

Supplemental Narrative to address Maximized Lot Concept

Chapter 16.08 – Subdivisions Process and Standards

16.08.045 - Building site—Frontage width requirement.

Each lot in a subdivision shall abut upon a cul-de-sac or street other than an alley for a width of at least twenty feet.

All proposed concept lots as shown would be in excess of 20 feet. As drawn the minimum lot frontage for any lot would be 25 feet.

16.08.050 - Flag lots in subdivisions.

Flag lots shall not be permitted within subdivisions except as approved by the community development director and in compliance with the following standards.

No flag lots are a part of the concept lot plan, all lots would have frontage of at least 25 feet on existing rights-of-way or concept rights-of-way, although shared accesses are required on some lots because of access restrictions to such streets as Beaver Creek Road and Maplelane Road.

Chapter 16.12 – Minimum Improvements and Design Standards for Land Divisions

16.12.020 Blocks-Generally

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

The proposed lot concept plan would utilize the existing streets, Maplelane Road and Maplelane Court, and provide street and pathways between the two. The traffic circle at Maplelane Road and Walnut Grove is accounted for and designed around in this concept. No direct lot access to Maplelane Road, other than at the traffic circle, is a part of this concept plan. A street pattern meeting the maximum block lengths is proposed with a pedestrian connections being proposed in the R-3.5 zoned area for meeting the standard. The cul-de-sac noted near the Thayer Road – Maplelane Road intersection is a conservative aspect of the concept plan. While the City may allow a right-in / right-out intersection and thus a cul-de-sac would not be needed, we cannot be sure. The extension of the street, in this case a cul-de-sac though would provide pedestrian access to Maplelane Road and possibly provide for emergency vehicle access as well.

16.12.030 Blocks—Width.

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

Block widths in concept plan attempted to provide for two rows of lots to the maximum extend practical.

16.12.040 Building sites.

The size, width, shape and orientation of building sites shall be appropriate for the primary use of the land division, and shall be consistent with the residential lot size provisions of the zoning ordinance with the following exceptions:

B. Minimum lot sizes contained in Title 17 are not affected by those provided herein.

The minimum lot sizes, depth and width dimensions were reviewed for each existing zoning category and the minimums are met in the concept plan. For example the R-3.5 zoning allows lots as narrow as 25 feet and no concept lot in that zoning district is proposed to average less than 25 feet in width. With respect to lot sizing the average lot size meet the code requirement for each zoning district, i.e. all the lots in R-3.5 average 3,500 SF; R-6 zoning lot areas average 6,577 SF; and R-10 zoning lot areas average 10,567 SF. (We note that three concept lots in the R-3.5 area also have some area within the R-6 zoned area, but for averaging purposes only the lot area within the R-3.5 zoned area is counted.) There are two lots split between the R-6 and R-10 zoning but the sizing purposes the two lots were sized to be meet R-10 standards.

16.12.045 Building sites—Minimum density.

All subdivision layouts shall achieve at least eighty percent of the maximum density of the base zone for the net developable area as defined in Chapter 17.04.

The maximum density per Chapter 17.04 appears would be approximately 128 lots based upon calculations for each zoning area. The concept plan shows 107 lots or approximately 84% of the maximum density.

16.12.050 Calculations of lot area.

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

Accessory dwelling units are not included in this determination nor are tracts created for non-dwelling unit purposes such as open space, stormwater tracts, or access ways.

A lot that was created pursuant to this section may not be further divided unless the average lot size requirements are still met for the entire subdivision.

When a lot abuts a public alley, an area equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the lot area requirement for the abutting lot. It may also be used in calculating the average lot area.

See the table of Lot Areas on the updated Concept Lot Plan

16.12.055 Building site—Through lots.

Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major arterials or to overcome specific disadvantages of topography of existing development patterns. A reserve strip may be required. A planting screen restrictive covenant may be required to separate residential development from major arterial streets, adjacent nonresidential development, or other incompatible use, where practicable.

Where practicable, alleys or shared driveways shall be used for access for lots that have frontage on a collector or minor arterial street, eliminating through lots.

No through lots are proposed. Some lots have streets on either side as direct access to Maplelane Road is not permitted, but such lots are not consider through lots as the rear portion of the lots cannot be accessed from the public street.

16.12.060 Building site—Lot and parcel side lines.

The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

In the concept plan lot line configurations were placed at right angles to the rights-of-way, existing and proposed to the maximum extent practical.

16.12.075 Building site—Division of lots.

Where a tract of land is to be divided into lots or parcels capable of redivision in accordance with this chapter, the community development director shall require an arrangement of lots, parcels and streets which facilitates future redivision. In such a case, building setback lines may be required in order to preserve future right-of-way or building sites.

In the concept plan, no lot would be large enough to be redivided. Therefore this requirement is not applicable.

CHAPTER 12.04 - STREETS SIDEWALKS AND PUBLIC PLACES

12.04.007 Modifications.

The review body may consider modification of this standard resulting from constitutional limitations restricting the City's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance.

Compliance with the following criteria is required:

- A. The modification meets the intent of the standard;*
- B. The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;*
- C. The modification is consistent with an adopted plan; and*
- D. The modification is complementary with a surrounding street design; or, in the alternative,*
- E. If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The City shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.*

Within the concept plan the existing street right-of-way width for Maplelane Court (60 feet), Maplelane Road (90 feet) and Beaver creek Road were all held. The concept streets, intended to be local residential streets would have 54 foot rights-of-way.

