within and adjacent to the proposed subdivision) existing and proposed:
 - a. Public and private rights-of-way and easements,

- b. Public and private sanitary and storm sewer lines, domestic water mains including fire hydrants, gas mains, major power (fifty thousand volts or better), telephone transmission lines, and watercourses, and
 - c. Deed reservations for parks, open spaces, path ways and any other land encumbrances;
11. Approximate plan and profiles of proposed sanitary and storm sewers with grades and pipe sizes indicated and plans of the proposed water distribution system, showing pipe sizes and the location of valves and fire hydrants;
 12. Approximate centerline profiles showing the finished grade of all streets including street extensions for a reasonable distance beyond the limits of the proposed subdivision;
 13. Scaled cross-sections of proposed street rights-of-way;
 14. The location of all areas subject to inundation or stormwater overflow, and the location, width and direction of flow of all watercourses and drainageways;
 15. The proposed lot configurations, approximate lot dimensions and lot numbers. Where lots are to be used for purposes other than residential, it shall be indicated upon such lots. Each lot shall abut upon a public street;
 16. The location of all trees with a diameter six inches or greater measured at four feet above ground level (if any), and the location of proposed tree plantings, and a designation of trees to be removed and those that will remain;
 17. The existing use of the property, including location of all structures and present use of the structures, and a statement of which structures are to remain after platting;
 18. Supplemental information including proposed deed restrictions, if any, proof of property ownership, and a proposed plan for provision of subdivision improvements;
 19. Existing natural features including rock outcroppings, wetlands and marsh areas;
 20. Unless specifically exempted by the planner, a neighborhood circulation plan that conceptualizes future street plans and lot patterns to parcels within five hundred feet of the subject site. Circulation plans address future vehicular/bicycle/pedestrian transportation systems including bike lanes, sidewalks, bicycle/pedestrian paths, and destination points.
- C. If any of the foregoing information cannot practicably be shown on the tentative plan, it shall be incorporated into a narrative and submitted with the application. (Ord. 828, 2013; Ord. 711 §1 Ex. A (part), 2001; Ord. 635 §1 (part), 1996; Ord. 634 §1 Ex. A (part), 1995)

COMMENT:

All of the above criteria have been provided on the preliminary plan set, Exhibits/Sheets 1-12.

17.150.140 Application submission requirements–Final plat. Unless otherwise provided in Section 17.150.020, the applicant shall submit final plat and two copies to the planner within one year which complies with the approved tentative plan. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The proposal is for a tentative plat, planned development. The final plat will be reviewed after preliminary approval and conditions of approval have been addressed.

Chapter 17.154 STREET AND UTILITY IMPROVEMENT STANDARDS

Sections:

- 17.154.010 Purpose.
- 17.154.020 General provisions.
- 17.154.030 Streets.
- 17.154.040 Blocks.
- 17.154.050 Easements.
- 17.154.070 Sidewalks.
- 17.154.080 Public use areas.
- 17.154.090 Sanitary sewers.
- 17.154.100 Storm drainage.
- 17.154.105 Water system.
- 17.154.107 Erosion controls.
- 17.154.110 Bikeways.
- 17.154.120 Utilities.
- 17.154.130 Cash or bond required.
- 17.154.140 Monuments.
- 17.154.150 Installation/permit fee.
- 17.154.160 Installation–Conformation required.
- 17.154.170 Plan checking required.

17.154.180 Notice to city required.

17.154.190 City inspection required.

17.154.200 Engineer's certification required.

17.154.010 Purpose. The purpose of this chapter is to inform applicants of general design standards for street and utility improvements and maintain consistency between this title and the Scappoose public works design standards and standard specifications. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The proposal is for a planned development subdivision with full street and utility improvements, therefore this section is applicable.

17.154.020 General provisions.

- A. The standard specifications for construction, reconstruction or repair of streets, sidewalks, curbs and other public improvements within the city shall occur in accordance with the standards of this title, the public works design standards, and in accordance with county or state standards where appropriate.
- B. The public works director may require changes or supplements to the standard specifications consistent with the application of engineering principles.
- C. Subject to approval of the planner and the public works director, street sections may be modified administratively based on geographical constraints of steep slopes, wetlands, floodplains, and constraints imposed by existing structures. Modifications may include, but are not limited to, reduced paving widths, elimination of on-street parking and eliminating sidewalks on one side of the street. (Ord. 658 §3(part), 1997; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Public improvements will be designed in accordance with the Scappoose Public Works design standards.

17.154.030 Streets.

- A. No development shall occur unless the development has frontage or approved access to a public street:
 - 1. Streets within a development and streets adjacent to a development shall be improved in accordance with this title and the public works design standards and specifications.

2. Any new street or additional street width planned as a portion of an approved street plan shall be dedicated and improved in accordance with this title and the public works design standards and specifications.

COMMENT:

All new public streets within the development – Havlik Drive, South Fork Loop, Fifth Street and Sixth Street, will be dedicated and designed in accordance with this section.

3. Subject to approval of the public works director and the planner, the planner may accept and record a non-remonstrance agreement in lieu of street improvements if one or more of the following conditions exist:
 - a. A partial improvement is not feasible due to the inability to achieve a cohesive design for the overall street;
 - b. A partial improvement may create a potential safety hazard to motorists or pedestrians;
 - c. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;
 - d. The improvement would be in conflict with an adopted capital improvement plan;
 - e. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets; or
 - f. Additional planning work is required to define the appropriate design standards for the street and the application is for a project which would contribute only a minor portion of the anticipated future traffic on the street.

COMMENT:

Full street improvements are proposed within the development with the exception of a 500-ft. section of Havlik Drive, where a 28-ft. paved section is proposed, and the north side of South Fork Loop w. These street sections can be completed at such time as the adjacent properties develop.

- B. Rights-of-way shall be created through the approval of a final subdivision plat or major partition; however, the council may approve the creation of a street by acceptance of a deed, provided that such street is deemed essential by the council for the purpose of general traffic circulation:
 1. The council may approve the creation of a street by deed of dedication without full compliance with the regulations applicable to subdivisions or major partitions if any one or more of the following conditions are found by the council to be present:

- a. Establishment of a street is initiated by the council and is found to be essential for the purpose of general traffic circulation, and partitioning of subdivision of land has an incidental effect rather than being the primary objective in establishing the road or street for public use; and
 - b. The tract in which the road or street is to be dedicated is an isolated ownership of one acre or less and such dedication is recommended by the commission to the council based on a finding that the proposal is not an attempt to evade the provisions of this title governing the control of subdivisions or major partitions.
2. With each application for approval of a road or street right-of-way not in full compliance with the regulations applicable to the standards, the proposed dedication shall be made a condition of subdivision and major partition approval:
 - a. The applicant shall submit such additional information and justification as may be necessary to enable the commission in its review to determine whether or not a recommendation for approval by the council shall be made;
 - b. The recommendation, if any, shall be based upon a finding that the proposal is not in conflict with the purpose of this title or the city's public works design standards relating to street standards and street acceptance policies;
 - c. The commission, in submitting the proposal with a recommendation to the council, may attach conditions which are necessary to preserve the standards of this title;
 - d. All deeds of dedication shall be in a form prescribed by the city and shall name "the city of Scappoose, Oregon" or "the public," whichever the city may require, as grantee;
 - e. All instruments dedicating land to public use shall bear the approval by the city manager accepting the dedication prior to recording.
3. No person shall create a street or road for the purpose of partitioning an area or tract of land without the approval of the city.

COMMENT:

All new public rights-of-way within the development will be created by recordation of the final plat, unless otherwise required by the city.

- C. The planning commission may approve an access easement established by deed without full compliance with this title provided such an easement is the only reasonable method by which a lot large enough to develop can develop:
 1. Access easements which exceed one hundred fifty feet shall be improved in accordance with the Uniform Fire Code.
 2. Access shall be in accordance with the public works design standards.

3. All access ways shall be improved in accordance with the public works design standards, and shall be a minimum of twenty feet in width with a paved width of eighteen feet.

COMMENT:

No access easements to serve the site are necessary. The site will take access directly from Old Portland Road and from Fifth Street.

- D. The location, width and grade of all streets shall conform to an approved street plan and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets:
 1. Street grades shall be approved by the public works director in accordance with the city's public works design standards; and
 2. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either:
 - a. Provide for the continuation or appropriate projection of existing streets in the surrounding areas, or
 - b. Conform to a plan adopted by the council, if it is impractical to conform to existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.
 3. New streets shall be laid out to provide reasonably direct and convenient routes for walking and cycling within neighborhoods and accessing adjacent development.

COMMENT:

The applicant requests the City's approval of the proposed street plan. New streets will be constructed at grades in compliance with the design standards as shown on the preliminary street plan and profiles (Exhibits 7-9). Streets are laid out to provide direct access from the site to adjacent residential areas and to Old Portland Road and commercial areas in Scappoose. Future development of the properties to the south will provide direct north-south connections between the developments.

- E. The street right-of-way and roadway widths shall not be less than the minimum widths described in the city's public works design standards.

COMMENT:

Havlik Drive, Fifth Street and Sixth Street are proposed as 32-ft. paved width within 50-ft. right-of-way, in accordance with design standards. South Fork Loop is proposed as a 28-ft. street within 40-ft. right-of-way and the applicant seeks approval for this street plan and design under the flexibility allowed for a planned development under section 17.81.010 Purpose where it states the purpose is to provide more flexibility in the development of land, encourage variety and creativity in the

development pattern of the community, encourage the application of new techniques and technology to community development which contribute to superior development patterns, and to use land efficiently in order to reduce the costs of housing, maintenance, and street systems. The street dimension and pattern for the proposed South Fork Loop were designed to meet this purpose.

Havlik was placed on the south of the site in the area of South Fork Loop to serve future commercial development on the lot on the south side of the site, and because it logically aligned with the existing terminus of Havlik Drive, leaving a large blockish portion of the site on the north side of Havlik on-site with no potential for a standard through street connection to the north that could serve that portion of the site due to existing development patterns on Meadowbrook Drive. The applicant came up with the concept for a "staple" shaped street represented by South Fork Loop as an alternative to dead end private street tracts because it provides a public street connection to the property to the north yet is not unnecessarily wide for the low volume of traffic it will handle. It is also wide enough to handle service, delivery and emergency vehicles. Its narrow section will result in less maintenance costs in the future for the City.

- F. Where necessary to give access or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary lines of the tract to be developed. A reserve strip across the end of a dedicated street shall be deeded to the city; and a barricade shall be constructed at the end of the street by the property owners which shall not be removed until authorized by the public works director, the cost of which shall be included in the street construction cost.**

COMMENT:

Havlik Drive, Sixth Street Fifth Street and South Fork Loop are either adjacent to or stub to the property line providing access to adjacent properties upon redevelopment.

- G. No street name shall be used which will duplicate or be confused with the names of existing streets within the city's urban growth boundary, except for extensions of existing streets. Street names and numbers are subject to review and approval the Scappoose rural fire district.**

COMMENT:

The proposed street names are extensions of existing streets or, as in the case of South Fork Loop, do not exist elsewhere in the city or outside the UGB.

- H. Concrete vertical curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in this chapter and the city's public works design standards. Concrete curbs and driveway approaches are required and shall be built to the city's configuration standards.**

COMMENT:

Curbs, driveways and wheelchair ramps will be designed to city standards.

- I. Wherever the proposed development contains or is adjacent to a railroad right-of-way, provision shall be made for a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land, and the distance shall be determined with due consideration at cross streets or the minimum distance**

required for approach grades and to provide sufficient depth to allow screen planting along the railroad right-of-way in nonindustrial areas.

COMMENT:

This section is not applicable, no railroad is adjacent to the site.

- J. Where a development abuts or is traversed by an existing or proposed arterial street, the development design shall provide adequate protection for residential properties and shall separate residential access and through traffic, or if separation is not feasible, the design shall minimize the traffic conflicts. The design requirements shall include any of the following:
1. A parallel access street along the arterial;
 2. Lots of suitable depth abutting the arterial to provide adequate buffering with frontage along another street;
 3. Screen planting at the rear or side property line to be contained in a nonaccess reservation along the arterial; or
 4. Other treatment suitable to meet the objectives of this subsection.

COMMENT:

The site is adjacent to Old Portland Road (aka: Old Columbia River Highway), an existing arterial street. Access is proposed at the intersection with Havlik Drive meeting spacing and safety standards as shown in the Traffic Analysis Report (Exhibit 26).

- K. Upon completion of a street improvement and prior to acceptance by the city, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the city that all boundary and interior monuments shall be established or re-established, protected and recorded.

COMMENT:

The applicant's surveyor will properly monument all lots and streets as required.

- L. Private streets are permitted within manufactured home parks, and the city shall require legal assurances for the continued maintenance of private streets, such as:
1. A bonded maintenance agreement; and
 2. The creation of a homeowners association;

COMMENT:

The applicant seeks approval of the proposed street plan including Tract "D" which is proposed as a private street providing access to four lots. It will be owned and maintained by the homeowners association.

- M. Where an adjacent development results in a need to install or improve a railroad crossing, the cost for such improvements may be a condition of development approval, or another equitable means of cost distribution shall be determined by the public works director and approved by the commission.

COMMENT:

This section is not applicable.

- O. The developer shall install all street signs, relative to traffic control and street names, as specified by the public works director for any development. The cost of signs shall be the responsibility of the developer.
- P. Joint mailbox facilities shall be provided in all residential developments, with each joint mailbox serving at least two dwelling units.
1. Joint mailbox structures shall be placed adjacent to roadway curbs and shall comply with provisions of the Americans with Disabilities Act and implementing federal and state regulations;
 2. Proposed locations of joint mailboxes shall be designated on a copy of the tentative plan, and shall be approved by the U.S. Post Office prior to plan approval; and
 3. Plans for the joint mailbox structures to be used shall be submitted for approval by the planner prior to final approval.

COMMENT:

The developer proposed mailbox location and shall install street signs and joint mail boxes at approved locations prior to issuance of occupancy permits for new dwellings on the lots served by the boxes.

- Q. The location of traffic signals shall be noted on approved street plans, and where a proposed street intersection will result in an immediate need for a traffic signal, a city-approved signal shall be installed. The cost shall be included as a condition of development.

COMMENT:

No traffic signals are proposed adjacent to or within the development.

- R. Street lights shall be installed in accordance with the city's public works design standards. (Ord. 828, 2013; Ord. 658 §3 (part), 1997; Ord. 634 §1 Ex. A (part), 1995)

COMMENT:

All proposed street lights will be installed in accordance with city design standards.

17.154.040 Blocks.

- A. The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated, consideration of needs for safe and convenient pedestrian and vehicular access and circulation and recognition of limitations and opportunities of topography.
- B. Except for arterial streets, no block face shall be more than six hundred feet in length between street corner lines and no block perimeter formed by the intersection of pedestrian accessways and local, collector and arterial streets shall be more than one thousand six hundred feet in length. The recommended minimum length of blocks along an arterial street is one thousand eight hundred feet. A block shall have sufficient width to provide for two tiers of building sites. Reverse frontage on arterial streets may be required by the planning commission.
- C. Exemptions from requirement of subsection B of this section may be allowed, upon approval by the planner and the public works director, for the following two conditions:
 - 1. Where topography and/or other natural conditions, such as wetlands or stream corridors, preclude a local street connection consistent with the stated block length standards. When such conditions exist, a pedestrian accessway shall be required in lieu of a public street connection if the accessway is necessary to provide safe, direct and convenient circulation and access to nearby destinations such as schools, parks, stores, etc.
 - 2. Where access management standards along an arterial street preclude a full local street connection. The recommended minimum block along an arterial is one thousand eight hundred feet which conflicts with the street connectivity requirements. Where such conditions exist, and in order to provide for adequate connectivity and respect the needs for access management, the approval authority shall require either a right-in/right-out public street connection or public accessway connection to the arterial in lieu of a full public street connection. Where a right-in/right-out street connection is provided, turning movements shall be defined and limited by raised medians to preclude inappropriate turning movements. (Ord. 658 §3(part), 1997; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The circulation plan has been designed in accordance with this section. Havlik Drive provides direct vehicular and pedestrian east-west access from Old Portland Road to the west side of the development. Fifth Street provides direct north-south access through the site. Both Havlik Drive and South Fork Loop also provide access through the site and to adjacent properties upon development of those properties. Sixth Street stubs to the south for a future north-south connection.

17.154.050 Easements.

- A. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be either dedicated or provided for in the deed restrictions, and where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of

such watercourse and such further width as will be adequate for conveyance and maintenance.

- B. A property owner proposing a development shall make arrangements with the city, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Easements are shown on the preliminary plat (Exhibit 4). A drainage easement will be provided on Tract "E" and over Tracts "A" & "B".

17.154.070 Sidewalks.

- A. Sidewalks are required and shall be constructed, replaced or repaired in accordance with the city's public works design standards.
- B. Maintenance of sidewalks and curbs is the continuing obligation of the adjacent property owner.
- C. Subject to approval by the public works director and planner, planner may accept and record a nonremonstrance agreement for the required sidewalks from the applicant for a building permit for a single-family residence when the public works director determines the construction of the sidewalk is impractical for one or more of the following reasons:
1. The residence is an in-fill property in an existing neighborhood and adjacent residences do not have sidewalks;
 2. Sidewalk grades have not and will not be established for the property in question within a one-year period;
 3. Topography or elevation of the sidewalk base area makes construction of a sidewalk impractical.

COMMENT:

Curb-tight sidewalks are proposed on both sides of Havlik Drive (except on the south side of a 500-ft. section), Fifth Street and Sixth Street, and on one side of South Fork Loop and private street Tract "D." Long term maintenance of the sidewalks will be the responsibility of the property owners.

- D. In the event one or more of the following situations are found by the council to exist, the council may adopt a resolution to initiate construction of a sidewalk in accordance with city ordinances:
1. A safety hazard exists for children walking to or from school and sidewalks are necessary to eliminate the hazard;

2. A safety hazard exists for pedestrians walking to or from a public building, commercial area, place of assembly or other general pedestrian traffic, and sidewalks are necessary to eliminate the hazard;
3. Fifty percent or more of the area in a given block has been improved by the construction of dwellings, multiple dwellings, commercial buildings or public buildings and/or parks. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

This section is not applicable since the development will construct the sidewalks following home construction.

17.154.080 Public use areas.

- A. Where a proposed park, playground or other public use shown in a development plan adopted by the city is located in whole or in part in a subdivision, the commission may require the dedication or reservation of such area within the subdivision.
- B. Where considered desirable by the commission in accordance with adopted comprehensive plan policies, and where a development plan of the city does not indicate proposed public use areas, the commission may require the dedication or reservation of areas within the subdivision or sites of a character, extent and location suitable for the development of parks and other public use.
- C. If the declarant is required to reserve land area for a park, playground or other public use, such land shall be acquired by the appropriate public agency within eighteen months following plat approval, at a price agreed upon prior to approval of the plat, or such reservation shall be released to the declarant. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Although two parks are proposed within the development in Tracts "C" and "E", they are private parks for use by residents, not publicly-owned parks dedicated to the city. An easement along the creek through Tract E will be granted to the City on the plat for future trail construction.

17.154.090 Sanitary sewers.

- A. Sanitary sewers shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth by the city's public works design standards and the adopted policies of the comprehensive plan.
- B. The public works director shall approve all sanitary sewer plans and proposed systems prior to issuance of development permits involving sewer service.
- C. Proposed sewer systems shall include consideration of additional development within the area as projected by the comprehensive plan and the wastewater treatment facility plan and potential flow upstream in the sewer sub-basin.
- D. Applications shall be denied by the approval authority where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the

development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Public sanitary sewer lines are proposed within the development connecting with existing lines in both Old Portland Road (10-inch line), and Fifth Street (8-inch line). The sanitary lines will be designed and constructed to city standards. Adequate capacity exists to serve the development (See Exhibits 6 & 21).

17.154.100 Storm drainage.

- A. The planner and public works director shall issue permits only where adequate provisions for stormwater and floodwater runoff have been made, and:
 - 1. The stormwater drainage system shall be separate and independent of any sanitary sewerage system.
 - 2. Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street.
 - 3. Surface water drainage patterns shall be shown on every development proposal plan.
 - 4. All stormwater analysis and calculations shall be submitted with proposed plans for public works directors review and approval.
 - 5. All stormwater construction materials shall be subject to approval of the public works director.

COMMENT:

This storm system is designed in accordance with city standards. Storm water is conveyed from the east portion of the site, into water quality facilities in Tracts "A" and "B," then overflow, if necessary, into the existing system in Old Portland Road. Storm drainage from the west portion of the site is conveyed to a water quality facility in the upland portion of Tract "E" then outfall and flow into the South Fork Scappoose Creek floodplain. The storm plan is attached as Exhibit 6. The preliminary Storm Drainage Report is attached as Exhibit 25.

- B. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance.

COMMENT:

A stormwater easement will be provided in Tract "E" as required as well as over certain portions of Lots 83-85.

- C. A culvert or other drainage facility shall, and in each case be, large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development. The public works director shall determine the necessary size of the facility.

COMMENT:

No culvert or stream crossing is proposed within the development. However, storm drainage impacting the site will be conveyed to the proposed drainage system.

- D. Where it is anticipated by the public works director that the additional runoff resulting from the development will overload an existing drainage facility, the planner and engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The applicant's Storm Drainage Report states that there is adequate capacity in the system to handle the site's drainage.

17.154.105 Water system. The planner and public works director shall issue permits only where provisions for municipal water system extensions have been made, and:

- A. Any water system extension shall be designed in compliance with the comprehensive plan existing water system plans.
- B. Extensions shall be made in such a manner as to provide for adequate flow and gridding of the system. C. The public works director shall approve all water system construction materials. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The proposed water system will be looped through the site as required in accordance with design standards. Fire hydrants will be installed as required (See Exhibit 6).

17.154.107 Erosion controls.

- A. Any time the natural soils are disturbed and the potential for erosion exists, measures shall be taken to prevent the movement of any soils off site. The public works director shall determine if the potential for erosion exists and appropriate control measures.
- B. The city shall use the city's public works design standards as the guidelines for erosion control. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

A preliminary grading and erosion control plan is provided as Exhibits 10 & 11. A soils map is provided as Exhibit 23. A Geotechnical Report is provided as Exhibit 24. A 1200c Erosion Control Permit will be required prior to commencement of development.

17.154.110 Bikeways.

- A. Developments adjoining proposed bikeways shall include provisions for the future extension of such bikeways through the dedication of easements or rights-of-way.
- B. Where possible, bikeways should be separated from other modes of travel including pedestrians.
- C. Minimum width for bikeways is four paved feet per travel lane. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

No separated bikeways are required within the subdivision.

17.154.120 Utilities.

- A. All utility lines including, but not limited to those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at fifty thousand volts or above, and:
 - 1. The applicant shall make all necessary arrangements with the serving utility to provide the underground services;
 - 2. The city reserves the right to approve location of all surface mounted facilities;
 - 3. All underground utilities, including sanitary sewers, water lines, and storm drains installed in streets by the applicant, shall be constructed prior to the surfacing of the streets; and
 - 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

COMMENT:

All utilities will be placed underground in the appropriate location per the design standards. Utilities will be stubbed to adjacent properties where possible and when required. Utilities will be installed prior to surfacing of the streets. Service connections will be stubbed to each lot as required. The applicant will coordinate with utilities for construction of the "dry" utilities.

- B. The applicant for a subdivision shall show on the development plan or in the explanatory information, easements for all underground utility facilities, and:
 - 1. Plans showing the location of all underground facilities as described herein shall be submitted to the public works director for review and approval; and
 - 2. Above ground equipment shall not obstruct visual clearance areas for vehicular traffic. (Ord. 820 §11, 2012; Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

All utilities will be designed to city and service provider standards. Special attention will be made to ensure sight distance is not impacted by above-ground equipment.

17.154.130 Cash or bond required.

- A. All improvements installed by the applicant shall be guaranteed as to workmanship and material for a period of one year following acceptance by the city council.
- B. Such guarantee shall be secured by cash deposit or bond for one hundred ten percent of the actual cost of the value of the improvements as set by the public works director.
- C. The cash or bond shall comply with the terms and conditions of Section 17.150.180. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

The developer shall provide financial guarantees as required.

17.154.140 Monuments. Any monuments that are disturbed before all improvements are completed by the applicant shall be replaced and recorded prior to final acceptance of the improvements. (Ord. 634 §1 Exh. A (part), 1995)

17.154.150 Installation/permit fee.

No land division improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting or other requirements shall be undertaken except after the plans have been approved by the city, and all applicable fees paid. (Ord. 828, 2013; Ord. 634 §1 Exh. A (part), 1995)

17.154.160 Installation-Conformation required. In addition to other requirements, improvements installed by the land divider either as a requirement of these regulations or at the developers own option, shall conform to the requirements of this chapter and to improvement standards and specifications followed by the city. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Development will be in accordance with these standards.

17.154.170 Plan checking required.

- A. Work shall not begin until construction plans and a construction estimate have been submitted and checked for adequacy and approved by the city in writing. Three sets of plans shall be submitted for review.
- B. Three sets of revised plans (as approved) shall be provided.
- C. All such plans shall be prepared in accordance with requirements of the city's public works design standards. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Final civil plans will be prepared in accordance with design standards and submitted to the city for review and approval prior to commencement of development.

17.154.180 **Notice to city required.**

- A. Work shall not begin until the city has been notified in advance.
- B. If work is discontinued for any reason, it shall not be resumed until the city is notified. If work is discontinued, the site shall be protected from erosion. (Ord. 634 §1 Exh. A (part), 1995)

17.154.190 **City inspection required.** Improvements shall be constructed under the inspection and to the satisfaction of the city. The city may require changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. (Ord. 634 §1 Exh. A (part), 1995)

17.154.200 **Engineer's certification required.** The land divider's engineer shall provide written certification that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, and are of high grade and that improvements were built according to plans and specifications, prior to city acceptance of the subdivision's improvements or any portion thereof for operation and maintenance. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

Development, inspection and certification will be in accordance with these standards.

Chapter 17.162 **PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL**

Sections:

17.162.010 **Purpose.**

17.162.020 **Application process.**

17.162.021 **Consolidation of proceedings.**

17.162.025 **Noticing requirements.**

17.162.030 **Contents of notice for public hearings.**

17.162.040 **Failure to receive notice.**

17.162.050 **Time period for decision making.**

17.162.090 **Approval authority responsibilities.**

- 17.162.110 Decision by the planner–No hearing required.
- 17.162.120 Notice of decision by the planner.
- 17.162.130 Hearings procedure.
- 17.162.140 Decision process.
- 17.162.150 Denial of the application–Re-submittal.
- 17.162.160 Record may remain open–Admission of new evidence.
- 17.162.170 Ex parte communications with approval authority.
- 17.162.180 Continuation of the hearing.
- 17.162.200 Evidence.
- 17.162.210 Judicial notice.
- 17.162.220 Participation in the decision–Voting.
- 17.162.230 Record of proceeding for public hearings.
- 17.162.240 Form of the final decision.
- 17.162.250 Notice of final decision.
- 17.162.260 Amending a decision by the planner.
- 17.162.270 Standing to appeal.
- 17.162.280 Computation of appeal period.
- 17.162.290 Determination of appropriate appeal body.
- 17.162.300 Type of appeal hearing–Limitations of appeal.
- 17.162.310 Transcripts.
- 17.162.320 Notice of appeal.
- 17.162.330 Fee waivers.
- 17.162.340 Persons entitled to notice of appeal–Type of notice.
- 17.162.350 Contents of notice of appeal.
- 17.162.360 Action on appeal.
- 17.162.380 Effective date of final action.

17.162.390 Revocation of approvals.

17.162.010 Purpose. The purpose of this chapter is to establish procedures for the consideration of development applications, for the consideration of quasi-judicial comprehensive plan or zoning amendments and for appeal of quasi-judicial decisions. (Ord. 634 §1 Exh. A (part), 1995)

COMMENT:

This proposal is for an 88-lot planned unit development to be reviewed by the Planning Commission in accordance with the application procedure standards listed in this section.

17.162.020 Application process.

- A. The applicant shall be required to meet with the planner for a pre-application conference. Such a requirement may be waived in writing by the applicant.
- B. At such conference, the planner shall:
 - 1. Cite the applicable comprehensive plan policies and map designation;
 - 2. Cite the applicable substantive and procedural ordinance provisions;
 - 3. Provide available technical data and assistance which will aid the applicant as provided by the public works director;
 - 4. Identify other policies and regulations that relate to the application; and
 - 5. Identify other opportunities or constraints that relate to the application.
- C. Another pre-application conference is required if an application is submitted six months after the pre-application conference.
- D. Failure of the planner to provide any of the information required by this chapter shall not constitute a waiver of the standards, criteria or requirements of the applications. Neither the city nor the planner shall be liable for any incorrect information provided in the pre-application conferences.
- E. Applications for approval required under this title may be initiated by:
 - 1. Resolution of the city council;
 - 2. Resolution of the planning commission;
 - 3. The planner;
 - 4. A recognized neighborhood planning organization or city advisory board or commission; or
 - 5. Application of a record owner of property or contract purchaser.

- F. Any persons authorized by this title to submit an application for approval may be represented by an agent authorized in writing to make the application.
- G. The application shall be made on forms provided by the planner.
- H. The application shall:
 - 1. Include the information requested on the application form;
 - 2. Address appropriate criteria in sufficient detail for review and action; and
 - 3. Be accompanied by the required fee.
- I. The planner may require information in addition to that required by a specific provision of this title, provided the planner determines this information is needed to properly evaluate the proposed development proposal; and the need can be justified on the basis of a special or unforeseen circumstance.
- J. The planner may waive the submission of information for a specific requirement provided the planner finds that specific information is not necessary to properly evaluate the application; or the planner finds that a specific approval standard is not applicable to the application.
- K. Where a requirement is found by the planner to be inapplicable, the planner shall:
 - 1. Indicate for the record and to the applicant the specific requirements found inapplicable; and
 - 2. Advise the applicant in writing that the finding may be challenged on appeal or at the hearing or decision on the matter and may be denied by the approval authority; and
 - 3. Cite in the staff report on the application the specific requirements found inapplicable, the reasons therefor and the specific grant of authority.
- L. An application shall be deemed incomplete unless it addresses each element required to be considered under applicable provisions of this title and the application form, unless that requirement has been found inapplicable by the planner. The planner shall not accept an incomplete application.
- M. If an application is incomplete, the planner shall:
 - 1. Notify the applicant within thirty days of receipt of the application of exactly what information is missing; and
 - 2. Allow the applicant to submit the missing information.
- N. The application shall be deemed complete when the missing information is provided and at that time the one hundred twenty-day time period shall begin to run for the purposes of satisfying state law.

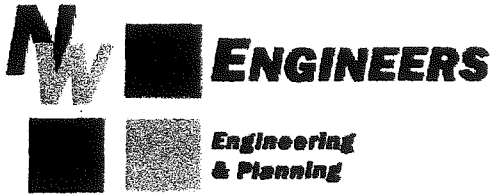
- O. If the applicant refuses to submit the missing information, the application shall be deemed incomplete on the thirty-first day after the planner first received the application and returned to the applicant. (Ord. 634 91 Exh. A (part), 1995)

COMMENT:

The applicant intends to follow the application procedure as set forth in this section.

SUMMARY AND CONCLUSION

Based on the above findings, the applicant has demonstrated compliance with the requirements of the relevant sections of the City of Scappoose Zoning Ordinance. Therefore, seeks approval of this request for preliminary plat approval of an 88-Lot single-family detached residential planned development, "South Fork" on a 14.94-acre site zoned R-4.



NW Engineers, LLC
3409 NW John Olsen Place
Hillsboro, OR 97124
Phone (503) 601-4401
Fax (503) 601-4402
Website www.nw-eng.com

May 1, 2015

City of Scappoose
Planning Department
Attn: Laurie A. Oliver, Associate City Planner
52610 NE 1st Street, suite 120
Scappoose, Oregon 97056

**RE: South Fork 88-Unit Planned Development
Additional findings for application completeness**

Dear Ms. Oliver:

NW Engineers is responding to your two emails asking us to respond to additional Code sections necessary for acceptance of South Fork PUD. The applicable Sections are addressed as follows:

TRANSPORTATION PLANNING RULE

OR 660 Division 12 - Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

COMMENT:

The applicant's Traffic Engineer, Charbonneau Engineering, LLC, has prepared a Traffic Analysis Report for the proposed 88-Unit Planned Development (Exhibit 26). The report finds that the studied intersections on Havlik Drive will continue to operate at LOS "C" and impacts to Old Portland Road and Columbia Highway will be minimal. Therefore, no change in functional classification will result as a condition of this development.

(b) Change standards implementing a functional classification system; or

COMMENT:

This development will not require any change in standards implementing a functional classification system.

Engineering • Planning
Director: Greg Thiel, PE
Planning Manager: Matt Newman

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

- (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
- (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
- (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

COMMENT:

As noted above, the Traffic Analysis Report states that the project will not negatively impact the adjacent collectors and arterials. Specifically, the report states that additional AM and PM peak hour trips are expected to represent an increase of 1% or less to the Highway 30 intersection. Performance will continue to operate at LOC "C" through the year 2018 and no intersection improvements are recommended.

GOAL FOR TRANSPORTATION

8) To assure that roads have the capacity for expansion and extension to meet future demands.

COMMENT:

As noted the surrounding roads – Havlik Drive, Old Portland Road, and Hwy 30 - currently have the capacity to accommodate this project.

POLICIES FOR TRANSPORTATION

1. Require all newly established streets and highways to be of proper width, alignment, design and construction, and to ensure that they are in conformance with the City's Subdivision Ordinance.

COMMENT:

As proposed, Havlik Drive, Fifth Street and Sixth Street are designed with a 32-ft. paved width within 50-ft. right-of-way, in accordance with the City's Subdivision Ordinance. The site's Havlik Drive entrance is proposed with a 54-ft. right-of-way with two exit lanes and a single entrance lane to ensure safe exiting onto Old Portland Road at the Havlik Drive intersection. South Fork Loop is proposed with a 28-ft. paved width within 40-ft. right-of-way (See Exhibits 4 & 5).

2. Review diligently all subdivision plats and road dedications to insure the establishment of a safe and efficient road system.

COMMENT:

The internal roads have been designed with a safe and efficient circulation system with north-south and east-west connections and on-street parking where appropriate and safe.

GOAL FOR PUBLIC FACILITIES AND SERVICES

1. Provide the public facilities and services which are necessary for the wellbeing of the community and which help guide development into conformance with the Comprehensive Plan.

COMMENT:

All public facilities and services are available to serve the development.

3. Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

COMMENT:

There is adequate capacity in the existing sanitary sewer system to serve the property. Storm drainage will primarily conveyed to South Fork Scappoose Creek. Drainage from the southeast portion of the site will be conveyed to infiltration basins then into the existing system in Old Portland Road. The water system has adequate capacity as well (See Exhibits 6, 21, 24, & 25).

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1. Design urban facilities and services, particularly water and sewer systems to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

COMMENT:

As noted, there is adequate capacity in the system to serve the development. The grading plan and storm water outfall will be designed to limit erosion impacts to South Fork Scappoose Creek.

4. Require in new residential developments that water, sewer, street and other improvements be installed as part of the initial construction.

COMMENT:

All public improvements will be installed prior to residential development, where required by the City Engineer.

5. Ensure that capacities and patterns of utilities and other facilities are adequate to support the residential densities and land use patterns of the Comprehensive Plan.

COMMENT:

All utilities have adequate capacity to support the proposed residential density.

GOAL FOR HOUSING

1. Increase the quality and quantity of housing for all citizens.

COMMENT:

The proposal includes 88 detached dwelling units with three housing plan sizes to maximize choice for homeowners. As shown on Exhibits 5 and 14, the three housing plans include a 22-ft. wide unit, a 26-ft. wide unit, and a 35-ft. wide unit.

2. Locate housing so that it is fully integrated with land use, transportation and public facilities.

COMMENT:

Housing within the development are fully integrated with land use, transportation and other public facilities. The development is easily accessible and within walking distance of Fred Meyer and other uses.

4. Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

COMMENT:

Havlik Drive is designed to allow vehicle trips through the site where necessary. However, it is unlikely that undesirable through traffic will occur even when surrounding properties are developed due to improvements recently made to Old Portland Road and Dutch Canyon Road.

POLICIES FOR HOUSING

1. Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

COMMENT:

City and State Codes are in place to ensure adequate housing development and goals and encouraged.

7. Ensure that subdivisions provide a full array of public services at the expense of the developer.

COMMENT:

The developer will construct all public and private improvements.

12. Encourage the concepts inherent in planned unit developments.

COMMENT:

Unique concepts included in this planned unit development include the mix of detached housing types, large open space area near South Fork Scappoose Creek along with the smaller private parks, and efficient vehicular and pedestrian circulation.

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS

17.22.010 Purpose.

The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi-judicial amendments.

Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:

1. The applicable comprehensive plan policies and map designation;

COMMENT:

The proposed 88-Unit Planned Development is designed in compliance with the applicable plan policies (noted above) and the R-4 Zone – moderate density residential map designation.

2. The change will not adversely affect the health, safety and welfare of the community;

COMMENT:

Evidence has been provided in the application narrative, reports and exhibits which demonstrate that the proposed 88-Unit Planned Development will not adversely affect the health, safety and welfare of the community. Specifically, the Traffic Analysis Report, Storm Drainage Report, and the road and utility design demonstrate that the proposal is both safe and compatible with surrounding development.

3. The applicable standards of this title or other applicable implementing ordinances; and

COMMENT:

All applicable standards of the Code are addressed in the application narrative, this addendum and the submitted plans.

4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.

COMMENT:

The proposal is consistent with the comprehensive plan and compatible with surrounding neighborhoods.

B. The council shall decide the applications on the record.

C. A quasi-judicial application may be approved, approved with conditions or denied.

COMMENT:

This application is being reviewed through a Type III Procedure. Conditions of Approval will be imposed on the project to ensure compliance with the comprehensive plan and development code.

Chapter 17.89 SENSITIVE LANDS–FISH AND RIPARIAN CORRIDOR OVERLAY

Sections:

- 17.89.010 Purpose.**
- 17.89.020 Definitions.**
- 17.89.030 Applicability of provisions.**
- 17.89.040 Activities allowed within the fish and riparian corridor.**
- 17.89.050 Fish and riparian corridor density adjustment.**
- 17.89.060 Variance provisions.**
- 17.89.070 Administration and approval.**
- 17.89.080 Expiration of approval–Standards for extension of time.**
- 17.89.090 Review standards.**
- 17.89.100 Application submission requirements.**

17.89.010 Purpose.

The purpose of this chapter is to protect and restore water bodies and their associated riparian areas, thereby protecting and restoring the hydrologic, ecological and land conservation functions these areas provide. Specifically, this chapter is intended to protect habitat for fish and other aquatic life, protect habitat for wildlife, protect water quality for human uses and for aquatic life, control erosion and limit sedimentation, and reduce the effects of flooding. This chapter attempts to meet these goals by excluding structures from areas adjacent to fish-bearing lakes and streams, and their associated wetlands, and by prohibiting vegetation removal or other alterations in those areas. (Ord. 736 §1, 2003)

COMMENT:

This proposal is for an 88-Unit Planned Development with open space Tract "E" adjacent to and within the South Fork Scappoose Creek flood plain and riparian area.

17.89.020 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

"Fish use" means inhabited at any time of the year by anadromous or game fish species or fish that are listed as threatened or endangered species under the federal or state

endangered species acts. Fish use is determined from Oregon Department of Forestry Stream Classification maps.

"Impervious surface" means any material that reduces and prevents absorption of storm water into previously undeveloped land.

"Lawn" is grass or similar materials maintained as a ground cover of less than six inches in height, and generally managed to restrict the growth of shrubs and trees that inhibit the growth of grasses and forbs. For purposes of this chapter, lawn is not considered native vegetation regardless of the species used.

"Mitigation" means restoration of riparian areas, enhanced buffer treatment or similar measures.

"Net loss" means a permanent loss of riparian functions provided by native riparian structure and vegetation that results from a development action despite mitigation measures having been taken.

"Off-site mitigation" means mitigation undertaken in areas distant from or coterminous with a development site.

"On-site mitigation" means mitigation undertaken within the lot or parcel affected by a development action.

"Riparian area" is the area adjacent to a river, lake, or stream, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem.

"Riparian corridor" is a Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian corridor boundary.

"Stream" is a channel such as a river or creek that carries flowing surface water, including perennial streams and intermittent streams with defined channels, and excluding man-made irrigation and drainage channels.

"Structure" is a building or other major improvement that is built, constructed or installed, not including minor improvements, such as fences, utility poles, flagpoles, or irrigation system components, that are not customarily regulated through zoning ordinances.

"Top of bank" means the stage or elevation at which water overflows the natural banks of streams or other waters of the state and begins to inundate upland areas. In the absence of physical evidence, the two-year recurrence interval flood elevation may be used to approximate the top of bank. (Ord. 736 §1, 2003)

17.89.030 Applicability of provisions.

The sensitive lands - fish and riparian corridor overlay shall apply to the following riparian corridors as shown on the Scappoose Riparian Inventory dated December 1998 and adopted within the city comprehensive plan. The riparian corridor boundary is fifty feet from the top of the bank except as follows:

- A. Where the riparian corridor includes all or portions of a significant wetland as identified in the Scappoose Riparian Inventory, the standard distance to the riparian corridor boundary shall be measured from, and include, the upland edge of the wetland; and

COMMENT:

As shown on Exhibit 5A, Preliminary Creek Buffer Exhibit, the riparian corridor for South Fork Scappoose Creek is measured from top of creek bank since this is a steep portion of the site and it is unlikely that wetlands extend upland.

- B. Except as provided for in subsection A of this section, the measurement of distance to the riparian corridor boundary shall be from the top of bank. The measurement shall be a slope distance. In areas where the top of each bank is not clearly defined, the riparian corridor boundary shall be measured from the ordinary high water level, or the line of nonaquatic vegetation, whichever is most landward. (Ord. 736 §1, 2003)**

COMMENT:

Again this is a well delineated area due to steep topography from the creek edge. A 50-ft. setback from the bank edge is shown on the submitted plans. A conservation easement is also proposed across Lots 83-85.

17.89.040 Activities allowed within the fish and riparian corridor.

- A. The permanent alteration of the riparian corridor by grading or by the placement of structures or impervious surfaces is prohibited. However, certain activities may be allowed within the fifty-foot fish and riparian corridor boundary, provided that any intrusion into the riparian corridor is minimized, and no other options or locations are feasible. A sensitive lands development permit - fish and riparian corridor overlay is necessary to approve the following activities:**
- 1. Streets, roads, and paths;**
 - 2. Drainage facilities, utilities, and irrigation pumps;**
 - 3. Water-related and water-dependent uses; and**
 - 4. The expansion of existing, or creation of new bank stabilization and flood control structures, shall be evaluated by the director and appropriate state natural resource agency staff. Such alteration of the riparian corridor shall be approved only if less-invasive or nonstructural methods will not adequately meet the stabilization or flood control needs.**

COMMENT:

As shown on the submitted plans, the only uses proposed within the 50-ft. fish and riparian corridor are a potential pedestrian pathway (1), and storm pipe and outfall (2). No structures are proposed within the corridor.

B. Removal of riparian vegetation is prohibited, except for:

- 1. Removal of non-native vegetation and replacement with native plant species. The replacement vegetation shall cover, at a minimum, the area from which vegetation was removed;**
- 2. Removal of vegetation necessary for the development of approved water-related or water-dependent uses. Vegetation removal shall be kept to the minimum necessary to allow the water-dependent or water-related use; and**

3. Trees in danger of falling and thereby posing a hazard to life or property may be felled, following consultation and approval from the community development director (director). The director may require these trees, once felled, to be left in place in the riparian corridor.

COMMENT:

Some limited temporary vegetation removal will be necessary for installation of the storm outfall and pipe. The property owners may choose to remove invasive vegetation within the corridor.

- C. Exceptions. The following activities are not required to meet the standards of this section, and do not require a sensitive lands development permit - fish and riparian corridor overlay:
 1. Commercial forest practices regulated by the Oregon Forest Practices Act;
 2. Normal and accepted farming practices other than buildings or structures, occurring on land used for farm use and existing in the riparian area since prior to the date of adoption of this chapter;
 3. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area;
 4. Maintenance, planting, and replanting of existing lawn and landscape areas containing non-native vegetation. However, such areas may not be expanded to further intrude into the riparian corridor;
 5. Maintenance of existing bank stabilization and flood control structures; and
 6. Maintenance or repair of existing structures or improvements (including asphalt or concrete drives) that do not involve a change in size, use or function. (Ord. 736 §1, 2003)

COMMENT:

The applicant and homeowners may choose to remove invasive vegetation within the corridor which is excepted from a sensitive lands permit.

17.89.050 Fish and riparian corridor density adjustment.

- A. In order to provide incentive for siting and re-siting residential dwelling units to avoid the fish and riparian corridor, any partition, subdivision, or site development review application involving land subject to the fish and riparian corridor overlay may be paired with a sensitive lands development permit - fish and riparian corridor overlay application in such a manner as to provide for the development of allowed housing types to the net density that would have existed for the base zone without the restrictions provided by the fifty-foot fish and riparian corridor boundary. However, said development shall only qualify for such a density bonus if any structures existing previous to the adoption of the fish and riparian corridor overlay are relocated outside of the fish and riparian corridor overlay area. (Ord. 736 §1, 2003)

COMMENT:

No adjustment to density of the development is requested.

17.89.060 Variance provisions.

When the riparian corridor prohibits the development of a lot or parcel legally created before the effective date of this chapter, a property owner may request a variance to the riparian setback, subject to the requirements of Chapter 17.134 of this title. In addition to the variance criteria listed in Section 17.134.030, granting of a variance to the fish and riparian corridor overlay requires further findings that strict adherence to the riparian setback and other applicable standards would effectively preclude a use of the parcel that could be reasonably expected to occur in similarly zoned parcels. (Ord. 736 §1, 2003)

COMMENT:

No variances are requested.

17.89.070 Administration and approval.

- A. The planner shall review all sensitive lands development permit - fish and riparian corridor overlay applications to determine that all necessary permits shall be obtained from those federal, state, or local governmental agencies from which prior approval is also required.
- B. The approval authority shall apply the standards set forth in Section 17.89.090 (Review standards) when reviewing an application for a sensitive lands development permit - fish and riparian corridor overlay.
- C. Applications for a sensitive lands development permit - fish and riparian corridor overlay shall be processed in accordance with Chapter 17.162, Procedures for Decision Making—Quasi-Judicial. (Ord. 736 §1, 2003)

COMMENT:

This application is being reviewed through a Type III Procedure. Conditions of approval will be imposed to ensure compliance with this section during site development.

17.89.080 Expiration of approval—Standards for extension of time.

- A. Approval of a sensitive lands development permit - fish and riparian corridor overlay shall be void if:
 - 1. Substantial construction of the approved development plan has not begun within a one-year period; or
 - 2. Construction on the subject site is a departure from the approved plan.

COMMENT:

The applicant intends to commence site development within one year of issuance of the Decision.

- B. The planner may, upon written request by the applicant, grant an extension of the approval period not to exceed one year, provided that:
 - 1. No changes are made on the original plan as approved by the approval authority;

2. The applicant can show intent of initiating construction of the site within the one-year extension period; and
3. There have been no changes to the applicable comprehensive plan policies and ordinance provisions on which the approval was based.

C. Notice of the extension shall be provided to the applicant. (Ord. 736 §1, 2003)

COMMENT:

Although unlikely to be necessary, the applicant reserves the right to file an extension for the development.

17.89.090 Review standards.

The following criteria shall be included in review of any application to which the fish and riparian corridor overlay is applicable:

- A. In consultation with a representative of the Oregon Department of Fish and Wildlife, the planner shall identify which areas of the site are the most sensitive and susceptible to destruction, and which are the most significant;

COMMENT:

Exhibit 5A has been prepared to identify the sensitive areas on the site adjacent to South Fork Scappoose Creek.

- B. After consultation with a representative of the Oregon Department of Fish and Wildlife, the planner shall analyze what the effect of proposed development will have on the fish and wildlife, hydrology, water quality, and riparian functions; determine if there will be a significantly adverse impact on the fish and wildlife resource; and, if the fish and wildlife habitat will be adversely impacted, the planner shall investigate if other development proposals could protect the fish and riparian corridor and still reasonably allow permitted activities;

COMMENT:

The proposed development has been designed to limit impacts to fish and wildlife by protecting much of the corridor in either an open space tract or easement, and designing

- C. The planner may condition the approval of an application to require protection of the habitat, or if the project is unable to mitigate habitat degradation, the planner may deny the application. (Ord. 736 §1, 2003)

COMMENT:

Conditions of approval may be imposed to ensure protection of the habitat.

17.89.100 Application submission requirements.

- A. All applications shall be made on forms provided by the City of Scappoose and shall be accompanied by:
 1. One reproducible copy of the development plan(s) and necessary data or narrative which explains how the development conforms to the standards. Sheet size for the

development plan(s) and required drawings shall not exceed eighteen inches by twenty-four inches and the scale for all development plans shall be to a standard engineering scale; and

2. A list of the names and addresses of all property owners of record within two hundred feet of the site.

COMMENT:

The attached submittal requirements have been included with the land use application.

- B. The development plan and narrative shall include the following information (items may be combined on one map):
 1. Existing site conditions including vicinity map showing the location of the property in relation to adjacent properties and including parcel boundaries, dimensions and gross area;
 2. As applicable, the location, dimensions and names of all existing and platted streets and other public ways, railroad tracks and crossings, and easements on adjacent property and on the site and proposed streets or other public ways, easements on the site;
 3. The location, dimensions and setback distances of all existing structures, improvements, utility and drainage facilities on adjoining properties and existing structures, water, sewer, improvements, utility and drainage facilities to remain on the site; and proposed structures, water, sewer, improvements, utility and drainage facilities on the site;
 4. Contour lines at two-foot intervals for slopes from zero to ten percent and five-foot intervals from slopes over ten percent;
 5. The drainage patterns and drainage courses on the site and on adjacent lands;

COMMENT:

The attached submittal requirements have been included with the land use application. The South Fork Scappoose Creek flood plain and drainage flood way is shown on the attached plans.

6. Potential natural hazard areas including:
 - a. Floodplain areas;
 - b. Areas having a high seasonal water table within zero to twenty-four inches of the surface for three or more weeks of the year;
 - c. Unstable ground (areas subject to slumping, earth slides or movement). Where the site is subject to landslides or other potential hazard, a soils and engineering geologic study based on the proposed project may be required which shows the area can be made suitable for the proposed development;
 - d. Areas having a severe soil erosion potential; and
 - e. Areas having severe weak foundation soils;

COMMENT:

The flood plain (FEMA maps), Geotechnical Report and soils map which address the above criterion have been included with the application materials (See Exhibits 19, 20, 23 & 24).

7. The location of trees having a six-inch caliper at four feet. Only those trees that will be affected by the proposed development need to be sited accurately. Where the site is heavily wooded, an aerial photograph at the same scale as the site analysis may be required;

COMMENT:

Existing trees on site in the area of development have been shown on the submitted plans. (See Exhibits 2 & 3). The very large on-site tree will be retained in Tract "C" (See Exhibit 5).

8. Identification information, including the name and address of the owner, developer, and project designer, and the scale and north arrow;

COMMENT:

This information is provided in the written statement and on Exhibit 1.

9. A grading and drainage plan at the same scale as the site conditions and including the following:
 - a. The location and extent to which grading will take place indicating general contour lines, slope ratios, and slope stabilization proposals;
 - b. A statement from a registered engineer supported by factual data that all drainage facilities are designed in conformance A.P.W.A. standards and as reviewed and approved by the public works director; and

COMMENT:

Preliminary Grading, Erosion Control, Drainage and the Preliminary Storm Drainage Report are included as Exhibits 10, 11 & 25.

10. The method for mitigating any adverse impacts upon wetland, riparian or wildlife habitat areas. (Ord. 736 §1, 2003)

COMMENT:

Although mitigation may be unnecessary, there is available land for mitigation in Tract "E."

If you have any questions, please call me at 503.601.4401.

Sincerely,



Matt Newman
Planning Manager



Columbia County Title & Escrow Services
240 South First Street
St Helens, OR 97051
Phone: (503) 397-2587
Title Fax: (503) 397-2490
Escrow Fax: (503) 366-1708

PRELIMINARY TITLE REPORT

First American Title
Attn: Joyce Jameson
5335 SW Meadows Road Suite 100
Lake Oswego, OR 97035

Date: December 02, 2014
Our Order Number: 14-00668
Escrow Officer:
Title Officer: Linda Lock
Customer File Number: 7000-2355595

Property Address: 51403 SW Old Portland Rd., Scappoose, OR 97056

	<u>Liability</u>	<u>Premium</u>
ALTA 2006 Owner's Policy Standard	\$1,250,000.00	\$2,475.00

(Underwriting fee - 12%)

Proposed Insured: Stafford Development Company, LLC

ALTA 2006 Loan Policy Extended

(Underwriting fee - 12%)

Return Document Fee

\$5.00

Columbia County Title & Escrow Services is prepared to issue on request and on recording of the appropriate documents, a policy or policies of First American Title Insurance Company, as applied for, with coverages as indicated, based on this preliminary report. As of **November 24, 2014** at 8:00 A.M. title to the property described herein is vested in:

ALTA M. LYNCH, TRUSTEE, or her successors in trust, under the LYNCH LIVING TRUST, dated October 8, 2007, and any amendments thereto, an estate in fee simple

Subject only to the exceptions shown herein and to the terms, conditions and stipulations contained in the policy form. No liability is assumed until a full premium has been paid and a policy issued.

LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO

EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at a point which is the point of intersection of the centerline of the Old Portland-St. Helens Highway and the Southerly line of the Jesse Miles Donation Land Claim in Section 13, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence following the centerline of said Old Portland-St. Helens Highway North 15°31' West 282.68 feet; thence North 245.8 feet to the true point of beginning of the following described property; thence parallel with the said South line of the said Jesse Miles Donation Land Claim line North 70°20' West a distance of 2337.53 feet to a point on the West line of said Section 13; thence along the West line of said Section 13, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, North 0° 26' West a distance of 52.1 feet to a point in the South Fork of Scappoose Creek; thence along the center of said South Fork of Scappoose Creek North 31° 07 1/2' East a distance of 179.5 feet; thence North 87°22' East a distance of 92.31 feet to the West line of the said Jesse Miles Donation Land Claim; thence along said West line of said Jesse Miles Donation Land Claim North 20° 19' East a distance of 48.26 feet to an iron pipe which is North 20° 19' East a distance of 770.66 feet from the Southwest corner of said Jesse Miles Donation Land Claim; thence South 70°20' East a distance of 1599.68 feet; thence South 4°00' West a distance of 82.6 feet; thence South 70°20' East a distance of 547.72 feet to the centerline of said Old Portland-St. Helens Highway; thence along center line of said highway South 4°00' West a distance of 237.4 feet to the true point of beginning.

SCHEDULE B

GENERAL EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS:

6. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.
7. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.
8. Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of the South Fork of the Scappoose Creek, including any ownership rights which may be claimed by the State of Oregon below the high water mark.
9. Any adverse claim or defect in the title based upon the assertion that some portion of said land has been removed from or brought within the boundaries of the premises by an avulsive movement of the South Fork of the Scappoose Creek or has been formed by a process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
10. Any adverse claim based on the assertion that any portion of the subject property has been created by artificial fill or has been accreted to such portions so created.
11. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the South Fork of the Scappoose Creek.
12. Easement, including the terms and provisions thereof:

For	: Electrical lines, poles, anchors and right of way for maintenance
Granted to	: Portland General Electric Company
Recorded	: August 5, 1958
Book	: 137
Page	: 204
Affects	: Location not disclosed

13. Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor : Alta M. Lynch, Trustee of the Lynch Living Trust dated October 8, 2007
Trustee : Ticor Title
Beneficiary : St. Helens Community Federal Credit Union Charter No. 2730
Dated : December 17, 2007
Recorded : December 19, 2007
Fee No. : 2007-015448
Amount : \$212,800.00
Loan No. : 236552-143

The requirement that a copy of the Operating Agreement and Articles of Organization of Stafford Development Company, LLC, an Oregon limited liability company be submitted to us for examination. Any conveyance or encumbrance by said Company should be executed in accordance with the Operating Agreement of said Company.

The Corporation Division of the State of Oregon advises us that Stafford Development Company, LLC is an active Oregon Corporation, whose Managing Members are Gordon C. Root and Richard Waible.

END OF EXCEPTIONS

NOTES:

NOTE (a): We find no judgments or Federal Tax Liens against Alta M. Lynch, individually or as trustee and/or Stafford Development Company, LLC.

NOTE (b): Taxes paid in full for 2014-2015

Levied Amount : \$1,960.49
Account No. : 4578
Property ID No. : 3N2W12-B0-02300
Levy Code : 0101

NOTE (c): We do not find any Deeds of record on the subject property recorded within the last 24 months. The following is the last deed of record:

Type of Document : Warranty Deed
Dated : December 14, 2007
Recorded : December 14, 2007
Fee No. : 2007-015307
Grantor : Alta Lynch, Successor Trustee of the Mamie Sauers Revocable Living Trust dated January 8, 1999
Grantee : Alta M. Lynch, Trustee, or her successors in trust, under the Lynch Living Trust dated October 8, 2007

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reliance thereon.

After the issuance of a preliminary title report, if a transaction is consummated in reliance thereon, but without requiring the issuance of the title policy applied for, the full scheduled charge applicable to the type of coverage normally issued on such transactions will apply.

Columbia County Title & Escrow Services



Linda Lock, Title Officer

ALTA LYNCH, Successor Trustee
PO BOX 369
Scappoose, OR 97056
Grantor's Name and Address

ALTA M. LYNCH, Trustee
PO BOX 369
Scappoose, OR 97056
Grantee's Name and Address

After recording, return to:

ALTA M. LYNCH, Trustee
PO BOX 369
Scappoose, OR 97056

Until requested otherwise, send all tax statements to:

ALTA M. LYNCH, Trustee
PO BOX 369
Scappoose, OR 97056

COLUMBIA COUNTY, OREGON 2007-015307
DEED-D

Cnt=1 Stn=8 HUSERB 12/14/2007 11:58:01 AM
\$10.00 \$11.00 \$10.00 Total:\$31.00



00076762200700153070020020

I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon
certify that the instrument identified herein was recorded in the Clerk
records.

Elizabeth E. Huser - County Clerk

STATUTORY WARRANTY DEED

ALTA LYNCH, Successor Trustee of the MAMIE SAUERS REVOCABLE LIVING TRUST dated January 8, 1999, Grantor,
conveys to ALTA M. LYNCH, Trustee, or her successors in trust, under the LYNCH LIVING TRUST, dated October 8, 2007, and
any amendments thereto, Grantee,
in the following real property free of liens and encumbrances, except as specifically set forth herein:

SEE 'EXHIBIT A' ATTACHED HERETO AND MADE A PART HEREOF.

EXCEPTIONS of record on file with the County of Columbia.

The true consideration for this conveyance is \$ NONE (Here, comply with the requirements of ORS 93.030.)

DATED December 14, 2007

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY
DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE
LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE
TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY
OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES
AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING
OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

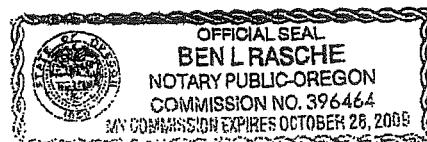
Alta M. Lynch
ALTA M. LYNCH

STATE OF OREGON, County of Multnomah) ss.

This instrument was acknowledged before me on
December 14, 2007, by Alta Lynch.

[Signature]
Notary Public for Oregon

My commission expires 10/28/09



'EXHIBIT A'

Beginning at a point which is the point of intersection of the centerline of the Old Portland-St. Helens Highway and the Southerly line of the Jesse Miles Donation Land Claim in Section 13, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence following the centerline of said Old Portland-St. Helens Highway North 15°31' West 282.68 feet; thence North 245.8 feet to the true point of beginning of the following described property; thence parallel with the said South line of the said Jesse Miles Donation Land Claim line North 70°20' West a distance of 2337.53 feet to a point on the West line of said Section 13; thence along the West line of said Section 13, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, North 0°26' West a distance of 52.1 feet to a point in the South Fork of Scappoose Creek; thence along the center of said South Fork of Scappoose Creek North 31°07½' East a distance of 179.5 feet; thence North 87°22' East a distance of 92.31 feet to the West line of the said Jesse Miles Donation Land Claim; thence along said West line of said Jesse Miles Donation Land Claim North 20°19' East a distance of 48.26 feet to an iron pipe which is North 20°19' East a distance of 770.66 feet from the Southwest corner of said Jesse Miles Donation Land Claim; thence South 70°20' East a distance of 1599.68 feet; thence South 4°00' West a distance of 82.6 feet; thence South 70°20' East a distance of 547.72 feet to the centerline of said Old Portland-St. Helens Highway; thence along center line of said highway South 4°00' West a distance of 237.4 feet to the true point of beginning.

2-42-407

KNOW ALL MEN BY THESE PRESENTS, That Chas. E. and Maria W. Johnson, husband and wife

of Columbia County, Oregon,

in consideration of the sum of \$100.00 Dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged, hereby grant unto PORTLAND GENERAL ELECTRIC COMPANY, a corporation of Oregon, its successors and assigns, an easement and/or right-of-way, situated in Columbia County, Oregon, of such width not to exceed 20 feet as may be reasonably necessary to accomplish the purposes of this easement at such location as may be determined by the Grantee, over, under and across the following described real property:

That certain parcel of property of the Grantors' in Section 13, T. 3 N., R. 2 W., S.W., Columbia County as described in Book 133 Page 644 of the Columbia County Deed Records.

It is understood and agreed that this easement may be used by the Grantee to serve the Grantor, his heirs, successors and assigns, and any other customers of the Grantee, owning, occupying or possessing property in the vicinity of the real property herein described.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, together with the right of ingress and egress to and from the above described right-of-way, over and across the adjacent land of the Grantor, for the purpose of the erection, maintenance and operation therein, thereon and thereover, of electrical lines, telephone lines, together with such poles, wires, guys, and facilities as may be reasonably connected therewith or appurtenant thereto; provided, that the Grantee shall have the right to cut and/or trim and keep cut and/or trim any tree growth upon or adjacent to said right-of-way which may interfere with or menace the construction or operation of said lines; provided, also, that the Grantor, his heirs and assigns, shall always have the right to reasonably use and enjoy said above described right-of-way for all purposes which may not interfere or be inconsistent with the use by the Grantee for the purposes above mentioned; and provided also, that if the Grantee, its successors and assigns, shall fail to use said right-of-way for the purposes above mentioned for a continuous period of one year after construction of said pole line, then and in that event this right-of-way and easement shall terminate and all rights and privileges granted hereunder shall revert to the Grantor, his heirs and assigns.

The Grantor, Chas. E. and Maria W. Johnson, hereby and assigns, covenant, to and with the Grantee, its successors and assigns, that the Grantee, its successors and assigns, shall peaceably enjoy the rights and privileges herein granted.

IN WITNESS WHEREOF, The Grantor, Chas. E. and Maria W. Johnson, caused this easement to be executed this 29 day of July, 1915.

Witnesses:

August H. Williams

Chas. E. Johnson (SEAL)

Maria W. Johnson (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

Approved:

General Dir. Manager or Sup. of Distribution

Approved as to description:

Engineer:

Approved:

Right-of-Way Engineer:

STATE OF OREGON,
County of Collier } ss.

On this 29th day of JULY, 1955, before me, the undersigned, a Notary Public
in and for said County and State, personally appeared G. E. Samers and Maude M. Samers

to me known to be the
individuals described in and who executed the foregoing conveyance and acknowledged to me that they executed
the same freely and voluntarily for the purposes and uses aforementioned.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in
this instrument first written.

Walter J. Johnson
Notary Public for Oregon.

My commission expires:

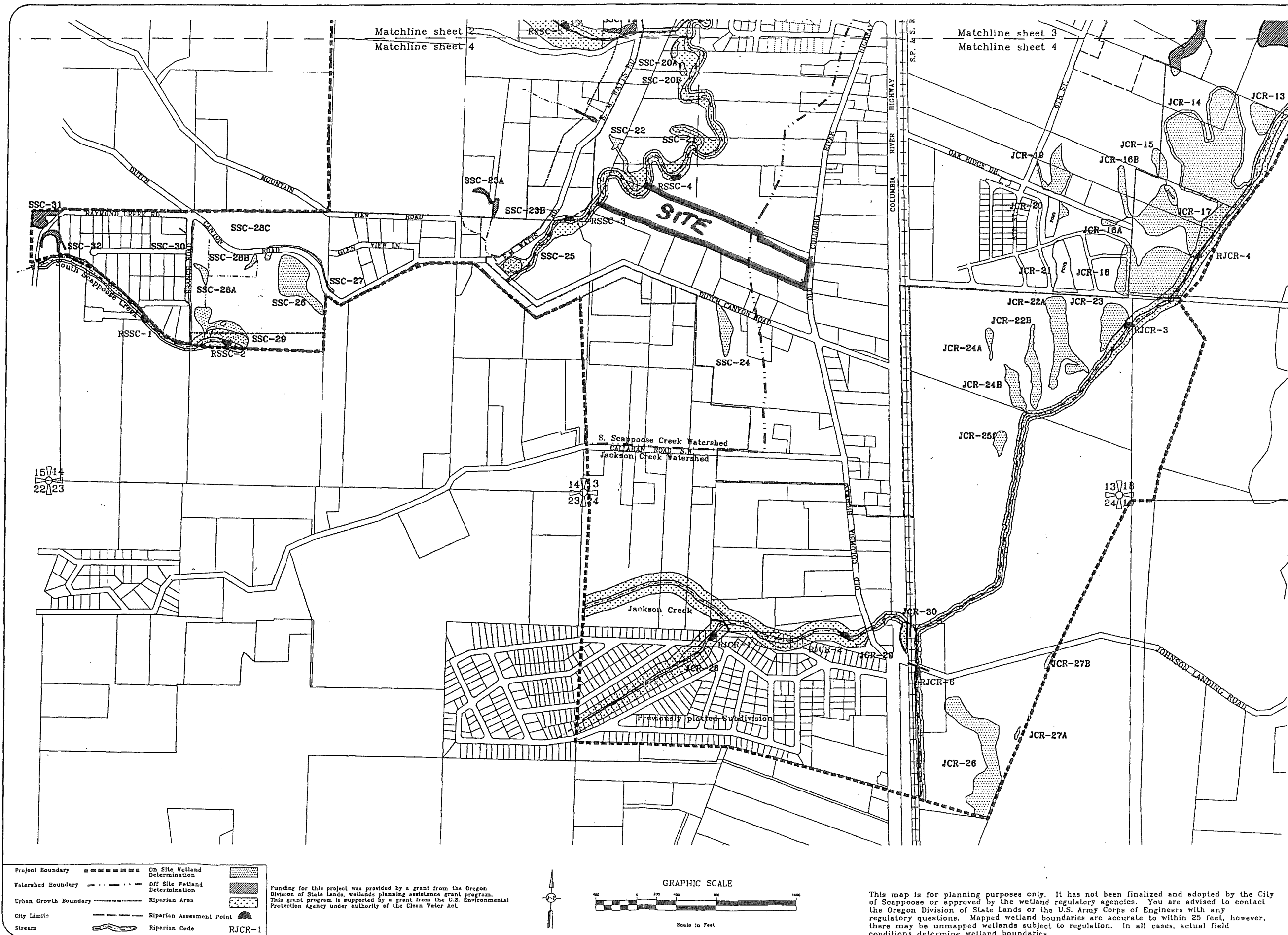
November 22, 1956

STATE OF OREGON,
County of _____ } ss.

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public
in and for said County and State, personally appeared _____

29883	10956
DATE	CH 19 29 1958
NAME	SAULERS
LOCATION	SE 1/4 34 1/2 NW 1/4 21N
COUNTY	Columbia
LOCALITY	Eastmont Co. Pa.
REMARKS	Pale line
RENTAL	
EXPIRED	

STATE OF OREGON }
 Columbia County }
 I certify that the within instrument of
 recording was received for record on the
 21th day of AUGUST 1958
 at 2:30 o'clock P.M. recorded
 in Book 137 on page 206
 Records of DEEDS
 of said County.
 Witness my hand and seal of Coun-
 ty Clerk
 H. W. JOHNSON
 County Clerk
 In Witness Whereof
 I have hereunto set my hand and seal of Office
 this 21st day of August 1958

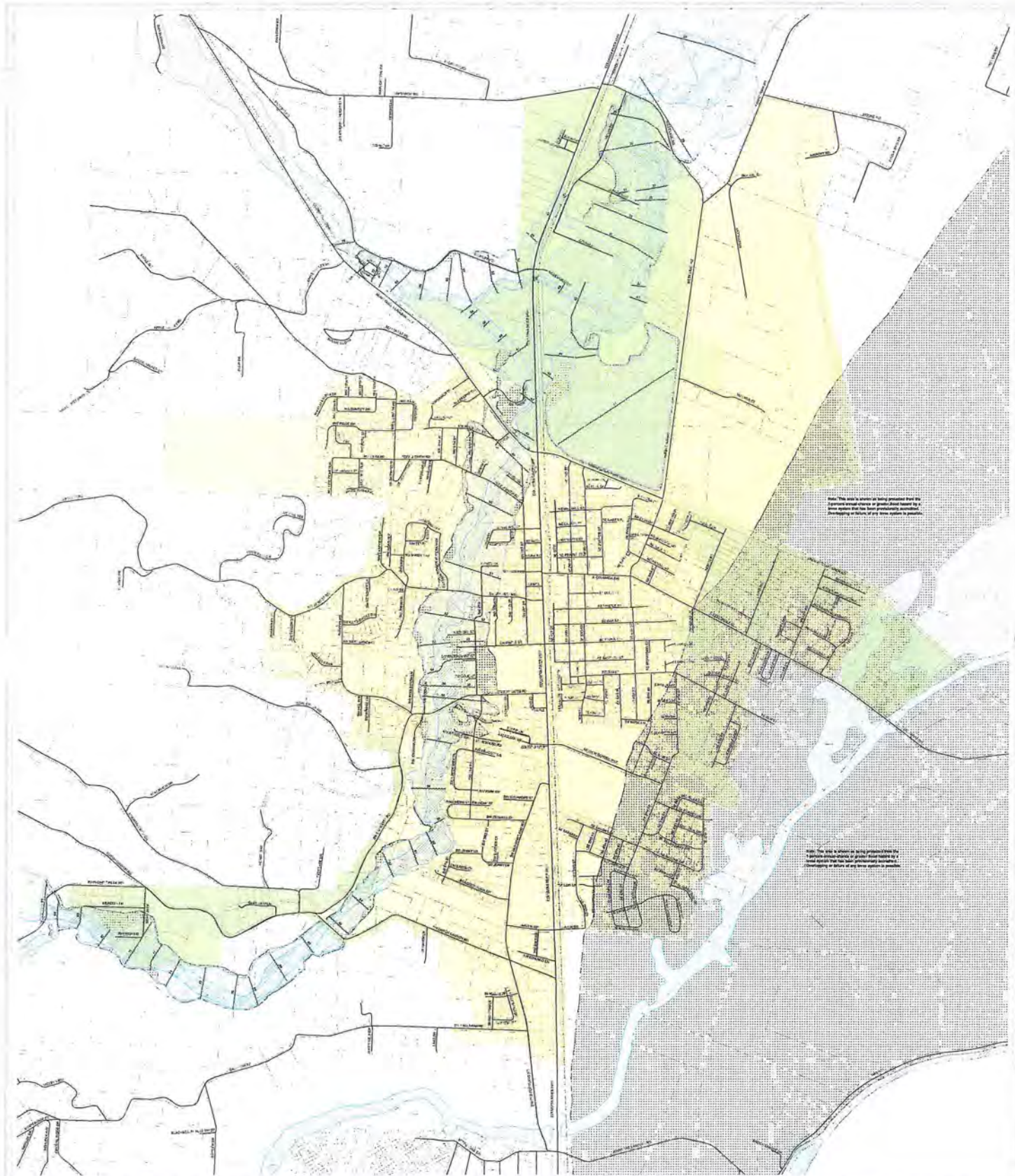


Scappoose
Riparian Inventory

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 160
Wilsonville, Oregon 97158

DATE: December, 1998
 BASE MAP INFO: Supplied by City of Scaggoose
: K.C.M. Engineering

7 1437



City of Scappoose

Floodplain Map



Scappoose GIS

LEGEND

- Streets
- Railroads
- Taxlots
- City Limits
- UGB
- Base Flood Elevations

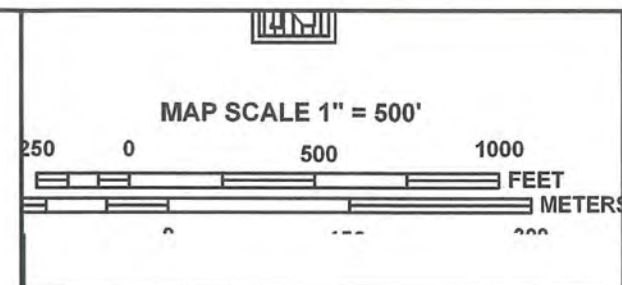
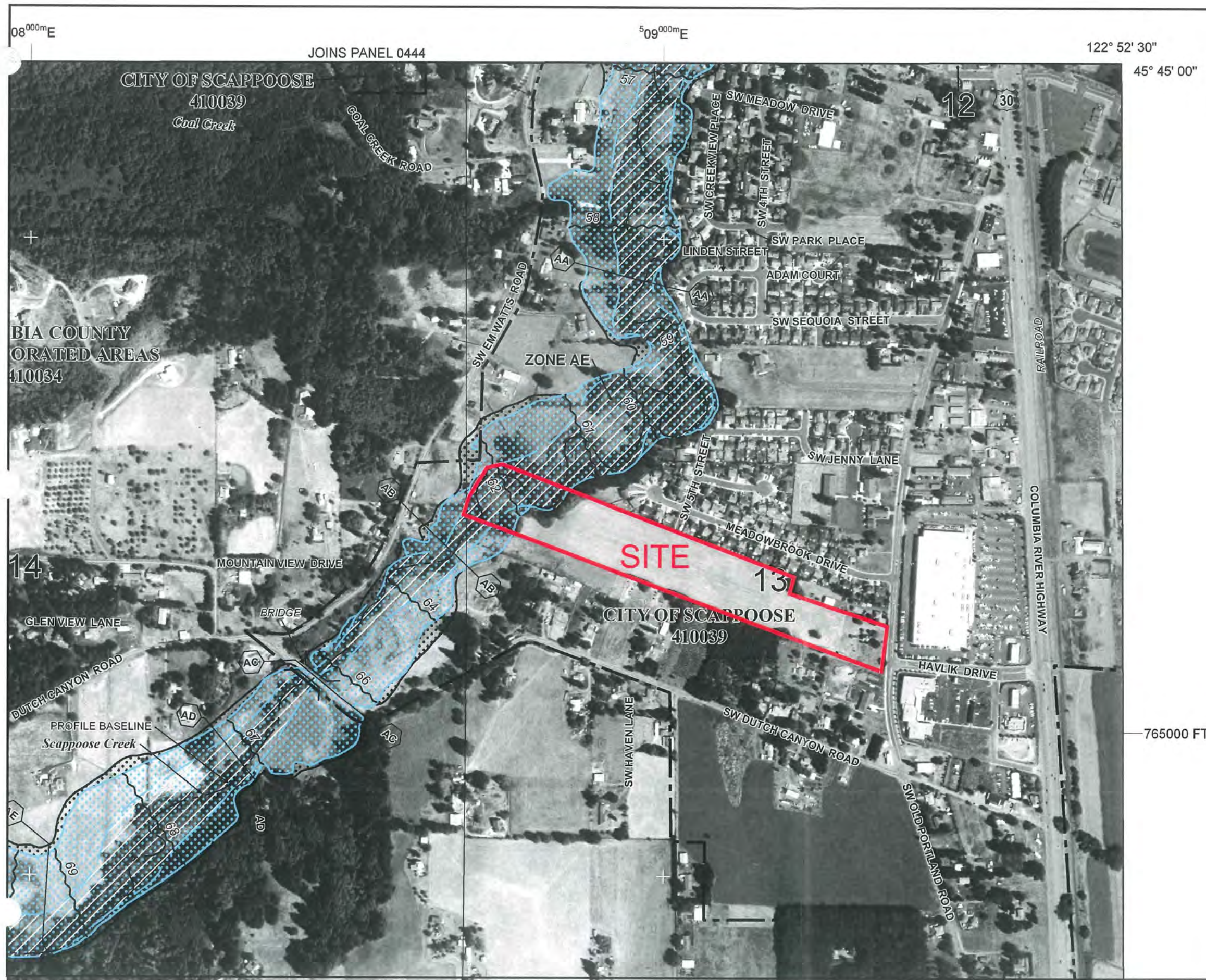
- Special Flood Hazard Areas subject to inundation by the 1% annual chance flood
- Floodway
- Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood
- The 1% annual chance flood (also known as a 100-year flood) has a 1% chance of being equaled or exceeded in any given year.
- The 0.2% annual chance flood (also known as a 500-year flood) has a 0.2% chance of being equaled or exceeded in any given year.
- The Floodway is the area within the 1% annual chance flood that is set aside for flood conveyance.
- Areas within City Limits in the 100-year floodplain (including the Floodway) are subject to Chapter 17.84 (Sensitive Lands-Floodings) of the Scappoose Municipal Code.

Disclaimer: This map has been derived from data supplied by the Federal Emergency Management Agency (FEMA) from the "Flood Insurance Study for Columbia County, Oregon and Incorporated Areas," effective November 28, 2010. This map is not an official digital Flood Insurance Rate Map (FIRM). Official FIRMs may be obtained from FEMA or purchased at the Scappoose Community Development Center.



1" = 500'

0 500 1,000 2,000 Feet



NFIP

PANEL 0482D

FIRM

FLOOD INSURANCE RATE MAP

COLUMBIA COUNTY, OREGON

AND INCORPORATED AREAS

PANEL 482 OF 525

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
COLUMBIA COUNTY	410034	0482	D
SCAPPOOSE, CITY OF	410039	0482	D

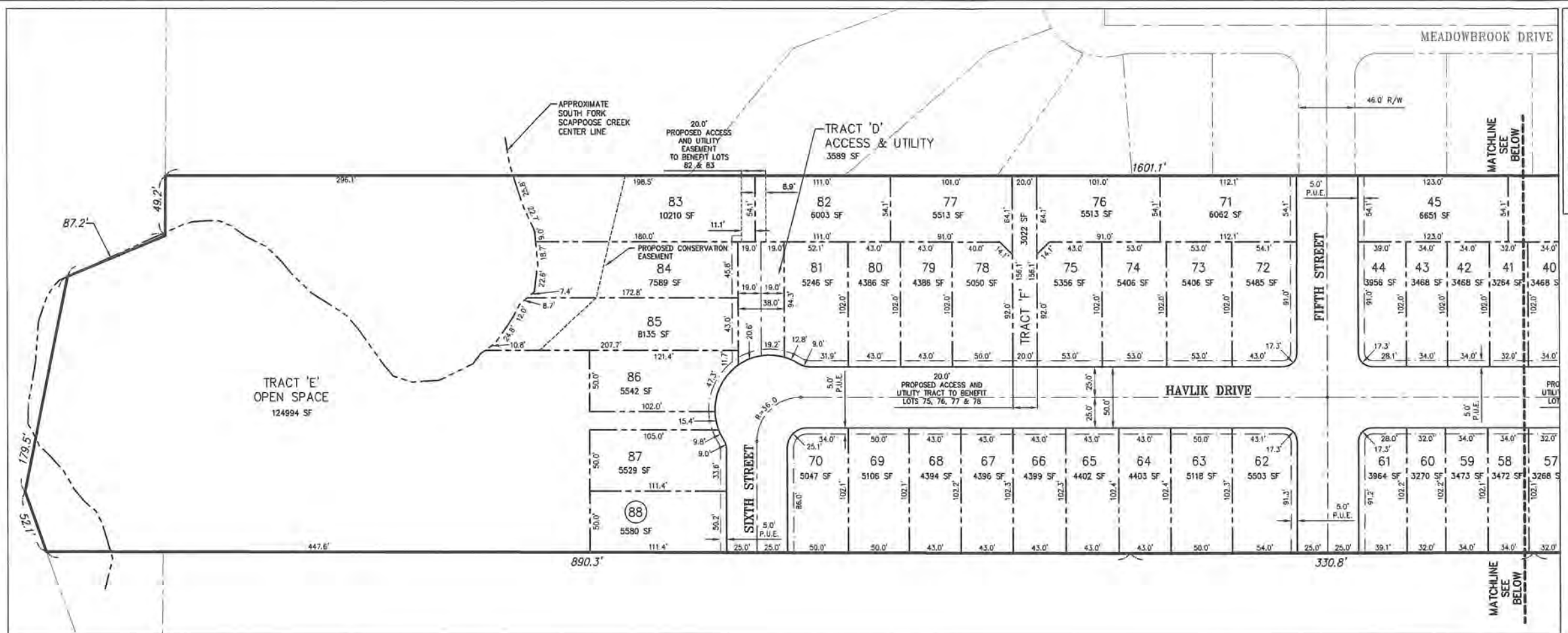
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
41009C0482D

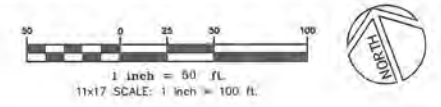
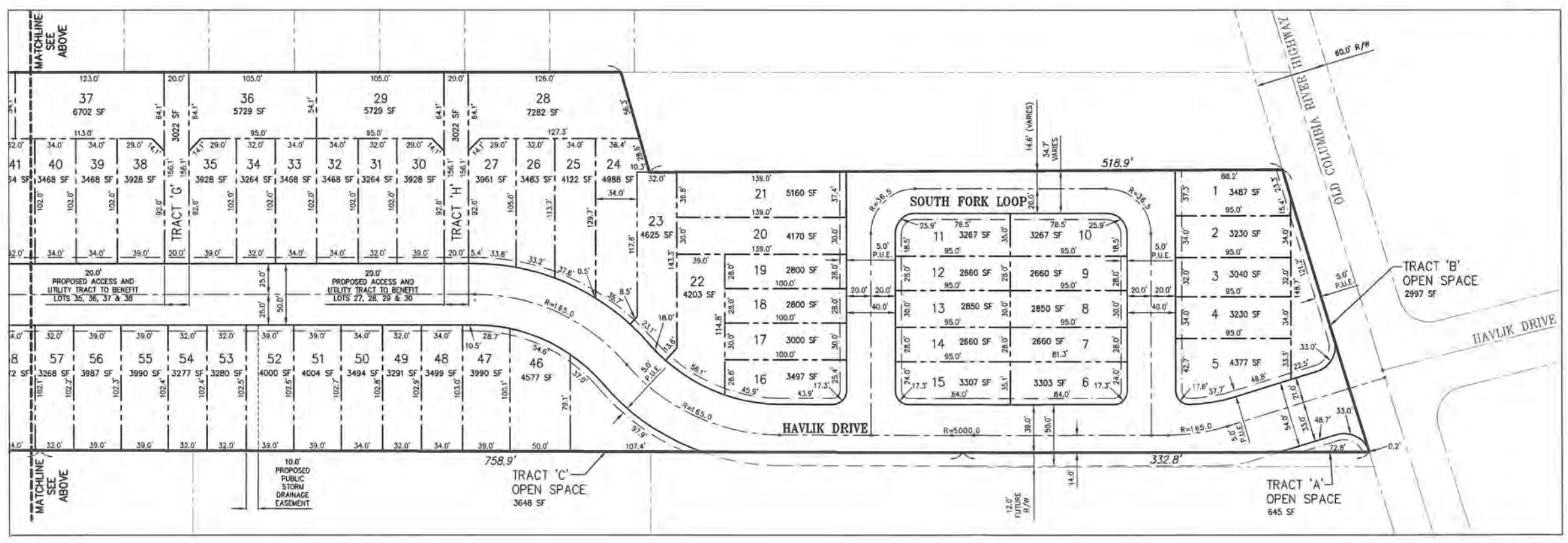
MAP REVISED
NOVEMBER 26, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



GROSS LOT AREA	=	650,982 SF (14.94 AC.)
STREET DEDICATION (INCLUDES TR. D, F, G & H)	=	138,518 SF (3.18 AC.)
OPEN SPACE: (TR. A+B+C+E)	=	132,284 SF (3.04 AC.)
NET LOT AREA	=	380,180 SF (8.73 AC.)
AVERAGE LOT SIZE	=	4,319 SF
PROPOSED MAXIMUM LOT SIZE	=	10,210 SF
PROPOSED MINIMUM LOT SIZE	=	2,660 SF



ENGINEERS
Engineering
& Planning

3402 NW John Olson Place
Lake Oswego, OR 97034
503.603.4403

FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647

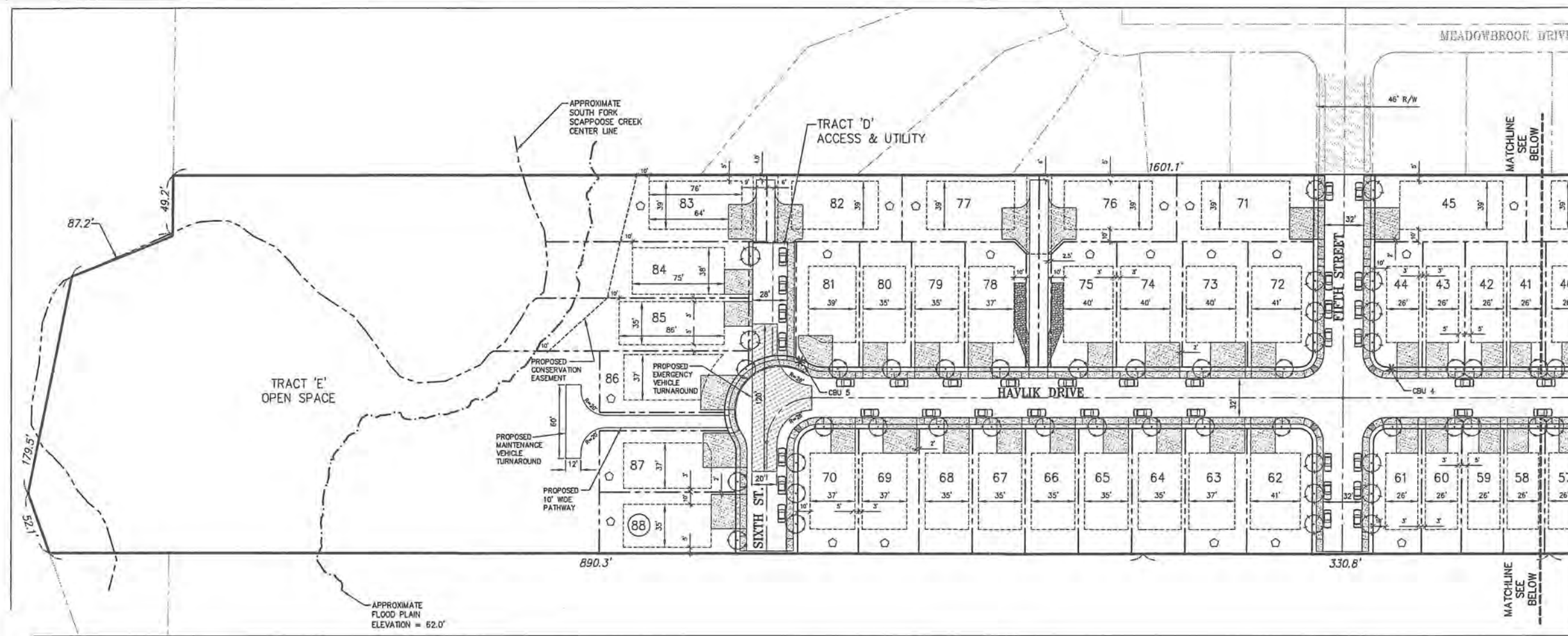
SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPPOOSE, OREGON

SOUTH FORK
NO318
PRELIMINARY PLAT WITH
TRACTS "F", "G", & "H"

REVISION	BY	DATE
1		
2		
3		
4		
5		
6		
7		

DESIGNED
DRAWN
REVIEWED
SUBMITTAL

PPLT
4-A
of 12



PROPOSED SETBACKS

FRONT: 15 FEET
GARAGE: 20 FEET
REAR: 20 FEET
INTERNAL SIDE: 3, 5, 10 FEET
EXTERNAL SIDE: 5, 10 FEET

NOTE:
EXAMPLES OF TYPICAL INTERNAL AND EXTERNAL SIDE SETBACKS ARE SHOWN ON PLAN.

*** = PROPOSED CLUSTER BOX UNIT (CBU) LOCATION**

CBU #	QUANTITY	UNIT TYPE	LOTS SERVED
1	1	12	1-10
2	1	12	11-21
3	2	12 & 12	22-36 & 46-54
4	2	12 & 16	37-45, 55-66 & 71-76
5	1	16	67-70 & 77-88

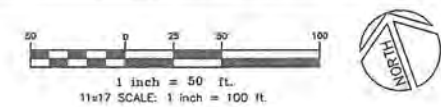
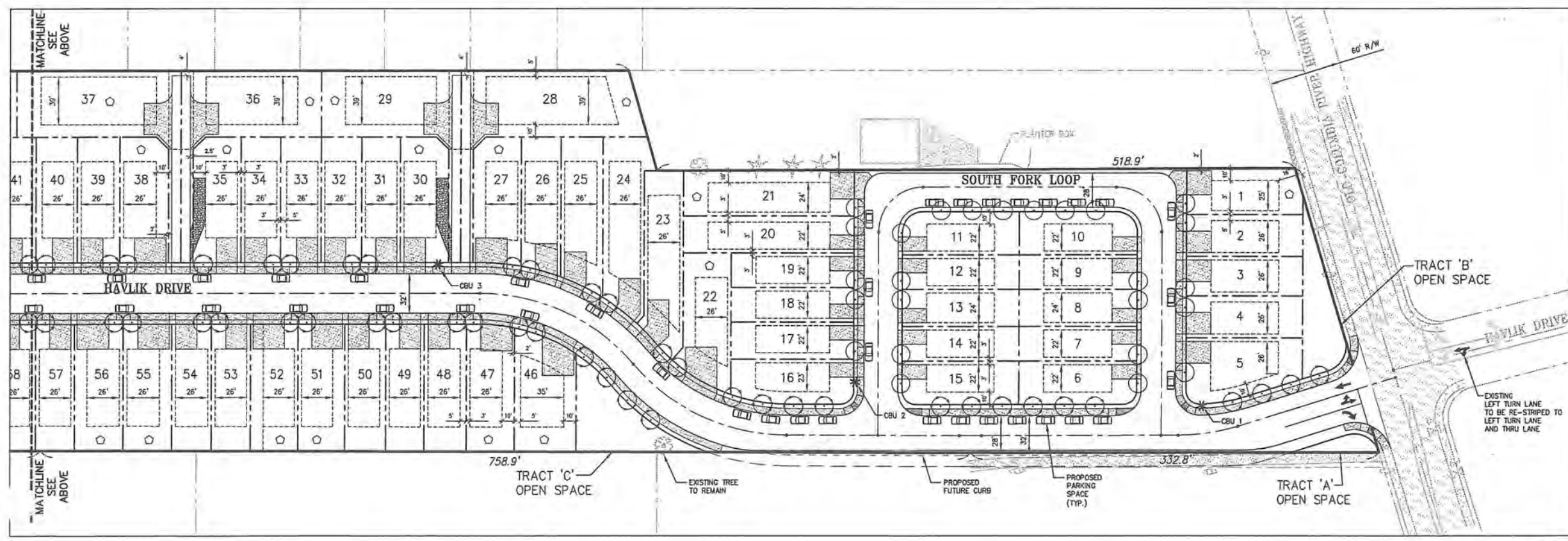
TOTAL NUMBER OF ON-STREET PARKING SPACES PROPOSED = 76

○ = PROPOSED LOT WITH RECREATIONAL VEHICLE PARKING; TOTAL = 38

LOTS WITH 2 OFF-STREET PARKING SPACES = 17 (1, 6-21)
LOTS WITH AT LEAST 4 OFF-STREET PARKING SPACES = 71
TOTAL OFF-STREET PARKING SPACES = OVER 318

PAVEMENT TYPE

- ASPHALT
- CONCRETE
- GRAVEL



ENGINEERS

Engineering & Planning

3405 NW John Olson Place
Milwaukie, OR 97124
503.601.4401

FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503.305.7647

SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPPOOSE, OREGON

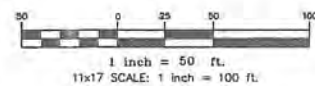
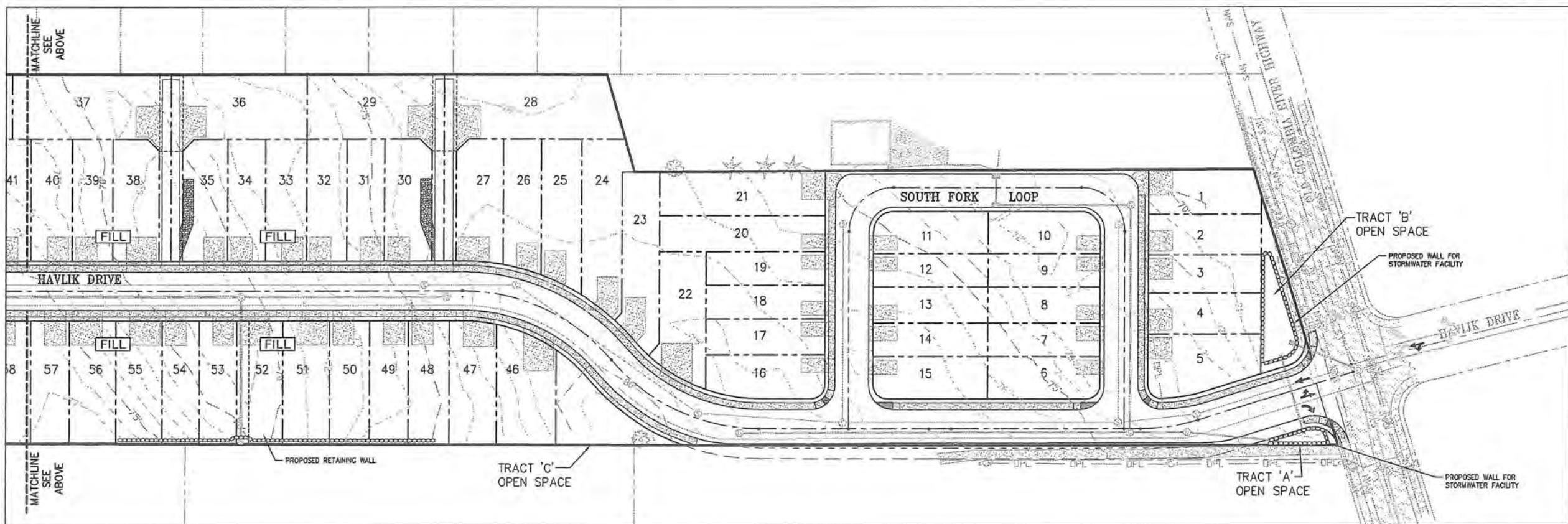
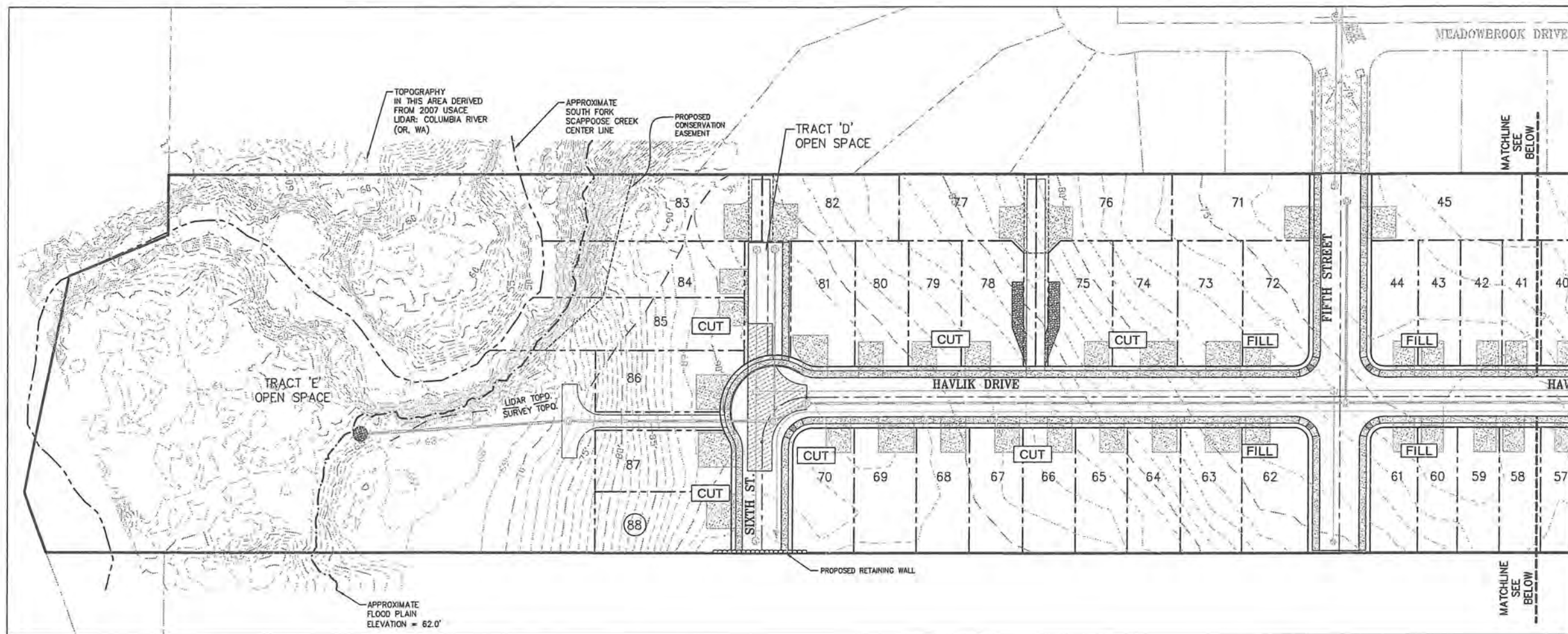
**SOUTH FORK
N0318
PRELIMINARY SITE PLAN**

REVISION	BY	DATE
1		
2		
3		
4		
5		
6		
7		

DESIGNED
DRAWN
REVIEWED
SUBMITTAL

PSIT
157
of 12

Exhibit 8



MW ENGINEERS
Engineering & Planning
3409 NW John Olsen Plaza
Hillsboro, OR 97124
503.601.4402 fax

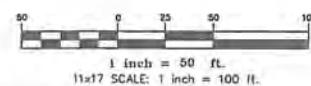
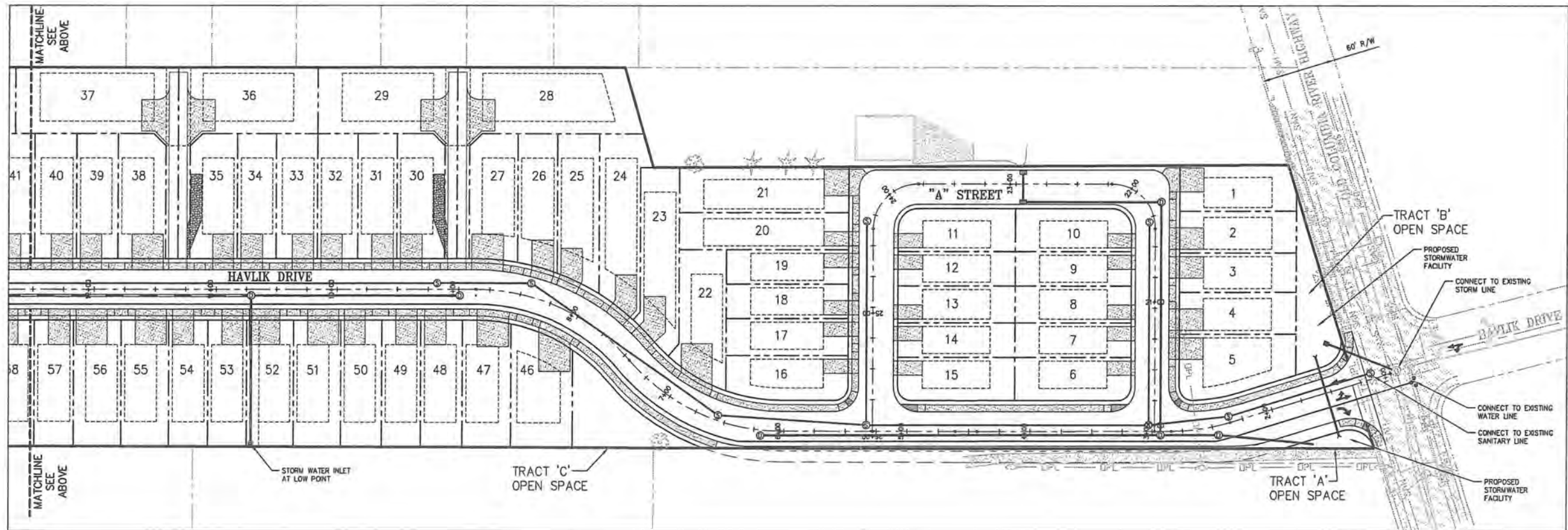
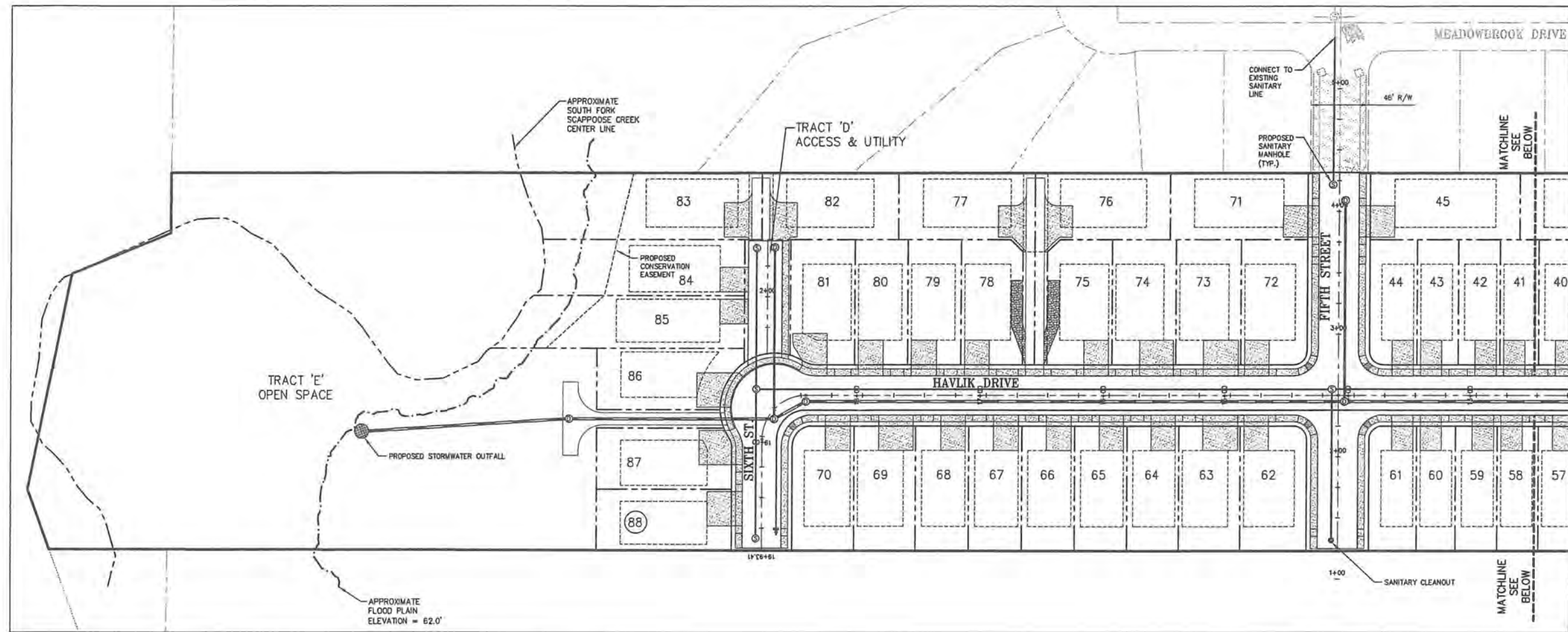
FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647
SITE: TAX MAP 03 02 138
CITY OF SCAPPOOSE, OREGON

SOUTH FORK
NO318
PRELIMINARY GRADING PLAN

REVISION	BY	DATE
1		
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4		
5		
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7		

DESIGNED
DRAWN
REVIEWED
SUBMITTAL

Exhibit 9



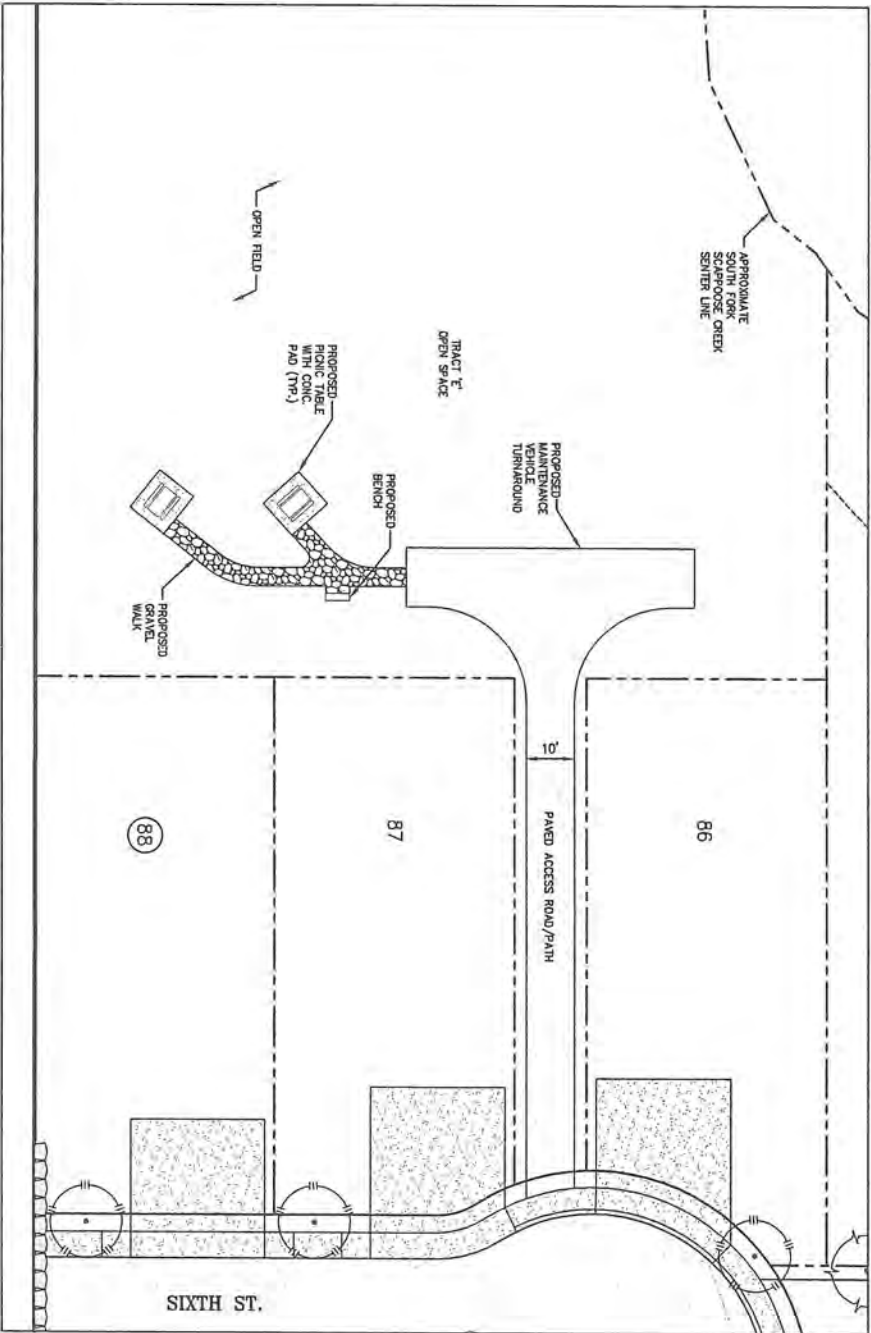
ENGINEERS
Engineering & Planning
3409 NW John Olson Plaza
Hillsboro, OR 97124
503.601.4402

FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647
SITE: TAX MAP 03 02 13B
CITY OF SCAPPOOSE, OREGON

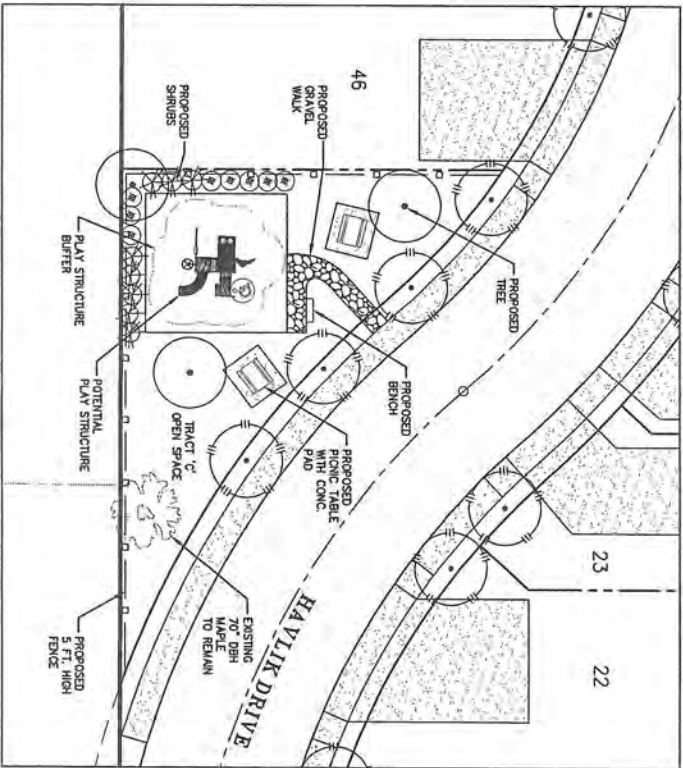
SOUTH FORK
N0318
PRELIMINARY UTILITY PLAN

REVISION	BY	DATE
1		
2		
3		
4		
5		
6		
7		

DESIGNED	DRAWN	REVIEWED	SUBMITTAL



SOUTH FORK PARK WEST



SOUTH FORK PARK EAST



PLSC
12
of 12

DESIGNED
DRAWN
REVIEWED
SUBMITTAL

REVISION	BY	DATE
1		
2		
3		
4		
5		
6		
7		

SOUTH FORK
N0318
PRELIMINARY OPEN SPACE
PARK AND TRAIL PLAN

FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647
SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPPOOSE, OREGON

NW ENGINEERS
Engineering
& Planning
3409 NW John Olsen Place
Hillsboro, OR 97124
503 601 4401 503 601 4402

Exhibit 10

Proposed Building Pattern

- Total Side Yard Widths = 54'
- Two 10' Side Yards
- Two 5' Side Yards
- Lot Frontage = 210'

South Fork Planned Development

LOT 35

LOT 34

LOT 33

LOT 32

LOT 31

LOT 30



10' 26' 3' 3' 26' 3' 5' 26' 3' 3' 26' 5' 3' 26' 3' 3' 26' 10'



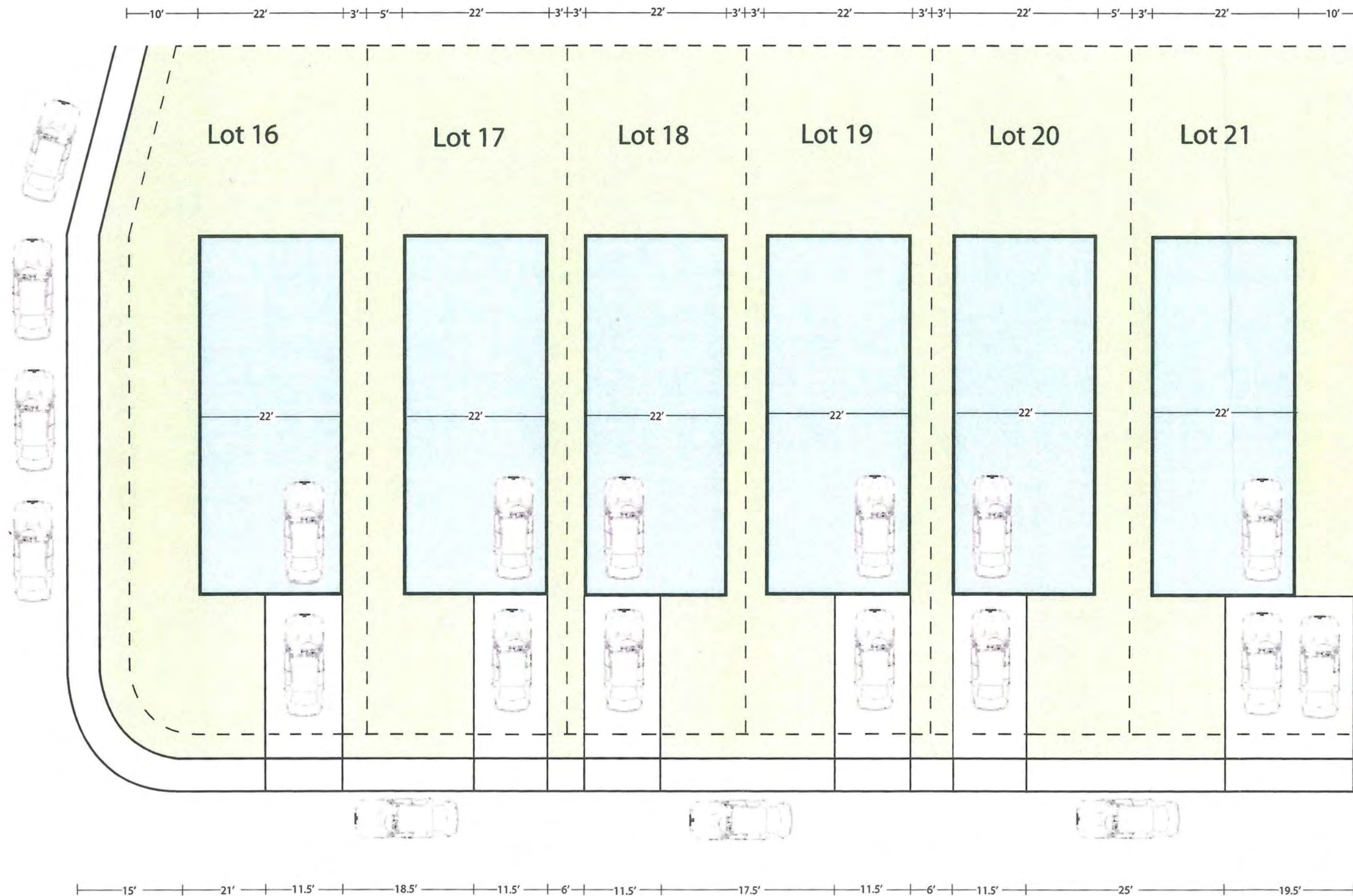
10' 29' 32' 29' 5' 5' 29' 32' 29' 10'

Standard Building Pattern

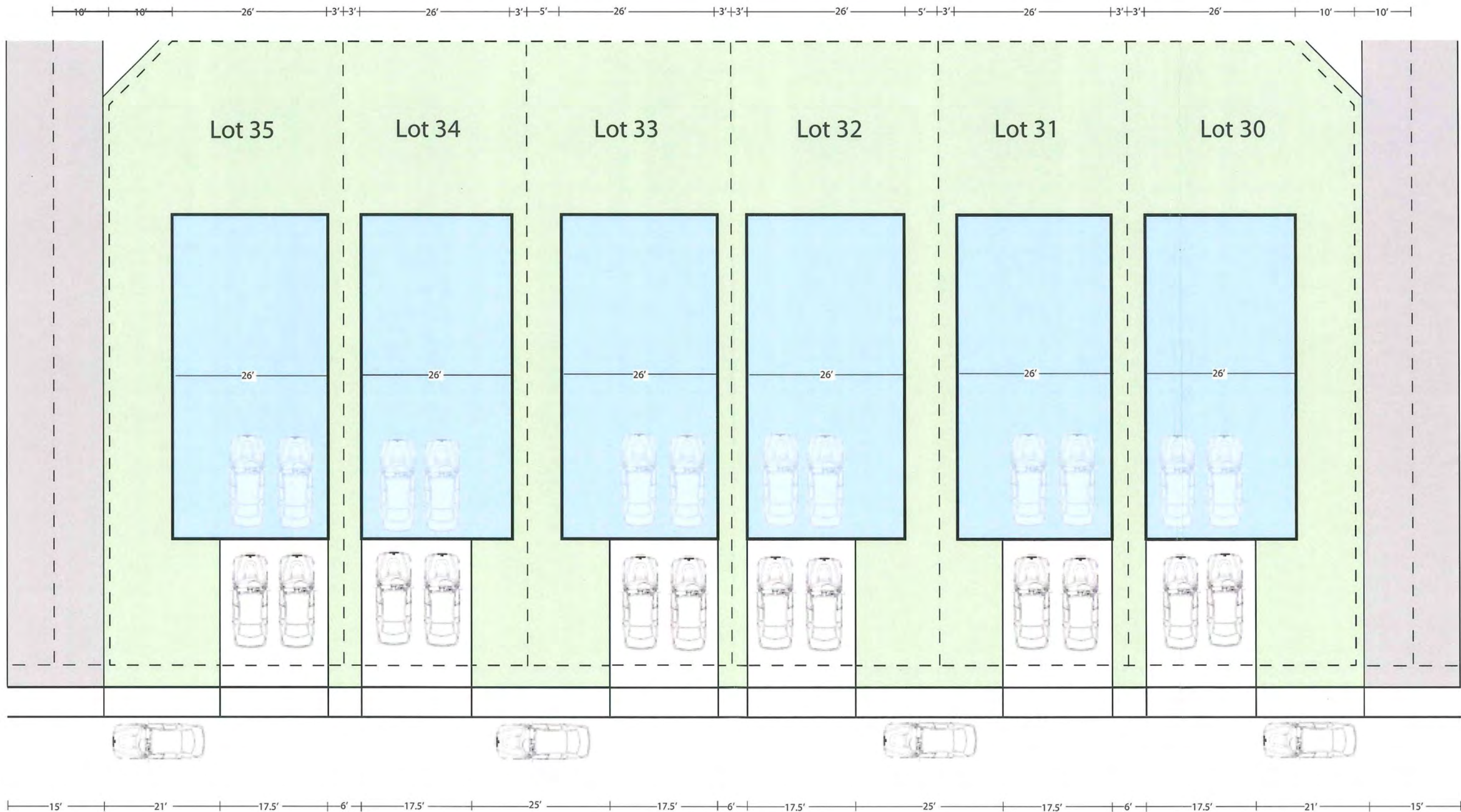
- Total Side Yard Widths = 30'
- Two 10' Side Yards
- Two 5' Side Yards
- Lot Frontage = 210'

Typical Detached Lot Plan 22' Wide Dwelling

South Fork Planned Development

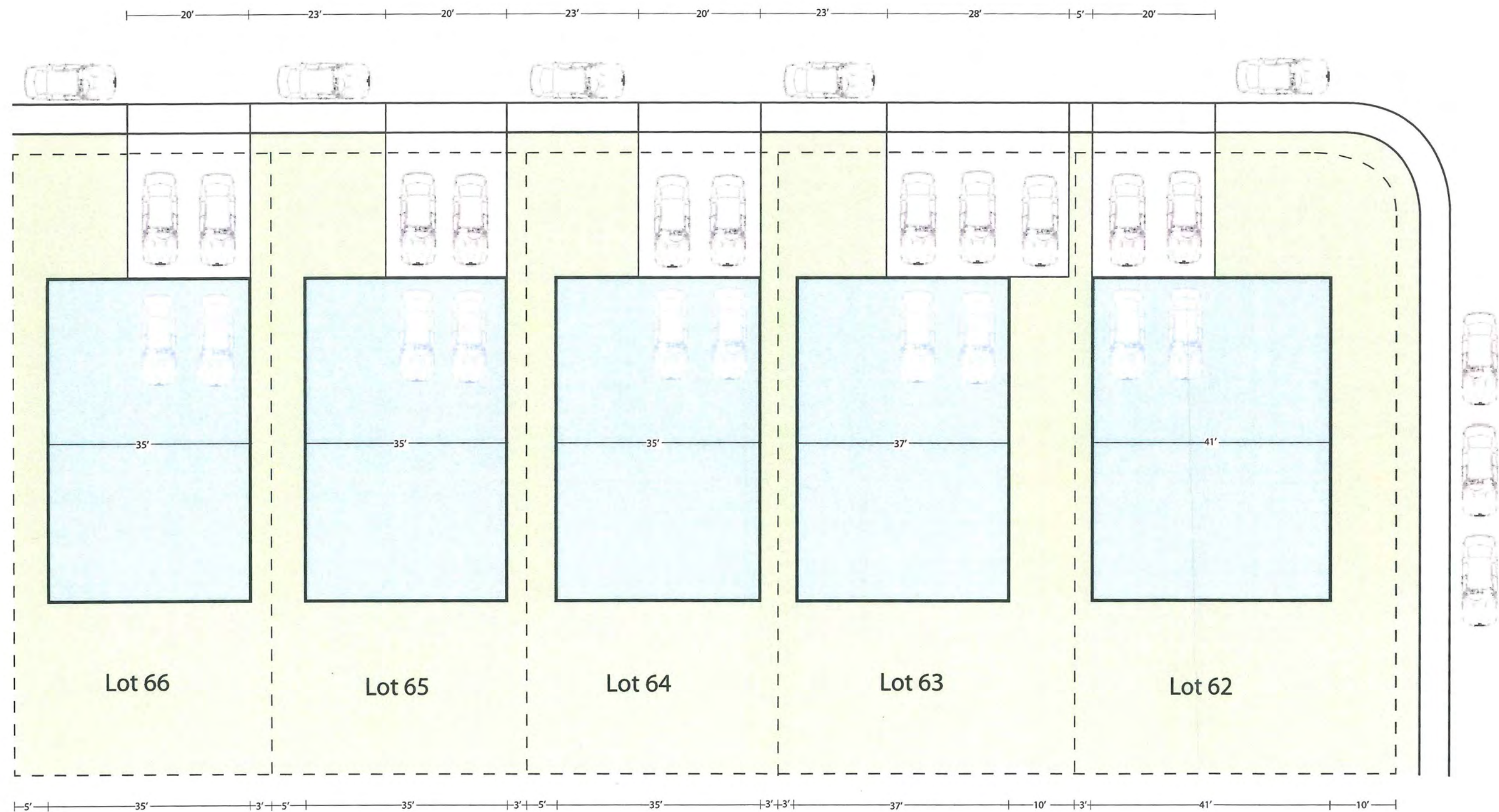


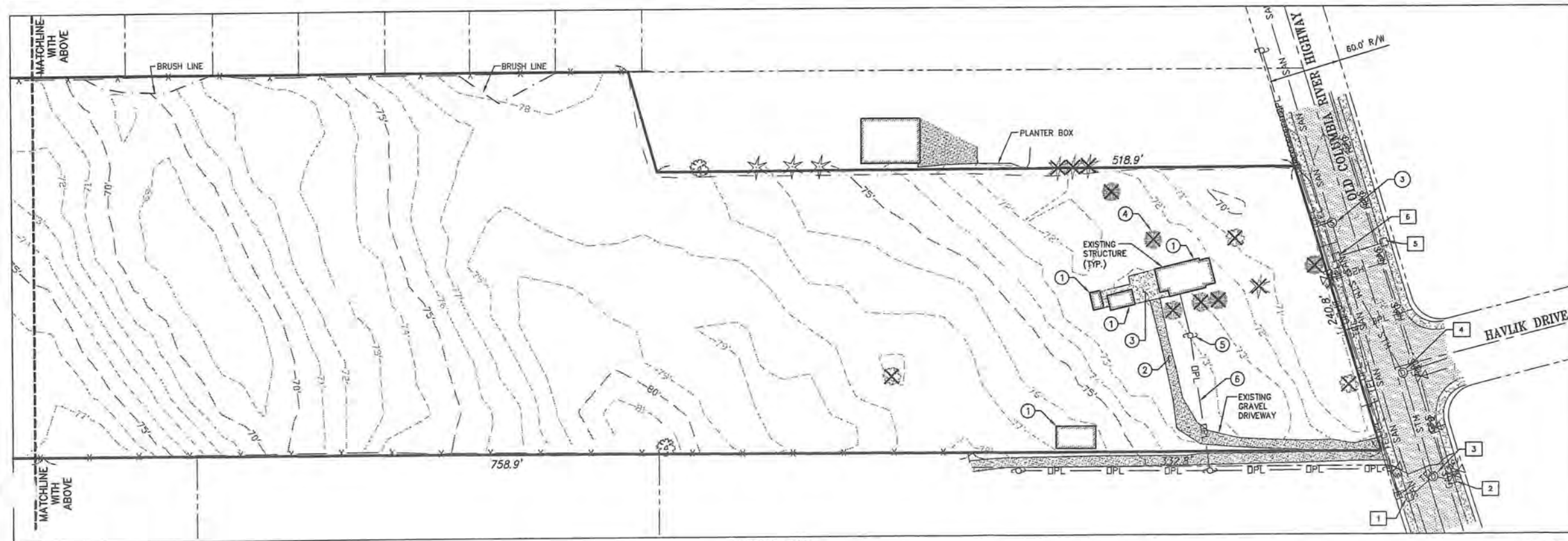
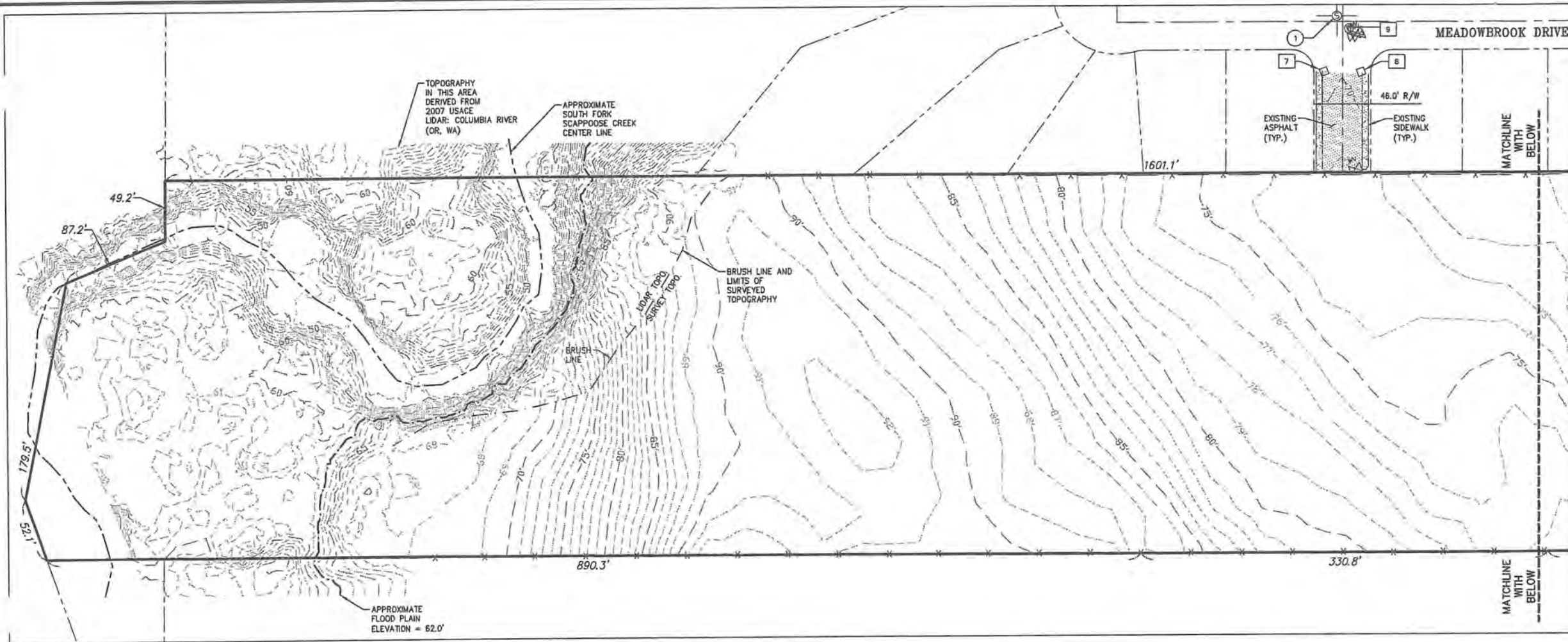
South Fork Planned Development



Typical Detached Lot Plan 35' Wide Dwelling

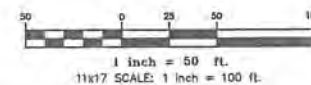
South Fork Planned Development





DEMOLITION NOTES:

- 1 EXISTING BUILDING TO BE REMOVED
- 2 EXISTING GRAVEL SURFACE TO BE REMOVED
- 3 EXISTING CONCRETE SURFACE TO BE REMOVED
- 4 EXISTING TREE TO BE REMOVED (TYP.)
- 5 EXISTING POWER POLE TO BE REMOVED
- 6 EXISTING OVERHEAD POWER LINE TO BE REMOVED



LEGEND

- WATER METER
- WATER VALVE
- POWER POLE
- GAS VALVE
- SANITARY MANHOLE
- STORM DRAINAGE MANHOLE
- SIGN
- PHONE RISER
- MAPLE TREE
- WILLOW TREE
- CEDAR TREE
- HOLLY TREE
- WALNUT TREE
- HAWTHORNE TREE
- OPL OVERHEAD POWER LINE
- BPL BURIED POWER LINE
- H2O WATER LINE
- GAS GAS LINE
- SAN SANITARY SEWER LINE
- STM STORM DRAINAGE LINE
- TEL TELEPHONE LINE

VERTICAL DATUM:
ELEVATIONS ARE NAVD83.
BASED ON NGS BENCHMARK X 101 (PID RD0562).

STORM DRAINAGE TABLE

- 1 CATCH BASIN
GRATE = 72.32'
I.E. 10" PVC (E) = 67.42'
- 2 CATCH BASIN
GRATE = 72.43'
I.E. 12" PVC (W) = 67.73'
- 3 STORM MANHOLE
RIM = 72.85'
I.E. 15" PVC (N) = 65.76'
I.E. 12" PVC (E) = 65.86'
I.E. 15" PVC (S) = 65.81'
I.E. 10" PVC (SE) = 66.21'
- 4 STORM MANHOLE
RIM = 72.44'
I.E. 12" PVC (N) = 65.24'
I.E. 15" PVC (E) = 65.14'
I.E. 15" PVC (S) = 65.24'
- 5 CURB INLET
RIM = 71.58'
GUTTER = 70.77'
I.E. 10" STEEL (W) = 68.93'
- 6 CATCH BASIN
GRATE = 70.97'
I.E. 10" STEEL (E) = 66.52'
I.E. 12" PVC (SE) = 66.32'
- 7 CATCH BASIN
GRATE = 69.55'
I.E. 10" PVC (N) = 64.95'
I.E. 10" PVC (E) = 65.25'
- 8 CATCH BASIN
GRATE = 69.53'
I.E. 10" PVC (W) = 65.73'
- 9 STORM MANHOLE
RIM = 69.37'
I.E. 12" PVC (N) = 57.07'
I.E. 10" PVC (S) = 58.59'
I.E. 10" PVC (SW) = 58.42'

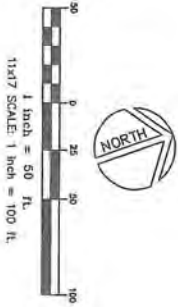
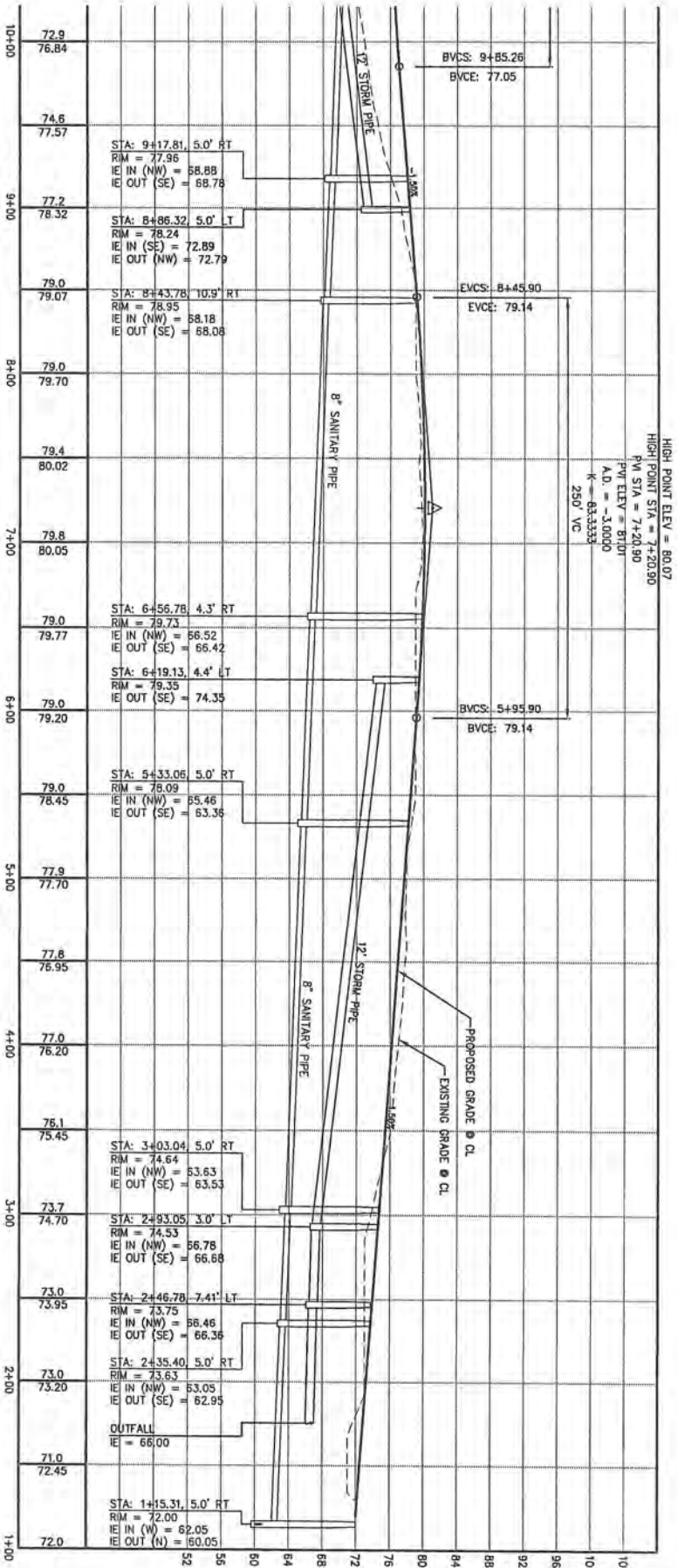
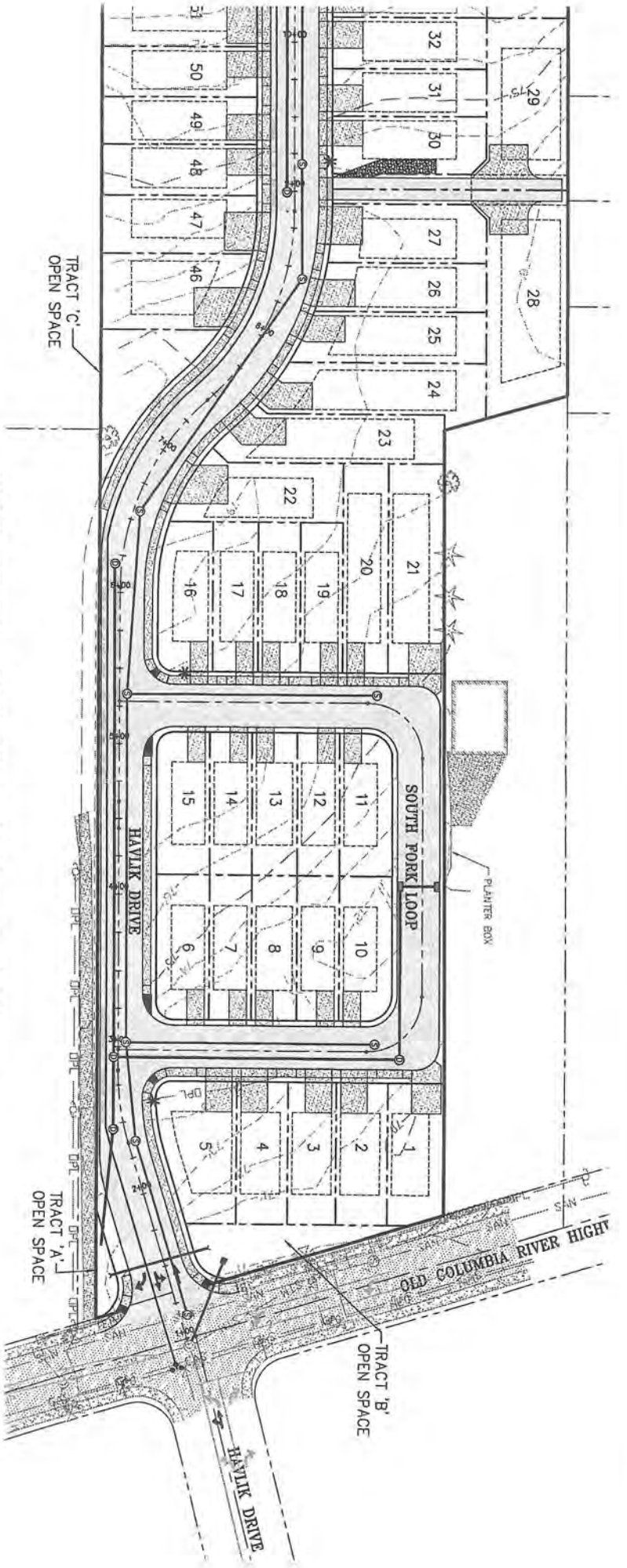
SANITARY SEWER TABLE

- 1 SANITARY MANHOLE
RIM = 69.35'
I.E. 12" PVC (N) = 58.90'
I.E. 8" PVC (E) = 59.00'
I.E. 12" PVC (S) = 59.00'
I.E. 8" PVC (W) = 60.54'
- 2 SANITARY MANHOLE
RIM = 66.18'
I.E. 10" PVC (N) = 58.53'
I.E. 10" PVC (S) = 58.73'
I.E. 8" PVC (W) = 58.73'
- 3 SANITARY MANHOLE
RIM = 70.83'
I.E. 10" PVC (N) = 59.53'
I.E. 10" PVC (S) = 59.73'
- 4 SANITARY MANHOLE
RIM = 73.17'
I.E. 10" PVC (N) = 60.82'
I.E. 8" PVC (E) = 61.52'
I.E. 10" PVC (S) = 60.82'
I.E. 6" PVC (W) = 66.57'

CONTOUR INTERVAL = 1 FOOT

REVISION	BY	DATE
1		
2		
3		
4		
5		
6		
7		

DESIGNED	DRAWN	REVIEWED	SUBMITTAL



PST1	DESIGNED	REVISION	BY	DATE
7A	DRAWN	1		
of 12	REVIEWED	2		
	SUBMITTAL	3		
		4		
		5		
		6		
		7		

SOUTH FORK

N0318

HAVLIK DRIVE PRELIMINARY
PLAN AND PROFILE

FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647

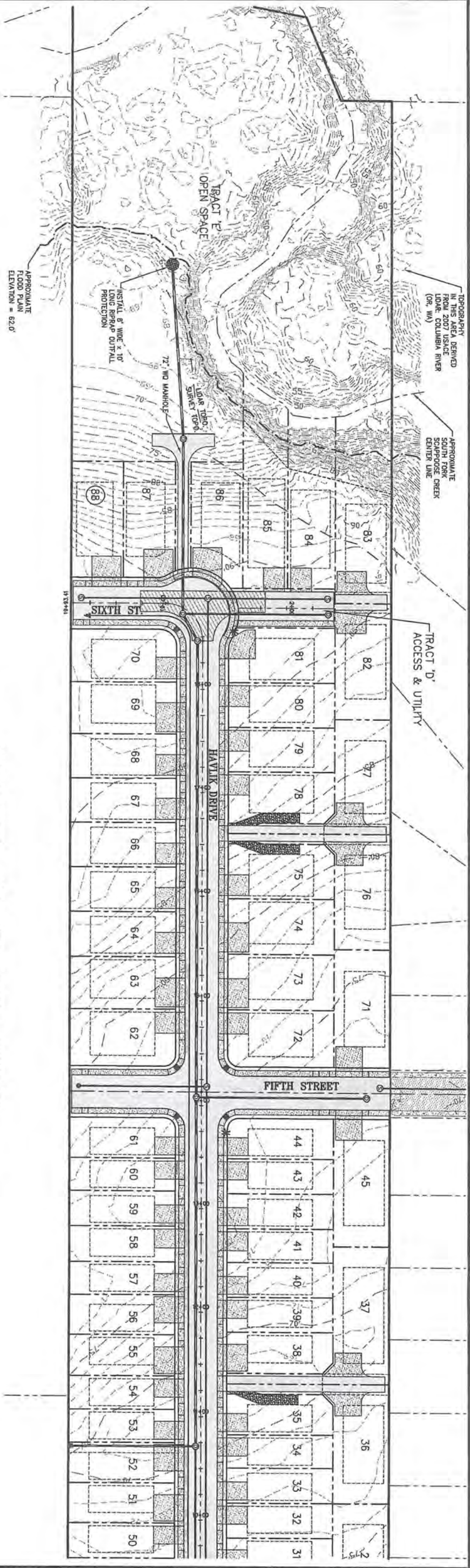
SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPOOSEE, OREGON

ENGINEERS

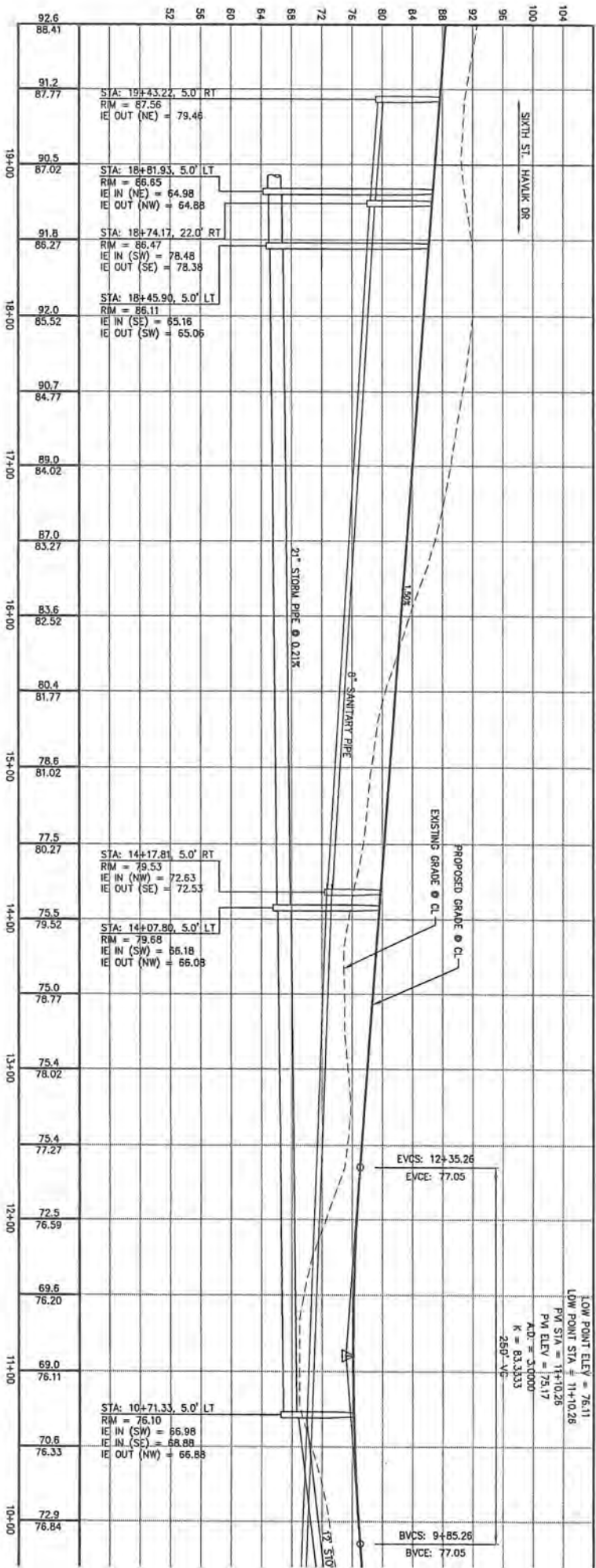
Engineering
& Planning

3408 NW John Olsen Place
Hillsboro, OR 97124
503 601 4401 503 601 4402-fax

166



HAVLIK STREET - PLAN (STA: 10+00 - 19+93.41)



HAVLIK STREET - PROFILE (STA: 10+00.00 - 19+93.41)

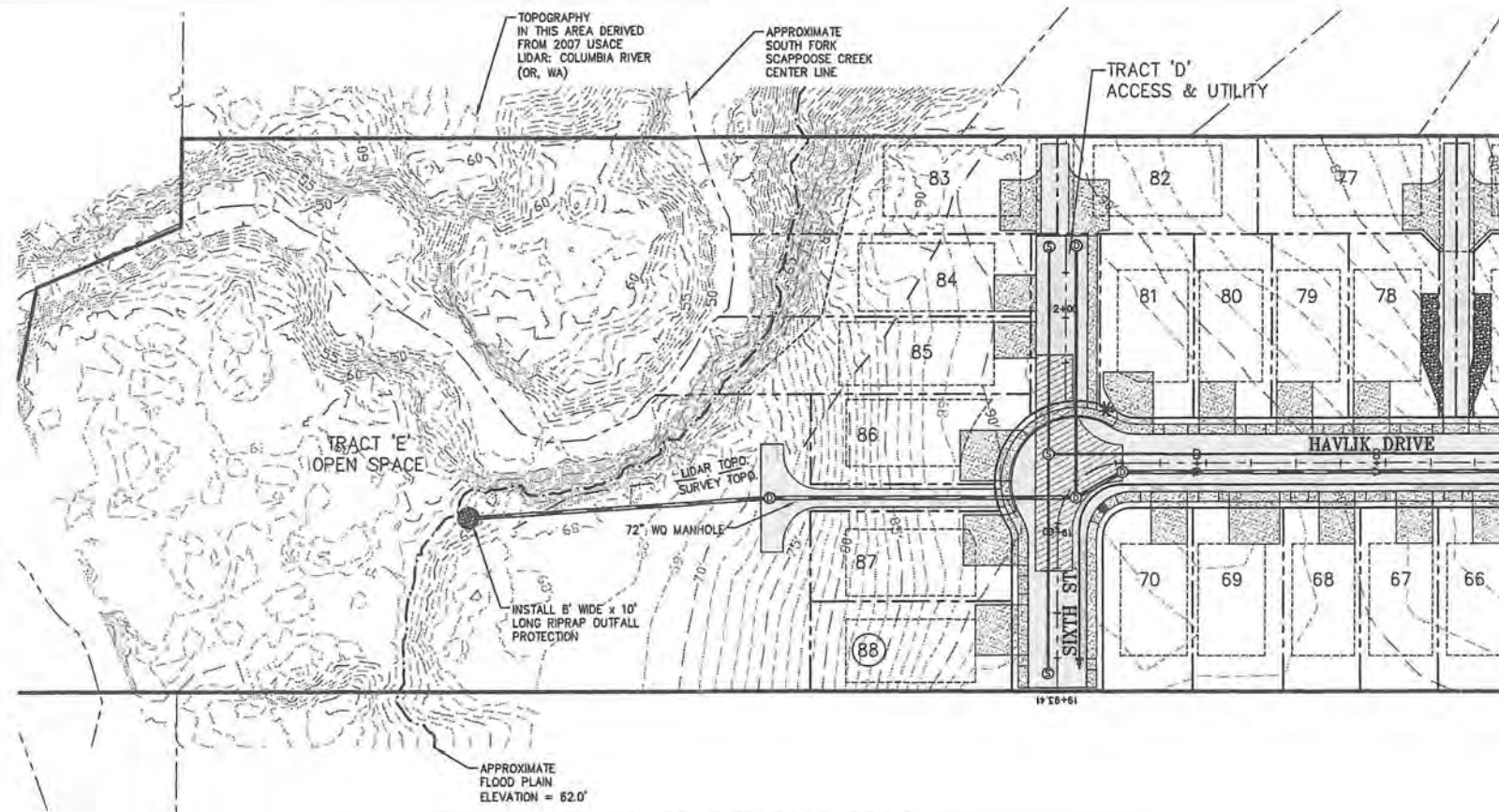
HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 10'



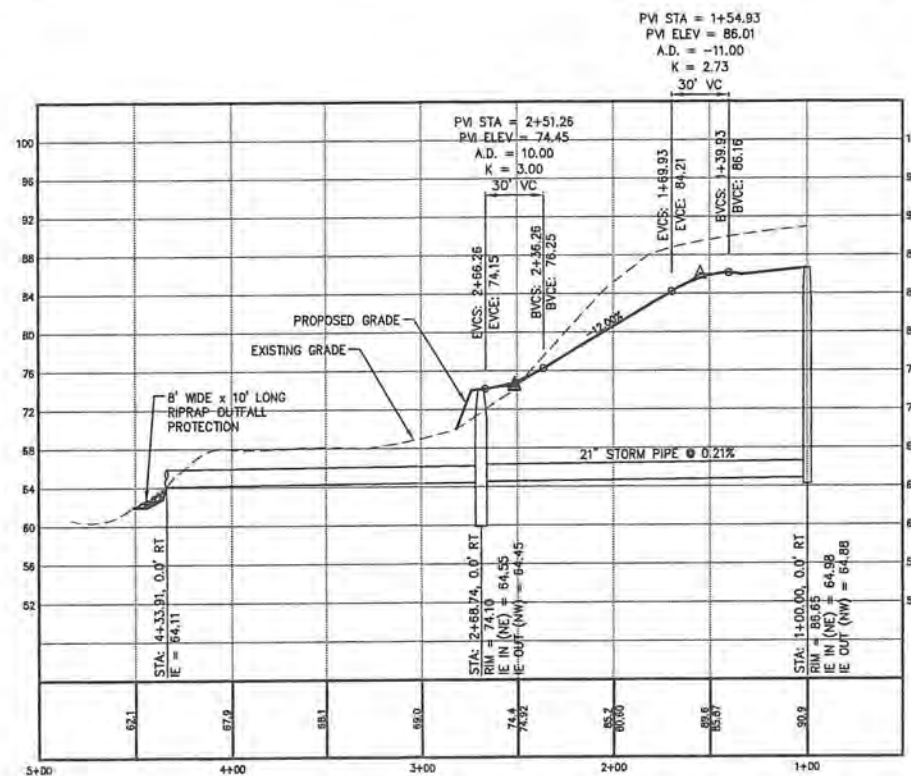
DESIGNED	REVISION	BY	DATE
DRAWN	1		
REVIEWED	2		
SUBMITTAL	3		
	4		
	5		
	6		
	7		

SOUTH FORK
N0318
HAVLIK DRIVE PRELIMINARY
PLAN AND PROFILE

FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647
SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPPOOSE, OREGON

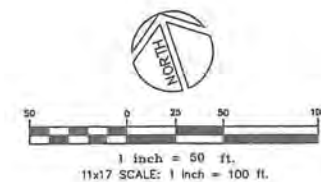


STORM OUTFALL - PLAN



STORM OUTFALL - PROFILE

HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 10'



REVISION	BY	DATE
1		
2		
3		
4		
5		
6		
7		

DESIGNED	
DRAWN	
REVIEWED	
SUBMITTAL	

22' Wide Dwelling - Example Elevations



South Fork
Planned Development

26' Wide Dwelling - Example Elevations



South Fork Planned Development

35' Wide Dwelling - Example Elevations



South Fork Planned Development

Geotechnical Report

Scappoose Lynch subdivision
Scappoose, Oregon

Prepared for:
Stafford Land Company

18 February 2015



Rapid
Soil Solutions LLC

3915 SW Plum Street
Portland, OR 97219
503-816-3689

TABLE OF CONTENTS

1.0 GENERAL INFORMATION	3
2.0 SITE CONDITIONS.....	3
2.1 Surface Conditions	3
2.2 Regional Geology.....	4
2.3 Field Explorations and Surfaces Conditions	4
2.3.1 Field Explorations	4
2.3.2 SubSurface Conditions	5
2.3.3 Groundwater	5
3.0 GEOTECHNICAL DESIGN RECOMMENDATIONS	5
3.1 Foundation.....	5
3.2 Floor Slabs.....	5
3.3 Seismic Design.....	6
3.4 GeoHazard Review.....	6
3.5 Pavement Design	7
3.5 Infiltration testing	7
4.0 CONSTRUCTION RECOMMENDATIONS	7
4.1 Site Preparation	7
4.1.1 Proof Rolling.....	7
4.1.2 Wet Soil Conditions.....	8
4.1.3 House Demolition and site clearing.....	8
4.1.4 Test pit backfilling	8
4.2 Excavation.....	8
4.3 Structural Fills	8
4.3.1 Native Soils.....	8
4.3.2 Imported Granular Fill	8
4.3.3 Pavement Base Aggregate.....	9
4.4 Drainage Considerations.....	9
5.0 CONSTRUCTION OBSERVATIONS	9
6.0 LIMITATIONS	9

SUPPORTING DATA

Appendix A - Figures

- Figure 1 Location Plan
- Figure 2 Tax map
- Figure 3 Survey
- Figure 4 Site plan with testing locations

Appendix B – Soil Logs and Laboratory data

1.0 PROJECT AND SITE DESCRIPTIONS

Rapid Soil Solutions (RSS) has prepared this geotechnical report for the development of a new subdivision on the parcel located at the street address 51403 Old Portland Road in Scappoose, Oregon. The 15.03 acre parcel stretching between SW Old Portland Road to the east (ESE) and South Fork Scappoose Creek to the west (WNW), on the western side of SW Old Portland Road at its intersection with Havlik Drive. This is situated within the middle portion of this section of SW Old Portland Road, approximately three fourths of a mile away from the south end of the road and approximately half a mile away from the north end of the road. This situates the eastern edge of the property only 0.15 miles west of the Columbia River Highway (HWY 30). At the time of the writing of this report, the subject site consists of a single parcel, located in the Northwest quarter of Section 13, Township 3N, Range 2W, W.M. and is identified by map-tax lot number 3N2W13B0-2300 and account number 4578. The location is indicated in Appendix A, Figure 1.

2.0 SITE CONDITIONS

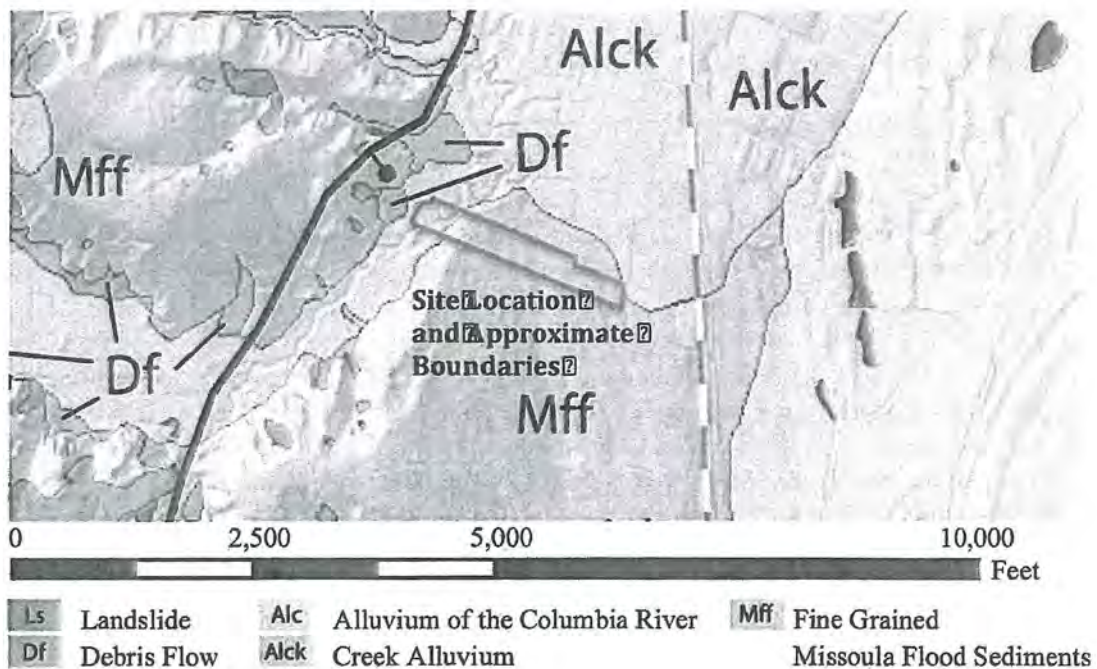
2.1 Surface Conditions

The subject site is situated in a relatively level area and contains only one area, near the western edge of the site and along the banks of the Scappoose creek, which contains slopes greater than 10%. The remainder of the property consists of two wide and relatively shallow N-S oriented depressions both situated between two north-south oriented low ridges of slightly higher elevation (one at roughly a quarter into the subject site from the eastern edge and the other approximately two thirds of the way into the site). The very eastern edge of the subject site feeds water into South Scappoose Creek, so the west, and the remainder of the property directs water in a generally northern to northeastern direction towards the Multnomah Channel. The site is approximately 2340 feet long and 308.16 feet across except along the easternmost 547.72 feet where the lot is slightly narrower. The western property boundary follows South Fork Scappoose Creek for a portion of the boundary line, but also includes the east bank of the creek in the northeast corner of the property. Full dimensions of the subject site, as surveyed in 1949 and presented in tax map 3213B, starting with the northwestern corner measures 1599.68 feet along a fenced boarder oriented S70°20'E, then jogs south 82.6 feet oriented S03°15'31"W before turning back parallel with the northern border (S70°20'E) for 547.72 feet to reach the northeast corner of the site. At the northeast corner the property boundary turns to parallel SW Old Portland Road (oriented S4°00'W) for 237.4 feet. The southern property line is partially fenced, measuring 2337.53' and paralleling the northern property line (S70°20'E). At the western end of the southern property line the boundary turns, oriented N0°26'W for 52.1 feet, angling away at N31°18'W for 179.5 feet and turning again to orient S87°32'30"W for 92.31 feet. The last segment to connect to the northwest corner measures 48.26' oriented S19°40'W. Tax map and survey are available in the Appendix.

The site currently contains a 1422 square foot single-family residence built in 1920 and three non-residential outbuildings; all situated in the eastern most portion of the parcel. The remainder of the parcel consists of undeveloped land, currently a grassy field.

2.2 Regional Geology

Current geologic mapping^{1, 2, 3} classifies the slopes below the subject site as fine grained Missoula flood sediments with a possible overlying layer of creek alluvium on parts of the property. The Pleistocene aged periglacial Missoula Flood deposits were emplaced from about 21,000 to 12,000 years ago when dozens of gigantic floods burst through the ice dam that retained Glacial Lake Missoula. The floodwaters, which reached an elevation of 400 feet above sea level, soured many areas down to bedrock and buried others beneath thick layers of sediment that can be divided into a fine grained and course grained units. The fine-grained portion of these flood deposits consists predominantly of white or tan sand and silts with occasional clay.



2.3 Field Exploration and Subsurface Conditions

2.3.1 Field Explorations

Five (5) test pits were excavated with a excavator and three (3) infiltration borings were excavated with a hand augur. The location of the test pits and borings are shown

1 Ma, L., Madin, I.P., Duplantis, S., and Williams, K.J., 2012, Lidar-based surficial geologic map and database of the greater Portland, Oregon, area, Clackamas, Columbia, Marion, Multnomah, Washington, and Yamhill Counties, Oregon, and Clark County, Washington: Oregon Department of Geology and Mineral Industries, Open-File Report 0-2012-02, scale 1:8,000.

2 Trimble, D.E., 1963, Geology of Portland, Oregon and adjacent areas: U.S. Geological Survey, Bulletin 1119, scale 1:62,500.

3 Phillips, W.M., 1987, Geologic map of the Vancouver quadrangle, Washington: Washington Division of Geology and Earth Resources, Open File Report 87-10, scale 1:100,000

on Figure 4 in Appendix A. A GIT observed the excavation of the pits and logged the subsurface materials with them reviewed by a registered professional engineer. Soil logs detailing materials encountered are Appendix B. The logs were created using the Unified Soil Classification and Visual Manual Procedure (ASTM-D 2488). Samples were transported to the laboratory ACS Testing of Tigard, Oregon for further classification in seal bags. Please see Appendix B for further laboratory results.

2.3.1 Subsurface Conditions

The soil conditions were stiff silty SAND to SAND to 10 feet. With moisture contents ranging from 24.3% to 37.2%

2.3.2 Groundwater

Groundwater was not encountered.

3.0 GEOTECHNICAL DESIGN RECOMMENDATIONS

3.1 Foundation Design

The building foundations may be installed on either engineered fill or firm native sub-grade that is found at a depth of about 2 feet. This depth may be locally variable and should be confirmed by a geotechnical engineer or their representative at the time of construction.

Continuous wall and isolated spread footings should be at least 16 and 24 inches wide, respectively. The bottom of exterior footings should be at least 16 inches below the lowest adjacent exterior grade. The bottom of interior footings should be at least 12 inches below the base of the floor slab.

Footings placed on engineered fill or firm native sub-grade should be designed for an allowable bearing capacity of 2000 *pounds per square foot (psf)*. The recommended allowable bearing pressure can be doubled for short-term loads such as those resulting from wind or seismic forces.

Based on our analysis the total post-construction settlement is calculated to be less than 1 inch, with differential settlement of less than 0.5 inch over a 50-foot span for maximum column, perimeter footing loads of less than 100 kips and 6.0 kips per linear foot.

Lateral loads on footings can be resisted by passive earth pressure on the sides of the structures and by friction at the base of the footings. An allowable lateral bearing pressure of 100 *pounds per cubic foot (pcf)* below grade may be used. Adjacent floor slabs, pavements or the upper 12-inch depth of adjacent, unpaved areas should not be considered when calculating passive resistance. An angle of internal friction of 32 degrees can be used.

If construction is undertaken during wet weather, we recommend a thin layer of compacted, crushed rock be placed over the footing sub-grades to help protect them from disturbance due to the elements and foot traffic.

3.2 Floor Slabs

Satisfactory sub-grade support for building floor slabs can be obtained from the native sub-grade prepared in accordance with our recommendations presented below. A 6-inch-thick layer of imported granular material should be placed and compacted over the prepared sub-grade. Imported granular material should be crushed rock or crushed gravel that is fairly well graded between coarse and fine, contains no deleterious materials, have a maximum particle size of 1 inch, have less than 5 percent by weight passing the U.S. Standard No. 200 Sieve, and meet OSSC 02630.10 – Dense Graded Aggregate 1”-0”. The imported granular material should be placed in 6-inch-thick lifts and compacted to at least 95 percent of the maximum dry density as determined by American Society for Testing and Materials (ASTM) D 1557. A sub-grade modulus of 125 pounds per cubic inch (pci) may be used to design the floor slab.

Installation of a vapor barrier is required for all the houses built on this lot. It will reduce the potential for moisture transmission through, and efflorescence growth on, the floor slabs. Additionally, flooring manufacturers often require vapor barriers to protect flooring and flooring adhesives and will warrant their product only if a vapor barrier is installed according to their recommendations. The selection and design of an appropriate vapor barrier, if needed, should be based on discussions among members of the design team.

3.3 Seismic Design Criteria

The seismic design criteria for this project found herein is based on the OSSC 2012, Section 1613 and from the USGS Earthquake Hazards Program. A summary of IBC 2012 seismic design criterion below: using a Lat of 45.7427 and Long of -122.8796

	Short Period	1 Second
Maximum Credible Earthquake Spectral Acceleration	Ss = 0.97g	S1 = 0.44 g
Adjusted Spectral Acceleration	Sms = 1.08	Sm1 = 0.68
Design Spectral Response Acceleration Perimeters	Sds = 0.72	Sd1= 0.46

3.4 GeoHazard Review

The Oregon HazVu: Statewide Geohazard Viewer⁴ was reviewed on February 9th, 2015 to investigate mapped geological hazards. This review indicates that the westernmost edge of the subject site, adjacent to the creek, is within the 100-year flood plain. All proposed new construction regions fall outside of this area. The expected earthquake-shaking hazard is classified as ‘very strong’ with a liquefaction hazard classification of ‘moderate’. The nearest mapped active fault is NE-SW oriented and situated just under

⁴ <http://www.oregongeology.org/hazvu/>

1000 feet northwest of the western edge of the subject site. There are no landslides on the subject site.

3.5 Pavement Design

Our pavement design recommendations are based on the silty SAND, 8" of 1 ½" minus rock with 2" of ¾" minus rock. Compaction standards on all future streets require 92% of ASTM D1557. Asphalt thickness will be 4".

The asphalt's base rock section is not intended to serve as a construction working surface. Oftentimes such use will result in contaminated base rock and a soil sub-grade which has become disturbed.

3.6 Infiltration Testing

RSS performed three (3) infiltration tests in locations marked by the civil engineer. The tests were performed using the EPA falling head method. At locations #1 and #2 the rates after three 1 hour tests were 4 in/hr and 3 in/hr. At the proposed pond in the rear of the subdivision the rate is 0 in/hr. See the infiltration spread sheet in appendix b. No ground water was found 5 feet below the tested elevation.

4.0 CONSTRUCTION RECOMMENDATIONS

4.1 Site Preparation

Demolition should include removal of existing improvements throughout the project site. Underground utility lines, vaults, basement walls or tanks should be removed or grouted full if left in place. I recommend that soil disturbed during grubbing operations be removed to firm, undisturbed sub-grade. The excavations should then be backfilled with compacted structural fill or native materials if it's within its optimum moisture content.

4.1.1 Proof Rolling

Following stripping and prior to placing aggregate base course, pavement the exposed sub-grade should be evaluated by proof rolling. The sub-grade should be proof rolled to identify soft, loose, or unsuitable areas. Please give 24 hour notice to observe the proof rolling. Soft or loose zones identified during the field evaluation should be compacted to an unyielding condition or be excavated and replaced with structural fill, as discussed in the *Structural Fill* section of this report.

4.1.2 Wet Weather Conditions

The near-surface soils will be difficult during or after extended wet periods when the moisture content of the surface soil is more than a few percentage points above optimum. Soils that have been disturbed during site preparation activities, or soft or loose zones identified during probing or proof rolling, should be removed and replaced with compacted structural fill. Track-mounted excavating

equipment will be required during wet weather. The imported granular material should be placed in one lift over the prepared, undisturbed sub-grade and compacted using a smooth drum, non-vibratory roller. If construction is undertaken during the wet weather the builder may choose to cement treat the top 12" of sub-grade soil on the site. This will save time over the duration of the project due to the moisture sensitive silty CLAY becoming soft and yielding which will require repeated over excavation and replacement with structural fill. The geo-textile fabric can be eliminated if the sub-grade is cement treated.

4.1.3 Demolition and site clearing

RSS will verify that the area has been stripped of all organic material prior or construction debris prior to placement of any fill. Only imported material shall be used to fill old basement area. See below section for import fill materials. Please allow 24 hours to schedule inspection for post demolition.

4.1.4 Test pit backfilling

RSS excavated a total of five (5) tests pits to evaluate the site soils. They were backfilled and compacted with the machine. If will need to be re-excavated at time of construction and backfilled as per the standards in this report.

4.2 Excavation

Subsurface conditions of accessible cleared areas of the project site show predominately silty SAND to SAND to a depth explored (10 feet). Excavations in the upper soils may be readily accomplished with conventional earthwork equipment with smooth faced bucket.

4.3 Structural Fills

Fills should be placed over sub-grade prepared in compliance with Section 4.1 of this report. Material used, as structural fill should be free of organic matter or other unsuitable materials and should meet specifications provided in OSSC, depending upon the application. A discussion of these materials is in the following sections.

4.3.1 Native Soils

Laboratory testing indicates that the moisture content of the typical for optimum moisture content of the soil required for satisfactory compaction. This is depending on the weather conditions at the time of excavation. Native soils can use ASTM D698 and 95% compaction is required. Please supply the engineer with a 5gallon bucket of material 48hours prior to any compaction tests required. Compaction tests are required every 500 cu feet of fill or every 1.5 feet of elevation.

4.3.2 Imported Granular Fill

The imported granular material must be reasonably well graded to between coarse and fine material and have less than 5% by weight passing the US Standard No.200 Sieve. Imported granular material should be placed in lifts 8 to12 inches and be compacted to at least 92% of the maximum dry density, as determined by

ASTM D 1557. Where imported granular material is placed over wet or soft soil sub-grades, we recommend that a geo-textile serve as a barrier between the sub-grade and imported granular material. Please supply the engineer with a 5gallon bucket of material 48hours prior to any compaction tests required. Compaction tests are required every 500 cu feet of fill or every 1.5 feet of elevation

4.3.3 Pavement Base Aggregate

Imported base aggregate for roads and parking lots should be clean, crushed rock or crushed gravel. The base aggregate should meet the gradation defined in OSSC 02630.10 – Dense Graded Aggregate 1 1/2"-0," with the exception that the aggregate should have less than 5% passing a US Standard No. 200 Sieve. The base aggregate should be compacted to at least 92% of the maximum dry density, as determined by ASTM D 1557. Please supply the engineer with a 5gallon bucket of material 48hours prior to any compaction tests required.

4.4 Drainage Considerations

The Contractor shall be made responsible for temporary drainage of surface water and groundwater as necessary to prevent standing water and/or erosion at the working surface. We recommend removing only the foliage necessary for construction to help minimize erosion. Slope the ground surface around the structures to create a minimum gradient of 2% away from the building foundations for a distance of at least 5 feet. Surface water should be directed away from all buildings into drainage swales or into a storm drainage system.

5.0 CONSTRUCTION OBSERVATIONS

Satisfactory pavement and earthwork performance depends on the quality of construction. Sufficient monitoring of the activities of the contractor is a key part of determining that the work is completed in accordance with the construction drawings and specifications. I recommend that a geotechnical engineer observe general excavation, stripping, fill placement, and sub-grades in addition to base. Subsurface conditions observed during construction should be compared with those encountered during the subsurface explorations. Recognition of changed conditions requires experience. Therefore, qualified personnel should visit the site with sufficient frequency to detect whether subsurface conditions changes significantly from those anticipated.

6.0 LIMITATIONS

This report has been prepared for the exclusive use of the addressee, and their architects and engineers for aiding in the design and construction of the proposed development. It is the addressee's responsibility to provide this report to the appropriate design professionals, building officials, and contractors to ensure correct implementation of the recommendations. The opinions, comments and conclusions presented in this report were based upon information derived from our literature review, field investigation, and laboratory testing. Conditions between, or beyond, our exploratory borings may vary from those encountered. Unanticipated soil conditions and seasonal soil moisture variations are commonly encountered and cannot be fully determined by merely taking soil samples or soil borings. Such variations may result in

changes to our recommendations and may require that additional expenditures be made to attain a properly constructed project. Therefore, some contingency fund is recommended to accommodate such potential extra costs.

If there is a substantial lapse of time between the submission of this report and the start of work at the site; if conditions have changed due to natural causes or construction operations at, or adjacent to, the site; or, if the basic project scheme is significantly modified from that assumed, it is recommended this report be reviewed to determine the applicability of the conclusions and recommendations.

The work has been conducted in general conformance with the standard of care in the field of geotechnical engineering currently in practice in the Pacific Northwest for projects of this nature and magnitude. No warranty, express or implied, exists on the information presented in this report. By utilizing the design recommendations within this report, the addressee acknowledges and accepts the risks and limitations of development at the site, as outlined within the report.

Appendix A

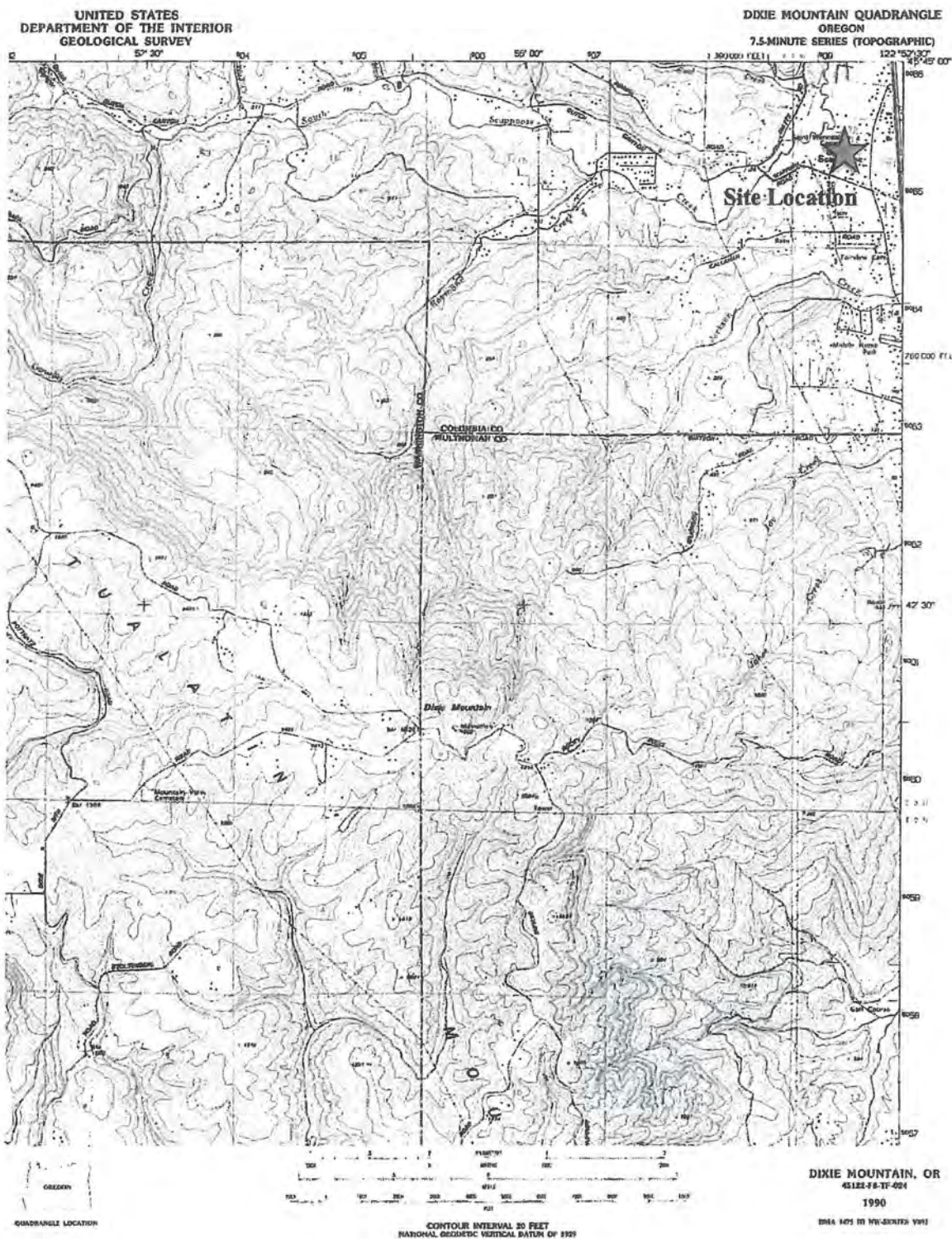


Figure 1: Site Location

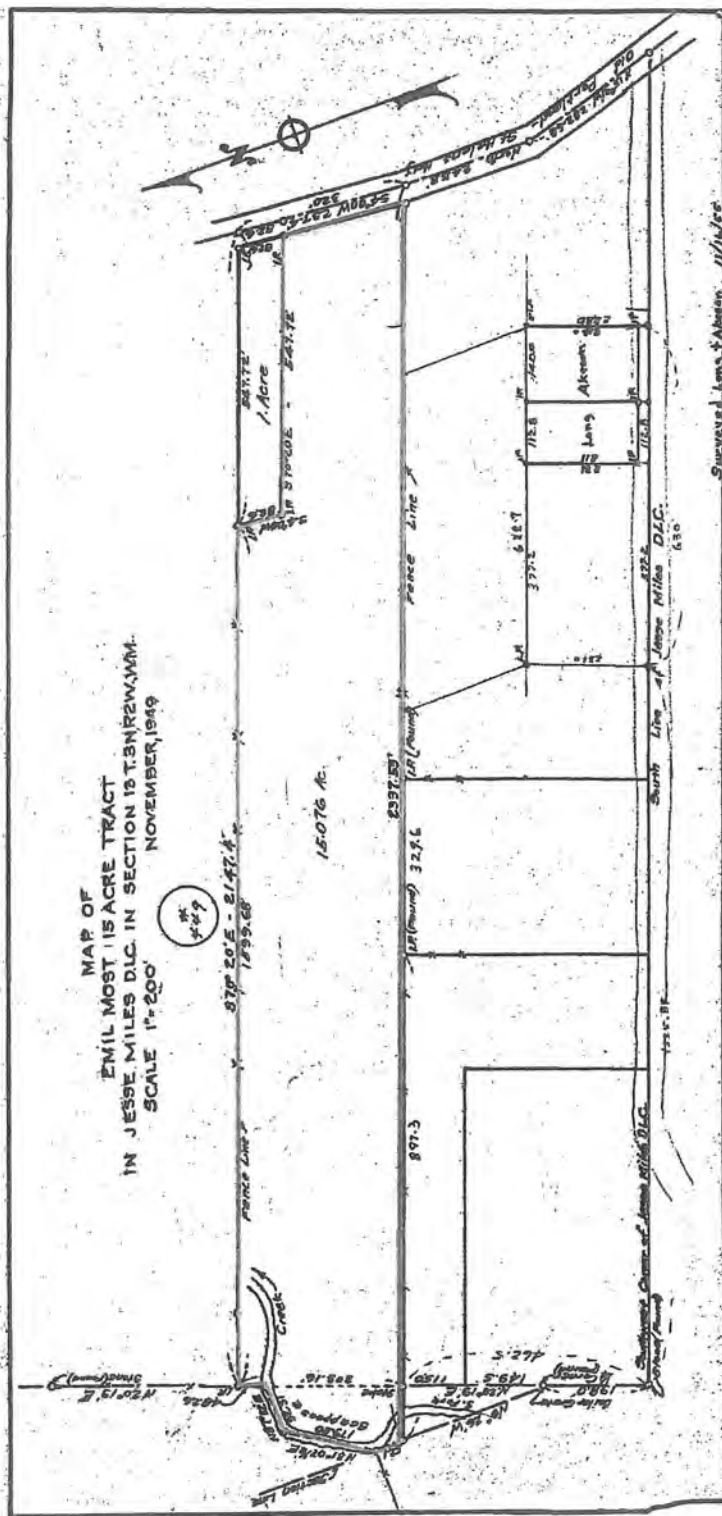


Figure 3: Site Survey

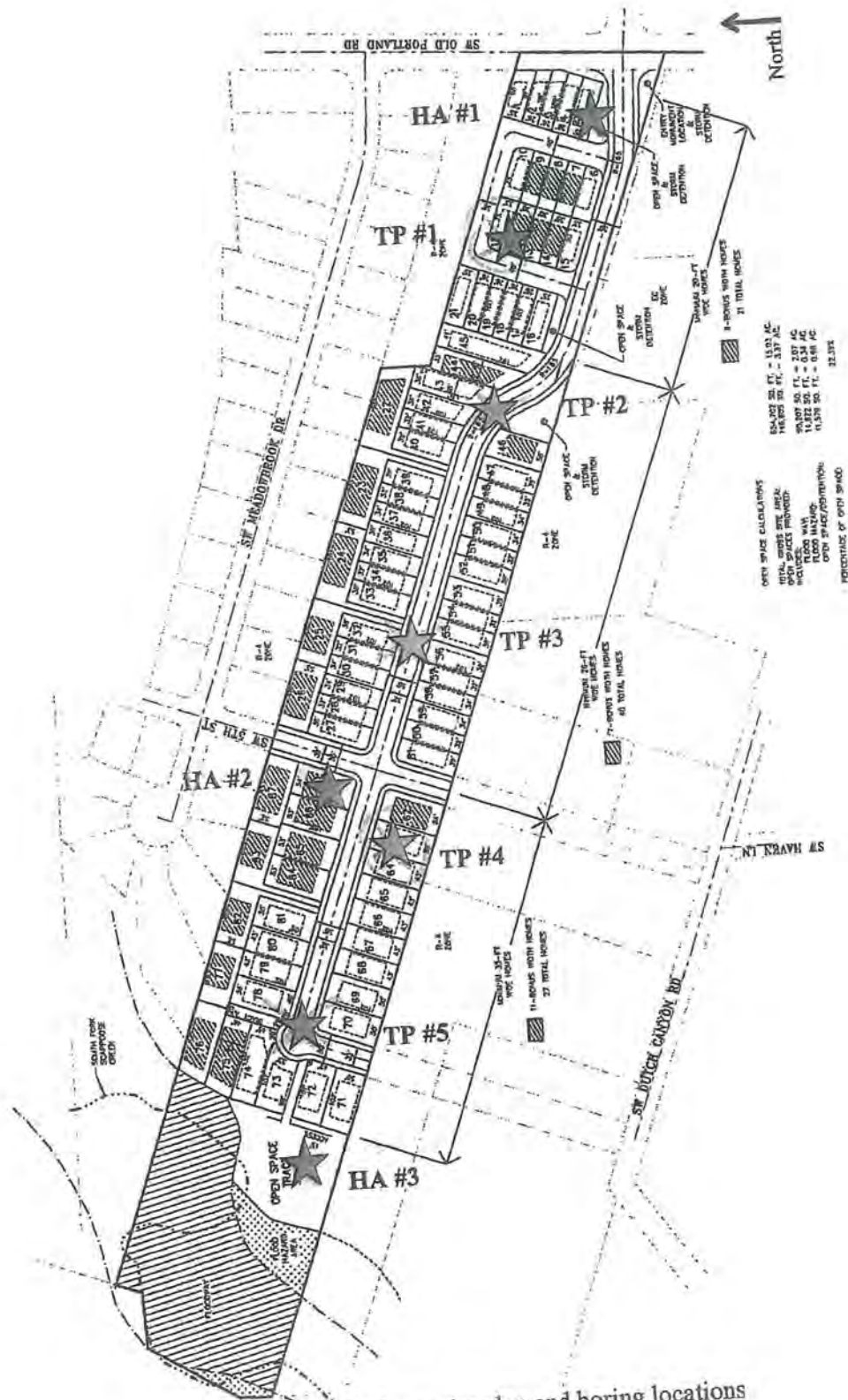


Figure 4: Preliminary site plan and boring locations

Appendix B

Infiltration Test Results

Project: Scappoose Subdivision
Location: 51403 SW Old Portland Rd, Scappoose, Oregon
By: Rachel Gipe GIT as supervised by Mia Mahedy-Sexton, PE GE
HA #1 total depth of 6'

Date: February 10th, 2015

#1		#2		#3	
Time	Measurement (in)	Time	Measurement (in)	Time	Measurement (in)
11:55	12	12:55	13	1:55	12
12:15	9	1:15	11	2:15	10
12:35	8	1:35	9.5	2:35	9
12:55	7	1:55	8.5	2:55	8
Rate (in/hr):	5		4.5		4

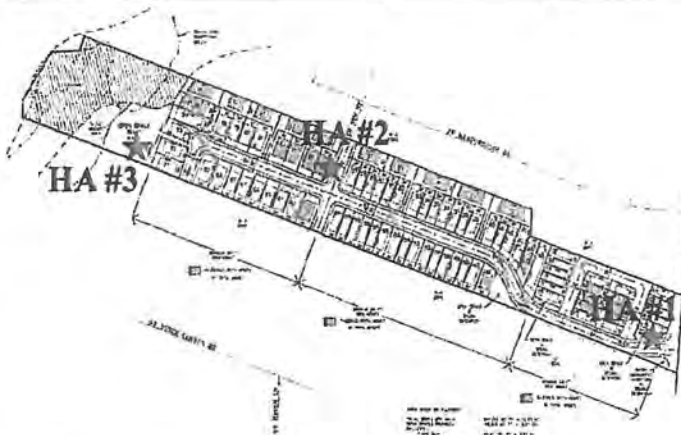
HA #2 total depth of 6'

#1		#2		#3	
Time	Measurement (in)	Time	Measurement (in)	Time	Measurement (in)
11:58	12	12:58	12	1:58	13
12:18	10	1:18	10	2:18	12
12:38	8	1:38	8	2:38	11
12:58	7	1:58	7.5	2:58	10
Rate (in/hr):	5		4.5		3

HA #3 total depth of 6'

#1		#2		#3	
Time	Measurement (in)	Time	Measurement (in)	Time	Measurement (in)
12:02	12.25	1:02	12	-	-
12:22	12	1:22	12	-	-
12:42	11.75	1:42	12	-	-
1:02	11.75	2:02	12	-	-
Rate (in/hr):	0.5		0		

Soils observed at the site consisted of tan-brown sandy silts to silty sands, with sand concentrations increasing gradually with depth, to total depth of observations. The top foot of material in all the borings consisted of a medium brown, fine grained, top material that was more organic rich than the observed underlying it. Moisture content was damp to the testing depths. No shallow ground water was found, as checked to a depth of 11 feet in all infiltration test locations.



Rapid
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 phn: 503-443-3799
 fax: 503-620-2748

RAPID SOIL SOLUTIONS
3915 SW PLUM STREET
PORTLAND, OR 97219-6018

PROJECT: RSS 2015 LAB SERVICES
 LOCATION: SCAPPOOSE SUB DIV.
 SAMPLE SOURCE: SEE BELOW

JOB NO: 15-5468
 WORK ORDER NO: N/A
 DATE SAMPLED: 2/10/15

MECHANICAL SIEVE ANALYSIS
GROUP SYMBOL, USCS (ASTM D-2487)

					Silt or Clay	SAND								GRAVEL								COBBLES	
						Fine			Medium			Coarse		Fine				Coarse					
Location & Depth	USCS	LL	PI	#200	#100	#50	#40	#30	#16	#10	#8	#4	1/4"	3/8"	1/2"	3/4"	1"	1 1/4"	1 1/2"	2"	3"	6"	Lab #

PERCENT PASSING BY WEIGHT

TP2 @4'		NV	NP																					7957
TP3 @2'		NV	NP																					7957

BORING	DEPTH	MC%
TP1	6'	34.2
TP2	4'	31.2
TP3	2'	24.3
TP4	8'	37.2
TP5	8'	30.9

REVIEWED BY slr DE/fs

TP#1

Surface Elevation: 72
 Boring Date: 2/10/15
 Boring Location: Scappose, OR
 Drilling Method: Excavator

SuperLog CivilTech Software, USA www.civiltech.com File: D:\Users\llynch\Desktop\1511A WORK\2015\Reports\1st Quarter\Scappose subdivision lynch\TP1.log Date: 2/17/2015

Depth	Remarks	Moisture (%)	Dry Density	Blow Counts	Sample Type	Water Table
0					TP	Top Soil
0					MLS	Damp light brown, stiff, Silty SAND
2						
4						
6	34.2					
8					MLS	Damp light brown, stiff, Silty SAND, increasing sand content with depth
10					MLS	Test pit completed at 10ft
12						
14						

LOG OF BORING

Rapid Soil Solutions

**Scappose Lynch Subdivision
 Stafford Land Company**

Plate 1

TP#2

Surface Elevation: 78
 Boring Date: 2/10/15
 Boring Location: Scappose, OR
 Drilling Method: Excavator

SuperLog ChrtTech Software, USA www.chrttech.com File: D:\Userst\W\l\Desktop\WIA WOR\12015\Report\1st Quarter\Scappose subdivision Lynch\TP2.log Date: 2/17/2015

Depth	Remarks	Moisture (%)	Dry Density	Blow Counts	Sample Type	Water Table
0					TP	Top Soil
1					SW	Damp light brown, dense, SAND
2						
3						
4	PJ=NP, LL=NL	31.2				
5						
6					SW	End test pit at 6ft
7						

LOG OF BORING

Rapid Soil Solutions

**Scappose Lynch Subdivision
 Stafford Land Company**

Plate 1

TP#3

Surface Elevation: 74
 Boring Date: 2/10/15
 Boring Location: Scappose, OR
 Drilling Method: Excavator

SuperLog CivilTech Software, USA www.civiltech.com File: D:\Users\W\l\Desktop\WIA WOR\12015\Reports\1st Quarter\Scappose subdivision Lynch\TP3.log Date: 2/17/2015

Depth	Remarks	Moisture (%)	Dry Density	Blow Counts	Sample Type	Water Table
0					TP	Top Soil
1					SW	Damp light brown, dense, SAND
2	24.3					
3						
4						
5						
6					SW	End test pit at 6ft
7						

LOG OF BORING

Rapid Soil Solutions

**Scappose Lynch Subdivision
 Stafford Land Company**

Plate 1

TP#4

Surface Elevation: 80
Boring Date: 2/10/15
Boring Location: Scappose, OR
Drilling Method: Excavator

SuperLog CivilTech Software, USA www.civiltech.com File: D:\Users\Mike\Desktop\111A WORK\2015\Reports\1st Quarter\Scappose subdivision\lynch\TP4.log Date: 2/17/2015

Depth	Remarks	Moisture (%)	Dry Density	Blow Counts	Sample Type	Water Table
0					TP	Top Soil
					MLS	Damp light brown, stiff silty SAND
2						
4						
6					SW	Damp, light brown, dense SAND, increasing sand content with depth
8	37.2				SW	End test pit at 8ft
10						
12						
14						

LOG OF BORING

Rapid Soil Solutions

**Scappose Lynch Subdivision
Stafford Land Company**

Plate 1

TP#5

Surface Elevation: 84
Boring Date: 2/10/15
Boring Location: Scappose, OR
Drilling Method: Excavator

SuperLog CiviTech Software, USA www.civitech.com File: D:\Users\lma\Desktop\lma WORK\12015\Report\1st Quarter\Scappose subdivision Lynch\TP5.log Date: 2/17/2015

Depth	Remarks	Moisture (%)	Dry Density	Blow Counts	Sample Type	Water Table
0					TP	Top Soil
					MLS	Damp light brown, stiff silty SAND
2						
4						
6					SW	Damp, light brown, dense SAND, increasing sand content with depth
8	30.9				SW	End test pit at 8ft
10						
12						
14						

LOG OF BORING

Rapid Soil Solutions

**Scappose Lynch Subdivision
Stafford Land Company**

Plate 1



South Fork PD
City of Scappoose, Oregon

***Drainage Report,
Downstream Analysis and
Certification of Investigation
March 28, 2015***



Prepared For: Stafford Land Company
 485 South State Street
 Lake Oswego, OR 97034

Prepared By: NW Engineers
 3409 NW John Olsen Place
 Hillsboro, OR 97124

Submitted To: City of Scappoose, OR

NW Engineers Project No. N0318

Table of Contents:

Introduction.....	3
Existing Conditions	3
Proposed Conditions	3
Downstream Analysis and Certification of Investigation	5
Conclusions.....	5

Appendices:

Appendix A -	Site Maps and Plans
Appendix B -	Soil Classification and Map
Appendix C	Hydrology Calculations

STORM DRAINAGE REPORT

**South Fork PD
Tax Map 03 02 13B
Tax Lot 2300**

Introduction

The proposed South Fork 88-lot Planned Development is located west of Old Portland Road, at the intersection of Old Portland Road and Havlik Drive, in Scappoose, OR. Refer to Appendix A for a vicinity map, utility facilities adjacent to the site and the existing lot conditions. The site area is 15.94 acres.

This Storm Drainage Report reviews the existing site conditions, estimates the peak runoff from the site under existing conditions, describes the proposed new development and storm drainage system, and analyzes the downstream channel and storm sewer system to which this new system will discharge. In addition, the water quality facility calculations are included herein.

Existing Conditions

Tax Lot 2300 is 15.94 acres in area and is, in general, an undeveloped, farmed property. The western portion of the property (2.92 acres) lies adjacent to South Scappoose Creek, and includes a wetland area. There is one existing home and an out building on the property, both of which will be removed as part of the development. The site has a few trees located on the southern side of the property, near Old Portland Road. The property slopes from west to east from the ridge line located at the western part of the property, before it descends westerly to the aforementioned creek and wetland area. The slope of the land from the ridge line easterly averages about 3 percent, with an intermediate draw which drains northerly. The property is bounded on the north by the Meadowbrook Subdivision and on the south by large lot single family residences/ urban farms and a forested, conservation area, all fronting on SW Dutch Canyon Road. Stormwater from the southerly large lot area discharges through the forested, conservation area to the site, and flows in the draw running to the northwest on the site. No channeled discharge from the site has been observed, all runoff apparently ponding and infiltrating during most rainfall events.

The United States Department of Agriculture Soil Conservation Service Soil Survey of Columbia County, Oregon classifies the existing soils as Cloquato silt loam, Quafeno loam and Quatama silt loam. These soil types are further classified as being in hydrologic group B (Cloquato silt loam) with a composite pervious curve number (CN) of 69 for close seeded legumes/meadow, good condition (current condition) and 61 for grass cover greater than 75% (developed condition) and C (Quafeno loam and Quatama silt loam) with a composite pervious curve number (CN) of 78 for the current condition and 74 for the developed condition. Refer to Appendix B for the soil map and soil classification information.

Proposed Conditions

On-site improvements include a 88 lot planned development with 32- foot wide public streets with a 3' planter and 5' sidewalks. The developed area will be served by two storm sewer systems. The lower area of the development adjacent to Old Portland Road will be served by a storm sewer beginning at the western leg of South Fork Loop. This 12-inch diameter storm sewer system will collect all storm runoff

from Lots 1 through 22. Stormwater will be discharged to the Tract A and B areas which will be deepened to a depth of 10 feet and lined with retaining walls to provide for stormwater storage. Prior to discharge to the Tract A and B storage areas, a water quality manhole will allow for sedimentation to occur. This manhole will have a sump with a volume of 58.9 Cubic feet (3 feet sump in a 60-inch diameter manhole), which will be sufficient to handle the 25-year peak flowrate of 1.81 cfs.

The total storage volume in this combined detention area-which will be connected hydraulically by a 12-inch diameter pipe at the bottom elevation of 63.0-so that both basins will "float" on each other-, is 24,000 cubic feet from the bottom elevation of 63.0 to the design top water surface elevation of 66.0. Stormwater will be allowed to back up into these basins and infiltrate out of the bottom-an infiltration rate of 4"/hour is conservatively used in our analysis. This is the rate for the infiltration test done on the soils about 3 feet deep on the site. The deeper (10 feet) test pits indicate that the sand content of the soil increases as the depth increases, which will lead to higher infiltration rates, which we know are available at the deeper levels.

This will allow for a growing media-18-inches in thickness-to be placed in the bottom of the basin so that the infiltrated water will be treated before discharge to the groundwater. Discharge from these basins during peak flow events will occur from a ditch-type inlet (with sloping, grated inlet) with an overflow elevation of 65.75. Discharge from this structure will be to the existing storm sewer system in Old Portland Road via a 12-inch diameter sewer. Peak discharge from this new system to the existing system for the 25-year storm event is calculated as 0.08 cfs. This is a small additional flow when compared to the flow to the downstream system and its buried pipe storage system serving the roof area and parking area of the Fred Meyer store, plus the adjoining public streets. Stormwater discharge from the Fred Meyer drainage system is to the storm sewer located in Highway 30.

The western part of the new development-serving lots 23 through 88 and the offsite southerly large lots fronting on SW Dutch Canyon Road will be served by a storm sewer system which will discharge in the open space adjacent to South Scappoose Creek through a grassy swale to provide treatment before it reaches the creek. The sewer will begin in Havlik Drive at Lot 23 as a 12-inch diameter sewer. Flowing westerly in Havlik Drive, it will pick up the areas along it and the flow from the lots fronting on SW Dutch Canyon Road. The storm sewer serving those offsite areas will be 15 -inches in diameter routed from a ditch inlet located at the southern side of Lot 52, then along the west side of Lot 52 in an easement to the storm sewer in Havlik Drive. Note that this storm sewer is oversized as during extreme events flow from the south side of SW Dutch Canyon Road may reach this sewer. Normally flows in that area south of SW Dutch Canyon Road are infiltrated in a wetland area south of that road.

The storm sewer in Havlik Drive will then continue as a 21-inch diameter sewer in Havlik drive to Sixth Street, then continue westerly to the open space to its discharge to the boundary between the open space and the flood hazard area. Peak flow for the 25-year storm condition is 5.38 cfs. The outfall of the storm sewer will be above the 100-year flood plain elevation (62.0). The storm sewer discharge will be to a rip-rapped natural channel, discharging to the flood hazard area. Prior to the discharge, the flow will go through a water quality manhole which will limit the sediment and any oils from leaving the manhole. This water quality manhole will have a sump volume of 105 cubic feet. This volume will be provided in a 3.7 feet deep sump in a 72-inch diameter manhole. Stormwater will be allowed to spread out in the flood hazard area downstream of the discharge.

The sewer system's layouts and areas served are shown on the drawings in Appendix C.

HydroCAD model runs for these systems-for the 2, 10, 25 and 100-year rainfall events- are also in Appendix C. Time of concentration for subdrainage areas included in the model are 5 to 7 minutes except for the offsite area served which is assigned a TOC of 60 minutes.

Lot impervious areas-roof plus driveways-are assumed to be as follows: Small lots (i.e Lots 7 – 9)- 1440 SF; Medium lots (i.e. Lots 6-15)-2080 SF; Large lots (i.e. Lots 71, 76)-2275 SF.

Storm inlets will be located to meet City of Scappoose standards. Roof drainage and foundation drains will be routed to weep holes at the curb for most of the lots. Flag lots will have individual service lines. Lots with backyards adjacent to the detention basin adjacent to Old Portland Road will discharge directly to the detention basin.

Downstream Analysis and Certification of Investigation

The discharge from the storm sewer serving the western part of the development will discharge to the flood hazard area adjacent to South Scappoose Creek, and therefore no detention or downstream analysis is required. The discharge to the existing storm sewer system in Old Portland Road is minimal (0.08 cfs) under peak 25-year conditions. If overflow from the detention system did occur, stormwater would flow to Old Portland Road and be handled with no damage to existing facilities by the storm sewer in Old Portland Road.

Conclusions

It is recommended that the proposed onsite storm sewer and detention facility be constructed as indicated. No additional construction or replacement of existing stormwater facilities is required by this development.

Appendix A:

Existing Conditions Plan
Proposed Utility Plan

TRAFFIC ANALYSIS REPORT

FOR

LYNCH PROPERTY

OLD PORTLAND ROAD AT HAVLIK DRIVE

CITY OF SCAPPOOSE

SUBMITTED BY



March 2015

Project 15-09

TRAFFIC ANALYSIS REPORT

FOR

LYNCH PROPERTY

OLD PORTLAND ROAD AT HAVLIK DRIVE

CITY OF SCAPPOOSE

Prepared By

CHARBONNEAU Engineering LLC



March 2015

Project 15-09

TABLE OF CONTENTS

FL1523

INTRODUCTION.....	1
TRAFFIC ANALYSIS CONSIDERATIONS	1
SITE DESCRIPTION, STREETS, ACCESS, AND CRITICAL INTERSECTIONS	2
TRAFFIC OPERATIONAL ANALYSIS.....	2
VEHICULAR TRIP GENERATION	3
CAPACITY ANALYSIS	4
QUEUING ANALYSIS	5
SIGHT DISTANCE	5
LEFT TURN LANE REQUIREMENTS.....	5
TRAFFIC SIGNAL WARRANTS	6
ACCIDENT HISTORY.....	6
PEDESTRIANS, BICYCLES, & BUSES	6
SUMMARY AND RECOMMENDATIONS.....	6
APPENDIX.....	8

- Vicinity Map Figure 'a'
- Site Plan Figure 'b'
- Lane Configurations & Traffic Control Figure 'c'
- Traffic Flow Diagrams
 - Figure 1 2015 Existing Traffic, AM & PM Peak Hours
 - Figure 2 2015 Balanced Traffic (Seasonally Adjusted, 30th Highest Hour)
 - Figure 3 In-Process Traffic
 - Figure 4 2018 Background Traffic
 - Figure 5 Trip Distribution
 - Figure 6 Trip Assignment
 - Figure 7 2018 Total Traffic
- Traffic Count Data
- In-Process Traffic Worksheets
- Left Turn Lane Warrant
- Peak Hour Signal Warrant
- Accident History Summary (data furnished by ODOT)
- Capacity Analysis Worksheets

INTRODUCTION

This traffic study has been prepared to document and evaluate the operations and safety conditions for the Lynch Property development being planned in Scappoose, Oregon. The development will build a subdivision totaling 88 single-family homes. The project site is located west of the intersection of Havlik Drive at SW Old Portland Road (near the Fred Meyer Store) in an area with residential properties to the north and south. The 15 acre site is addressed at 51403 SW Old Portland Road and will be served by a new access on the west leg of the Havlik Drive at Old Portland Road intersection. Figure 'a' in the appendix is a vicinity map highlighting the project location.

In accordance with the City's requirements the study area was defined as the surrounding neighborhood including the adjacent streets and the intersections on Havlik Drive at Old Portland Road and at Columbia River Highway/US30.

TRAFFIC ANALYSIS CONSIDERATIONS

In the project scope established with City of Scappoose staff a number of important elements were identified and considered in this study.

- Inventory and record pertinent information such as traffic control devices, circulation patterns, lane conditions, pedestrian & bicycle facilities, transit zones, parking, and street characteristics.
- Record data on typical weekdays during the AM and PM peak traffic hours.
- Obtain traffic count data for the intersections on Havlik Drive at Old Portland Road and at Columbia River Highway/US30.
- Determination of the 30th highest design-hour traffic volumes according to ODOT standards by application of a 9.6% seasonal adjustment factor to the raw data.
- The project buildout is estimated to occur by year 2018. Three years of traffic growth at 2.5% per year and in-process traffic was applied to establish the year 2018 background volumes.
- Determination of the development's trip generation based on the latest ITE Trip Generation manual for 88 single-family homes.
- Level of service (LOS) analysis of the study intersections to measure the approach delays & v/c ratios for comparison to City and ODOT standards.
- Provide recommendations for traffic control and lane configuration at the study intersections.
- Determination of vehicular queuing at the study intersections and comparison of the demand queues to the available storage lengths.
- Preparation of the left turn lane warrant and signal warrant for the intersection of Old Portland Road at Havlik Drive.
- Review traffic accident data furnished by ODOT. Determine the intersection crash rates at the intersections of Havlik Drive at Old Portland Road and at Columbia River Highway/US30.

- Address the development's pedestrian mobility/connectivity relative to the existing transportation system.

SITE DESCRIPTION, STREETS, ACCESS, AND CRITICAL INTERSECTIONS

Development of the Lynch Property will include construction of 88 single-family homes. The site currently consists of vacant property. A new street will be constructed on the west leg of the intersection of Havlik Drive at Old Portland Road to provide access. The project site plan (Figure 'b') illustrates the development plan and future street layout.

The intersection on Havlik Drive at Old Portland Road is currently controlled by stop signing on the east approach and the intersection at Havlik Drive and Columbia River Highway/US30 is controlled by signalization. The existing and proposed lane configurations and traffic control are presented in Figure 'c' in the report's appendix.

Columbia River Highway/US30 is classified as a major arterial within the City limits in Scappoose. The highway is also referenced by ODOT as Highway #92 and is classified as a Statewide Highway (ODOT designation), NHS route (FHWA planning designation), Federal Freight Route (federal designation) and a Reduction Review Route. According to the Oregon Highway Plan (OHP, Table 6) the mobility standard for the intersection volume/capacity ratio equates to a v/c of 0.80 due to this segment being a Statewide Highway that is a Freight Route inside an urban growth boundary. It is not within an STA or MPO, and the speed limit is posted at 45 mph.

Havlik Drive at SW Old Portland Road contains a single northbound lane, separate left and through lanes for the southbound approach, and separate left and right turn lanes on the stop controlled east leg approach. There are no bike lanes. There are sidewalks along Old Portland Road and on Havlik Drive. The posted speed is 35 MPH on Old Portland Road.

Havlik Drive at Columbia River Highway/US30 is controlled by signalization and contains protected left turn phasing on all approaches. The intersection operates with eight phases. There are dual left turn lanes and a combination through/right turn lane on the west approach, a separate left, two through lanes, and a separate right turn lane on the south leg, a separate left and combination through/right lane on the east leg, and two southbound through lanes with separate right and left turn lanes on the north leg. Marked pedestrian crosswalks and signals are present on all sides of the intersection. Sidewalk is present in each corner and there are bike lanes on the highway.

TRAFFIC OPERATIONAL ANALYSIS

In order to evaluate traffic flow and delay the study intersections were analyzed for level of service (LOS) conditions, delays, and safety. The intersections evaluated included Havlik Drive at Old Portland Road and at Columbia River Highway/US30. LOS analyses were completed for the AM & PM peak hour periods for the following scenarios.

- Year 2015 Traffic
- 2018 Background Traffic
- 2018 Total Traffic

In order to perform the LOS analysis at the critical intersections traffic count data was obtained for the AM & PM peak traffic hours. Figure 1 illustrates the volume data for the weekday peak hours.

The raw data was adjusted by applying a seasonal adjustment factor according to the ODOT standards using the commuter trend factors contained in the published Seasonal Trend Tables. Since the count data was collected in February a 9.6% increase was applied to obtain the 30th highest design-hour traffic volume. Figure 2 displays the adjusted traffic volumes.

Three years of traffic growth at 2.5% per year and in-process traffic for the Dutch Canyon Road Subdivision project has been added to the seasonally adjusted traffic volumes to account for the background traffic volumes. The in-process traffic data is depicted on Figure 3. The year 2018 background traffic volumes are illustrated in Figure 4.

The year 2018 total traffic (the summation of background traffic volumes and site generated traffic) is presented in Figure 7.

VEHICULAR TRIP GENERATION

Trip rates presented in the Institute of Transportation Engineers (ITE) Trip Generation manual, 9th edition (year 2012) were utilized to estimate the site's trip generation. The trip generation is summarized in Table 1. ITE code #210 (Single-Family housing) was applied to calculate the trip generation.

Table 1 Trip Generation Summary

ITE Land Use	Units (#)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Single-Family (#210)	88							
Generation Rate ¹		9.52	0.75	25%	75%	1.00	63%	37%
Site Trips		838	66	17	49	88	55	33

¹ Source: *Trip Generation*, 9th Edition, ITE, 2012, average rates.

Development of project is expected to generate 838 daily trips, 66 AM peak hour trips, and 88 PM peak hour trips.

Trip distribution is based on the traffic count, historical traffic studies, and engineering judgment. Figure 5 presents the distribution. The corresponding trip assignments are presented in Figure 6 for the PM peak hour.

CAPACITY ANALYSIS

Capacity analyses were performed to determine the levels of service for the weekday AM and PM peak hours. Traffix and Highway Capacity Software (HCS) was used to determine the approach delays and level of service for the study intersections. The programs are based on the Highway Capacity Manual methodology. Table 2 summarizes the analysis results. Copies of the capacity analysis summaries are included in the appendix.

Table 2 Capacity Analysis Summary

Intersection	Type of Control	Peak Hour	Traffic Scenario											
			2015 Existing				2018 Background				2018 Total			
			Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c
Old Portland Road and Havlik Road/ Site Access	Two-way Stop	AM	WB LT	B	10.6	-	WB LT	B	10.9	-	EB	B	11.0	-
		PM	WB LT	B	11.2	-	WB LT	B	11.7	-	EB	B	12.7	-
Columbia River Highway and Havlik Road	Signal	AM	-	C	23.9	0.84	-	C	27.6	0.89	-	C	28.8	0.89
		PM	-	C	25.1	0.86	-	C	29.2	0.89	-	C	29.6	0.90

Notes: 2000 Highway Capacity Manual methodology used in analysis. EB - Eastbound, WB - Westbound, LT - Left Turn, Crit. Mov't - Critical movement or critical approach.

The analysis indicates that the two study intersections on Havlik Drive will operate at LOS 'C' or better through the year 2018 buildout period. This intersection operation meets or exceeds the City of Scappoose's level of service standard. Therefore, no intersection improvements are necessary.

For the signalized intersection (Havlik Drive/Columbia River Highway/Hwy 30) the ODOT standard for volume/capacity (v/c) is 0.80 according to Table 6 (Oregon Highway Plan - OHP, 1999). The capacity analysis indicates that currently the intersection operates in excess of this ratio and will experience higher v/c's in the future. In the year 2018 background scenario the v/c equates to 0.89 and in the total traffic scenario the PM peak hour will increase slightly a v/c of 0.90.

The development site will distribute a total of 23 trips and 30 trips to the Highway 30 intersection in the AM & PM peak hours, respectively. Compared to the existing traffic volumes at the intersection the additional trips represent a 0.92% impact in the AM peak hour and a 1.00% impact in the PM peak hour. Considering the insignificant volume increase associated with the development, marginal v/c increase, and the resulting LOS 'C' operation through the year 2018 total traffic scenario no intersection improvements are recommended.

Generally, LOS 'A', 'B', 'C', and 'D' are desirable service levels ranging from no vehicle delays to average or longer than average delays in the peak hours. Level 'E' represents long

delays indicating signalization warrants need to be reviewed and signals considered only if warrants are met. Level 'F' indicates that intersection improvements, such as widening and signalization or signal modification, may be required. According to the Highway Capacity Manual (HCM), the following delay times are associated with the LOS at stop controlled unsignalized and signalized intersections.

Level of Service criteria defined in <u>Highway Capacity Manual</u>		
Level of Service (LOS)	Unsignalized Control Stopped Delay (sec/veh)	Signalized Control Stopped Delay (sec/veh)
A	≤ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

QUEUING ANALYSIS

Queue length demand on the Havlik Drive and site access stop approaches at Old Portland Road was evaluated in the capacity analysis. The east and west approaches are not projected to experience a queue of more than one vehicle during the AM and PM peak hours through the year 2018 total traffic scenario.

SIGHT DISTANCE

Intersection sight distance at the development's access on Old Portland Road is subject to the City's engineering standards (AASHTO). Old Portland Road has a posted speed of 35 MPH requiring a sight distance of 390 feet in both directions. Currently over 500 feet of sightline is available and the standard is met. Adequate sight distance must be maintained at the access point constructed in conjunction with the project. Potential obstructions related to future buildings, landscaping, fencing, parking, signing, or other objects must be avoided for safety reasons.

LEFT TURN LANE REQUIREMENTS

Currently there is no northbound left turn lane on Old Portland Road at the intersection with Havlik Drive. The left turn lane warrant was reviewed and the warrant is not met. Based on this result a separate northbound left turn lane is not required. The warrant result is included in the appendix.

TRAFFIC SIGNAL WARRANTS

No new traffic signals are proposed or necessary in conjunction with the development. The peak hour signal is included in the appendix.

ACCIDENT HISTORY

Accident data for the study intersections on Havlik Drive at Old Portland Road and at Columbia River Highway/US Hwy 30 was obtained from ODOT staff and reviewed to help identify any traffic safety problems. The crash data listing covered a five-year period (2009-2013).

The accident rates presented in Table 3 are based on the number of accidents per million entering vehicles (MEV) per year. Typically, an intersection is not considered unsafe unless its crash rate exceeds the threshold value of 1.0 accidents per MEV.

Table 3 Crash Rate Summary

Intersection	Accident History (Years)	Number of Accidents	Accidents per year	Annual Traffic Entering (veh/yr)	Accident rate per M.E.V.*
Old Portland Road and Havlik Road	5	0	0.0	1548618	0.00
Columbia River Highway and Havlik Road	5	24	4.8	12060225	0.40

* M.E.V. - million entering vehicles.

The study intersection crash rates do not exceed the 1.0 crashes per the MEV per year threshold, and mitigation is not necessary.

PEDESTRIANS, BICYCLES, & BUSES

Sidewalks are currently provided along both sides of Old Portland Road. New sidewalk will be constructed on the new streets within the development site. As a result pedestrian mobility and connectivity will be provided for and extend to all lots within the development. Bike lanes are not present along Old Portland Road.

No transit service is available on Old Portland Road near the site.

SUMMARY AND RECOMMENDATIONS

The traffic study for the Lynch Property development has been prepared to determine the potential impacts at the study intersections of Havlik Drive at Old Portland Road and at Columbia River Highway/US30. Development of the site includes building 88 single-family

homes and is projected to generate 838 daily trips, 66 AM peak hour trips, and 88 PM peak hour trips.

Intersection sight distance at the development's access on Old Portland Road requires 390 feet in both directions. Currently over 500 feet of sightline is available and the sight distance standard is met. Adequate sight distance must be maintained in conjunction with the project and any potential future obstructions such as buildings, landscaping, fencing, parking, signing, or other objects must be avoided for safety reasons.

The capacity analysis indicates that the two study intersections on Havlik Drive will operate at LOS 'C' or better through the year 2018 buildout period. This intersection operation meets or exceeds the City of Scappoose's level of service standard. Therefore, no intersection improvements are necessary.

At the signalized intersection (Havlik Drive/Columbia River Highway/Hwy 30) the capacity analysis indicates that the intersection currently operates with a v/c ratio of 0.86 in the PM peak hour (worst case). ODOT's standard is a v/c of 0.80. In the year 2018 background scenario the v/c equates to 0.89 and in the total traffic scenario the PM peak hour will increase slightly a v/c of 0.90. The development will distribute a total of 23 trips and 30 trips to the Highway 30 intersection in the AM & PM peak hours, respectively. Compared to the existing traffic volumes at the intersection the additional trips represent a 0.92% impact in the AM peak hour and a 1.00% impact in the PM peak hour. Considering the insignificant volume increase associated with the development, marginal v/c increase, and the resulting LOS 'C' operation through the year 2018 total traffic scenario no intersection improvements are recommended.

Queue length demand on the Havlik Drive and site access stop approaches at Old Portland Road was evaluated in the capacity analysis. The east and west approaches are not projected to experience a queue of more than one vehicle during the AM and PM peak hours through the year 2018 total traffic scenario.

Crash data for the study intersections on Havlik Drive at Old Portland Road and at Columbia River Highway/US30 was reviewed to help identify any traffic safety problems. The accident rates presented in Table 3 are based on the number of accidents per million entering vehicles (MEV) per year. Typically, an intersection is not considered unsafe unless the crash rate exceeds the threshold value of 1.0 accidents per MEV. The crash rates do not exceed a value of 0.41 crashes per the MEV per year and safety mitigation is not necessary.


It is recommended that the new access street intersecting with Old Portland Road at Havlik Drive be controlled by stop signing. A separate eastbound right turn lane and combination through/left turn lane is recommended as shown on the site plan (Figure 'b'). On the westbound (Havlik Drive) approach it is recommended that the existing right turn lane be retained and that the existing left turn lane be converted to a combination through/left turn lane for alignment purposes.



SCAPPOOSE RURAL FIRE PROTECTION DISTRICT

P.O. Box 625 • 52751 Columbia River Hwy. • Scappoose, Oregon 97056
Phone: (503) 543-5026 • FAX: (503) 543-2670 • www.srfd.us

TO: Laurie Oliver, Associate City Planner

FROM: Michael S. Greisen, Fire Chief 

DATE: April 23, 2015

RE: South Fork - 88 lot subdivision.

The Scappoose Rural Fire District does not object to the development of the South Fork Subdivision to be located off of Old Portland Road. The following are concerns found on plan designed dated on April 2, 2015, which will need to be addressed during development:

- Fire hydrants will be located with an average spacing of 500' and structures not greater than 250 feet from fire hydrant. Fire Hydrant locations will have final approved by the Fire Chief. Fire hydrants shall have two 2 ½" discharge ports and one 4 ½" steamer port with a 5" storz adapter and locking end cap.
- Fire hydrants located on the following lots are recommendations;
 - SW corner of lot 5
 - SE corner of lot 16 or SW corner of lot 15
 - SW corner of lot 27
 - SW corner of lot 35
 - SW corner of lot 44
 - SW corner of lot 75
 - SW corner of lot 81 or NE corner of 87
- Fire hydrant system will need to be designed for fire flow of 1000 gallons per minute for structures less than 3500 sq ft and 1500 gallons per minute for structures greater than 3500 sq ft.
- Addresses for flag lots will be posted at the driveway entrance off Havlik Drive and again on the structure.
- Provisions for continuation of the water main from Meadowbrook Drive to future connection to SW Dutch Canyon Road must be planned.

Oliver, Laurie

From: Welter, Lonny <lonny.welter@co.columbia.or.us>
Sent: Tuesday, June 09, 2015 9:57 AM
To: Oliver, Laurie
Subject: Fwd: SB1-15, SLDP1-15, SLDP2-15, ZC1-15

----- Forwarded message -----

From: Welter, Lonny <lonny.welter@co.columbia.or.us>
Date: Tue, Jun 9, 2015 at 9:37 AM
Subject: SB1-15, SLDP1-15, SLDP2-15, ZC1-15
To: loliver@cityofscappoose.or

No objection to its approval as submitted. However, attention to storm drainage of the area should be closely looked at, as it appears the natural drainage may have originally drained north from the Dutch Canyon Road area to this property then to the Scappoose Creek.

Lonny Welter
Transportation Planner
Columbia County Road Department

6-12-15
Exhibit 19

Duane & Betty Meissner

Tom Meissner

33287 SW Dutch Canyon Rd

51401 SW Old Portland Rd.

Scappoose, OR 97056

Scappoose, Oregon 97056

Please consider the following concerns, comments, & suggestions, concerning the proposed South Fork Subdivision.

1. We request that a six foot high privacy fence be constructed on the east side of lot 46.
2. We request that a six foot high cyclone fence (black with slats) be constructed from the SE corner of lot 46 to Old Columbia River Highway. Our primary concern is privacy. The choice of slats should offer that amenity.
3. It is our understanding from the submitted plan that the plan includes a six foot high privacy fence that will be built on the south side of lot 70 to and including lot 46. If this fence is not part of the submitted plan we strongly request that the fence be added.
4. We suggest that lot 5 be dropped. As it is now, Havlik Road is not straight as it enters the proposed subdivision. The road should be straight and what is left of lot 5 should be a green space.

Duane Meissner 6/10/15
Betty Meissner 6/10/15
Tom Meissner 6-12-15



Oregon

Kate Brown, Governor

Department of Transportation

Region 2 Tech Center

455 Airport Road SE, Building A

Salem, Oregon 97301-5397

Telephone (503) 986-2990

Fax (503) 986-2839

DATE: June 16, 2015

TO: Matt Caswell, PE
Region 2 Development Review Coordinator

FROM: Keith P. Blair, PE *Keith P Blair*
Region 2 Senior Transportation Analyst

SUBJECT: South Fork Subdivision (Scappoose) – Outright Use
TIA Review Comments

ODOT Region 2 Traffic has completed our review of the submitted traffic impact analysis (dated March 25, 2015) to address traffic impacts due to the South Fork Subdivision of the "Lynch Property" in the City of Scappoose, with respect to consistency and compliance with current versions of ODOT's *Analysis Procedures Manual (APM)*. Both versions of the *APM* were most recently updated in May 2015. Current versions are consistently published online at: <http://www.oregon.gov/ODOT/TD/TP/Pages/APM.aspx>. As a result, we submit the following comments for the City's consideration:

Analysis items to note:

- This study has utilized Traffix and HCS2000 analysis software. Traffix and HCS2000 are no longer accepted by ODOT as neither utilizes methodology from the current *Highway Capacity Manual 2010* for unsignalized intersections. As the delay (and corresponding LOS) is for the unsignalized study intersection is well below the City's mobility target, the utilized software may be considered acceptable for the purposes of this specific TIA. However, the consultant shall be advised Traffix, HCS2000, and other HCM 2000 analyses for unsignalized intersections will not be accepted for use on future studies under ODOT's authority.

Analysis items to be addressed:

1. The proposed trip generation for "Single-Family Detached Housing" (ITE land use code 210) in Table 1 has used the weighted average rate method to generate 66 AM (17 entering, 49 exiting) and 88 PM peak hour trips (55 entering, 33 exiting). However, per Section 4.4 of the current *ITE Trip Generation Handbook* (3rd Edition, August 2014), the fitted curve equation method is recommended for the proposed size of this land use code. Therefore, the fitted curve equation method, which generates 71 AM (18 entering, 53 exiting) and 94

PM peak hour trips (59 entering, 35 exiting), should instead be utilized. If reanalysis is required, all appropriate tables and figures should be updated.

2. There are multiple miscalculations for the westbound through volume during the AM peak hour at the US 30 @ Havlik Drive intersection:

- Figure 1 – volume should be 26, not 56
- Figure 2 – volume should be 28, not 61
- Figures 4 and 7 – volume should be 30, not 66

Unfortunately, it appears the study utilized these incorrect volumes throughout the analysis. Therefore, the capacity analyses for the US 30 @ Havlik Drive intersection should be reanalyzed and all applicable figures and tables should be corrected.

3. This study did not account for the heavy vehicle percentages observed from the traffic count data and instead assumed no heavy vehicles for all scenarios at both intersections. While this assumption is neither accurate nor conservative, it may have little effect on the results of the study.
4. ODOT has determined the Traffix default ideal (unadjusted) saturation flow rate of 1900 pcphgl is not appropriate outside of the Portland, Salem, and Eugene MPO urban areas (*APM* Version 2, Section 3.5.3). For this study, the ideal saturation flow rate should be 1750 pcphgl. This oversight may have an effect on the results of the study as operations of the Lower Columbia River Highway (US 30) @ Havlik Drive intersection will likely be worse than reported.
5. The limited queuing analysis prepared has been developed using HCS2000 which is acceptable for isolated intersections. However, ODOT recommends simulation-based queuing analyses (such as SimTraffic) where intersections are closely spaced, such as in this study. We recommend a simulation-based queuing analysis be conducted to determine the design storage length for the proposed eastbound and westbound lanes at the intersection of Old Portland Road and Havlik Drive. Such analysis and reports of both average and 95th percentile queue lengths for all study intersections would have been scoped if this study had been required under ODOT's authority.

Proposed mitigation comments:

1. The applicant has proposed an exclusive right lane and a shared through/left lane on each eastbound and westbound approach at the future four-leg intersection of Old Portland Road and Havlik Drive. However, the projected volumes suggest operations will be improved if instead an exclusive left lane and a shared through/right lane were installed on these approaches. While the operation will meet the City's level of service standard with either configuration, the City may consider the exclusive left lane and shared through/right lane option on the eastbound and westbound approaches at this intersection.

Thank you for the opportunity to review this traffic impact analysis. As the Traffix and HCS2000 files were not provided, Region 2 Traffic has only reviewed the submitted report. Multiple aspects of this traffic impact study have not been prepared in accordance with ODOT analysis procedures and methodologies. However, the City maintains the approval authority of this study. If the City determines any above comments merit the need for reanalysis, we would be available to conduct a second round of review. If there are any questions regarding these comments, please contact me by phone at (503) 986-2857 or by email at Keith.P.Blair@odot.state.or.us.



MEMORANDUM

Date: June 19, 2015

To: Morgan Will
Project Manager
Stafford Land Company, Inc.
485 South State Street
Lake Oswego OR 97034

From: Frank Charbonneau, PE, PTOE

Subject: **South Fork Subdivision (Lynch Property) - Traffic**
Response to Review Comments

FL1562

Charbonneau Engineering has received and reviewed the two-page ODOT memo dated 6/16/15 containing review comments to the traffic analysis report completed for the Lynch Property development in Scappoose. The information contained in the memo has been discussed with Chris Negelspach, PE, City Engineer of Scappoose and the developer.

Several points were raised by ODOT and we are responding to each one. A general description of each ODOT comment is listed followed by our response.

ODOT Comment: The traffic study utilized HCS2000 software based on the year 2000 edition of the Highway Capacity Manual instead of the current and latest year 2010 edition. ODOT adopted the year 2010 edition in May 2015. The software used in the analysis may be considered acceptable for the purposes of this study.

Response: The traffic study was completed in March 2015 following a scope developed in consultation with City Staff. The traffic study was included as an exhibit of an application for development submitted in April 2015 prior to ODOT updating their Analysis Procedures Manual and implementing the year 2010 edition of the Highway Capacity Manual. Therefore, the HCS2000 software was still valid at the time the traffic report was completed.

ODOT Comment: The trip generation in the report utilized the average rates in the ITE Trip Generation Manual for determining the development's trip generation, yielding 66 AM peak hour trips and 88 PM peak hour trips. As per the latest ITE Trip Generation Handbook (August 2014) the fitted curve equation methodology is the recommended method producing 71 AM trips and 94 PM trips and should be used. If reanalysis is required the tables/figures should be updated.

Response: Using the average trip rates for single-family housing has been the most common method for calculating the number of trips. However, as application of the equation yields a higher number it would be more appropriate to follow that procedure in order to be more conservative on the high side. Comparing the difference yields approximately a seven percent increase in the peak hour trip generation. Although new calculations have not been performed the previous LOS results strongly indicate that the study intersections would not be impacted to unacceptable levels of operation with the additional trips projected using the fitted-curve equation method for the trip generation.

ODOT Comment: Westbound through traffic at Havlik Drive/Hwy 30 used the incorrect value and should have been 26 vehicle instead of 56 vehicle.

Response: The number used (56 vehicles) instead of 26 vehicles was a typographical error. Fortunately changing the volume to the correct number would work in favor by lessening the traffic volume impact and no recalculation is necessary.

ODOT Comment: The study did not account for heavy vehicle percentages that were identified in the traffic counts at the study intersections and it may have little effect on the study results.

Response: The heavy vehicle percentages during the critical PM peak hour equate to 0.5% at Havlik Drive/Old Portland Road and 2.7% at Havlik Drive/Hwy 30. Although no adjustment factor was implemented into the capacity analysis to account for these numbers the LOS results (LOS 'C' at both study intersections) strongly indicate that the intersections would not be impacted to unacceptable levels of operation.

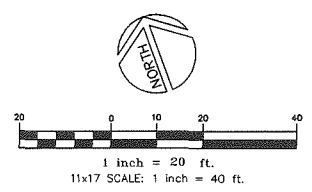
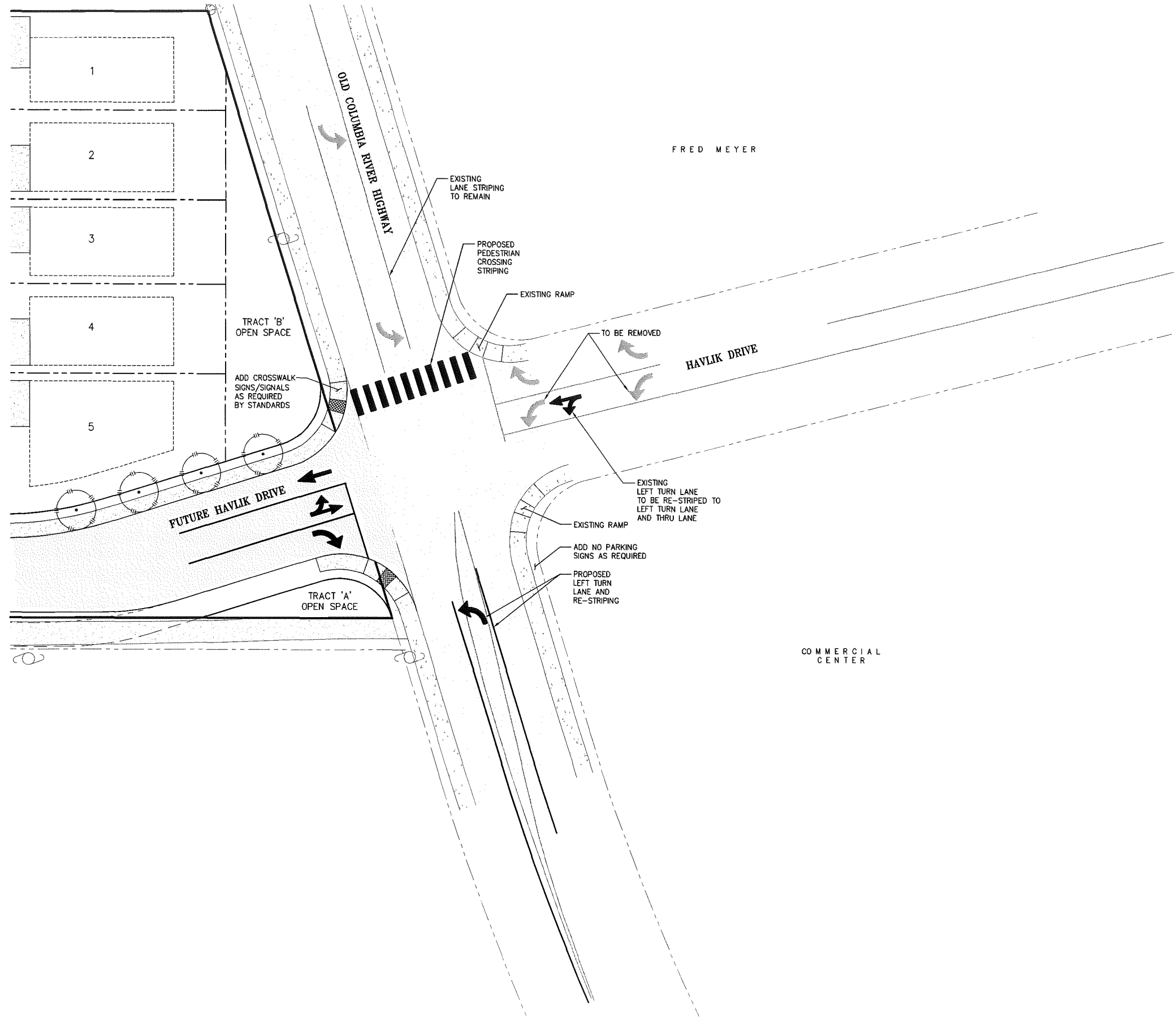
ODOT Comment: The saturation flow rate default value of 1,900 vehicles per lane per hour is not appropriate outside of Portland and for the study the ideal saturation flow rate should be 1,750. This oversight may have an effect on the Hwy 30/Havlik Drive results and the findings will likely be worse than reported.

Response: The study utilized the saturation default value of 1,900 vehicles per lane per hour as established in the Traffix software program (ODOT's revised & lower rate was overlooked). The net result has not been determined but again based on the service level (LOS 'C') determined in the original analysis lowering the saturation rate may not result in sufficiently longer delays causing intersection failure. It should be noted that the development is projected to have only a 0.92% volume impact in the AM peak hour and a 1.00% impact in the PM peak hour at the signalized intersection. Considering the insignificant volume increase through the year 2018 total traffic scenario it does not seem necessary to reconsider the findings since it would not appear appropriate to condition the project with any potential intersection mitigation.

ODOT Comment: The limited queuing analysis for eastbound and westbound traffic flow on Havlik Drive at Old Portland Road should have been done using a simulation-based analysis when intersections are closely spaced. We recommend this be done to determine the storage length for the proposed eastbound and westbound lanes.

Response: The queue analysis at the Old Portland Highway and Havlik Drive location was performed using the HCS2000 methodology and not a simulation program. The results indicated very limited queues would occur on the stop approaches to Old Portland Road as the LOS 'B' conditions indicate sufficient gaps will be available to access Old Portland Road.

If you should have any questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email Frank@CharbonneauEngineer.com.



M ENGINEERS
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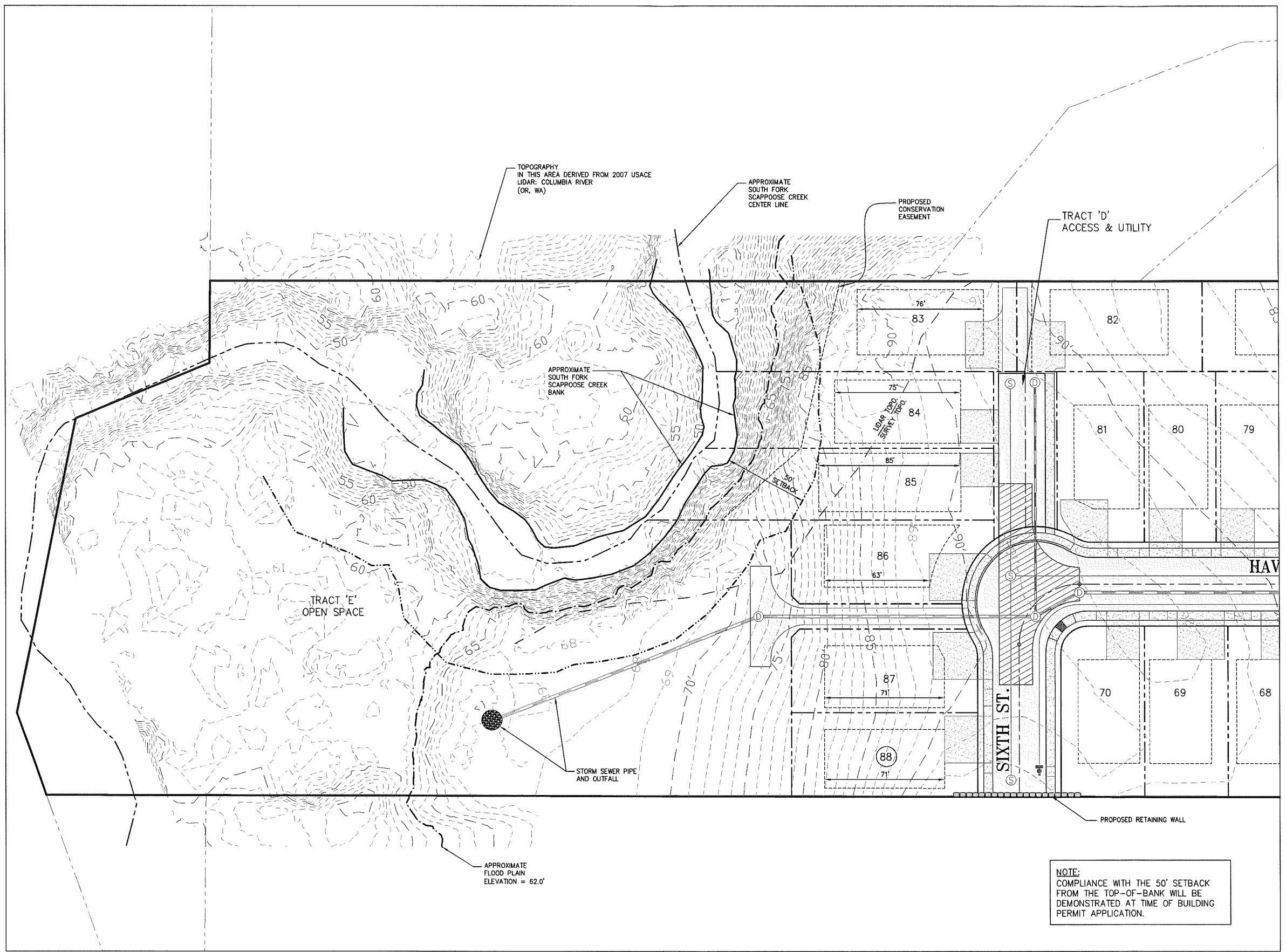
FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
LAKE OSWEGO, OR 97034
503-305-7647
SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPPOOSE, OREGON

SOUTH FORK
N0318
HAVLIK DRIVE & OLD COLUMBIA
RIVER HIGHWAY INTERSECTION

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DESIGNED	DRAWN	REVIEWED	SUBMITTAL
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218



ENGINEERS
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3409 NW John Olsen Place
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FOR: STAFFORD LAND COMPANY
485 SOUTH STATE STREET
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503-305-7647
SITE: TAX MAP 03 02 13B
TAX LOT 2300
CITY OF SCAPPOOSE, OREGON

**SOUTH FORK
N0318
PRELIMINARY CREEK BUFFER
EXHIBIT**

REVISION	BY	DATE
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DESIGNED	DRAWN	REVIEWED	SUBMITTAL

5A

Duane Meissner

323287 SW Dutch Canyon Rd.

Scappoose, OR 97056

6/18/15

Please consider the following suggestions concerning the proposed South Fork Subdivision.

1. Tract "E" Open Space is valuable for salmon and wildlife. I would suggest that a plan for this area be developed with the assistance of Resource Conservationists from the Columbia Soil & Water Conservation District.
2. I suggest that three small parks be developed similar to the Scappoose Municipal Park on Miller Road. Children need a place for play and they need exposure to nature.
3. I suggest that home owners be given a choice to have a traditional lawn or an area of native plants that will require little water.
4. I suggest that homeowners be allowed the option of constructing a rain garden to take care of water from their roof.
5. It is important that a number of types of homes are built. We need homes for all ages of people. A mixed neighborhood is best.

A handwritten signature in cursive script, appearing to read "Duane Meissner".