One modification that could possibly be needed would be if the cul-de-sac in the southeast corner of the site were indeed to be a cul-de-sac, it would be greater than the standard noted in 12.04.225. (This would not be an issue if instead of a cul-de-sac a right-in / right-out onto Maplelane Road were to be allowed).

If a cul-de-sac were required this would be how we would address the modification criteria.

- A. The intent of the standard is to limit the use of cul-de-sacs and where needed to limit their length. If a cul-de-sac were needed as per the Concept plan, the intent of the standard would be met as the cul-de-sac would be needed because of street connectivity restrictions; but to allow for emergency and pedestrian connection to Maplelane Road the length of the cul-de-sac has to be longer than the standard which in part is tied to the standard block length requirements between Maplelane Court and Maplelane Road.
- B. The modification would provide for the safe and efficient movement of pedestrians, and bicyclists by its extension to the Maplelane right-of-way as well as for emergency vehicles if such a connection were needed.
- C. The modification is consistent with the adopted Transportation Plan as the plan notes that there are congestion issues at Thayer Road and Maplelane Road which lies at the same point on Maplelane Road where the concept cul-de-sac would be located.
- D. The concept cul-de-sac would be complementary to the surrounding street design, which would be to limit access points and to have the residential development use the future traffic circle to the north.
- E. Is not applicable.

12.04.175 Street Design--Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:

- A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;*
- B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with section 12.04 shall be required to preserve the objectives of street extensions.*

The concept subdivision plan meets the code requirements. Street connections are made to existing streets, in accordance with Transportation Master Plan (the traffic circle at Walnut Grove and Maplelane Road) and provides connections through to Maplelane Court. Connections to Beavercreek Road would not be permitted, and whether a street connection to Maplelane Road south of the traffic circle would be allowed is questionable. At best it would be a right-in / right-out connection but in the concept plan we allowed for cul-de-sac for the road system end in this area as it would require more land area than a simple street connection to the Maplelane Road. However, as the concept cul-de-sac would abut the Maplelane Road right-of-way, pedestrian connections and if needed emergency traffic provisions could be provided for.

12.04.180 Street Design.

All development regulated by this Chapter shall provide street improvements in compliance with the standards in Figure 12.04.180 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The standards provided below are maximum design standards and may be reduced with an alternative street design which may be approved based on the modification criteria in 12.04.007. The steps for reducing the maximum design below are found in the Transportation System Plan.

Table 12.04.180 Street Design

To read the table below, select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation on either side of the street differs, the wider right-of-way standard shall apply.

- 1. Pavement width includes, bike lane, street parking, travel lanes and median.*
- 2. Public access, sidewalks, landscape strips, bike lanes and on-street parking are required on both sides of the street in all designations. The right-of-way width and pavement widths identified above include the total street section.*
- 3. A 0.5' foot curb is included in landscape strip or sidewalk width.*
- 4. Travel lanes may be through lanes or turn lanes.*
- 5. The 0.5' foot public access provides access to adjacent public improvements.*
- 6. Alleys shall have a minimum right-of-way width of 20 feet and a minimum pavement width of 16 feet. If alleys are provided, garage access shall be provided from the alley.*

For concept plan the specific details within the right-of-way are not shown as for the purposes of the concept the specific features within the concept rights-of-way are not of concern. The rights-of-way widths though have been added to the concept plan.

12.04.190 Street Design--Alignment.

The centerline of streets shall be:

- A. Aligned with existing streets by continuation of the centerlines; or*
- B. Offset from the centerline by no more than five (5) feet, provided appropriate mitigation, in the judgment of the City Engineer, is provided to ensure that the offset intersection will not pose a safety hazard.*

The concept streets in the concept lot plan would meet the City code with respect to alignment.

12.04.195 Spacing Standards.

12.04.195.A. All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in Figure 8 in the Transportation System Plan. The maximum block spacing between streets is 530 feet and the minimum block spacing between streets is 150 feet as measured between the right-of-way centerlines. If the maximum block size is exceeded, pedestrian accessways must be provided every 330 feet. The spacing standards within this section do not apply to alleys.

A pedestrian connection is proposed to break a block length of more than 530 feet that in the concept configuration that would lie easterly of the Maplelane Court. A pedestrian connection through the south block parallel with Beaver Creek Road has been added as well. Pedestrian connections are an allowable feature to break up block lengths.

12.04.225 Street Design--Cul-de-sacs and Dead-End Streets.

The city discourages the use of cul-de-sacs and permanent dead-end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as geologic hazards, wetland, natural or historic resource areas, dedicated open space, existing development patterns, arterial access restrictions or similar situation as determined by the Community Development Director. When permitted, access from new cul-de-sacs and permanent dead-end streets shall be limited to a maximum of 25 dwelling units and a maximum street length of two hundred feet, as measured from the right-of-way line of the nearest intersecting street to the back of the cul-de-sac curb face. In addition, cul-de-sacs and dead end roads shall include pedestrian/bicycle accessways as required in this Chapter. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed.

Where approved, cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with Fire District and City adopted street standards.

Permanent dead-end streets other than cul-de-sacs shall provide public street right-of-way / easements sufficient to provide turn-around space with appropriate no-parking signs or markings for waste disposal, sweepers, and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker. Driveways shall be encouraged off the turnaround to provide for additional on-street parking space.

A cul-de-sac is shown as part of the Concept Lot Plan in the southeast portion of the Concept development. While it is possible that the City might allow a right-in / right-out type of intersection where the cul-de-sac is located on the concept plan we were not confident that this would be the case and more conservatively showed a cul-de-sac as it requires more land area than a standard street intersection would at the same location. The Thayer Road intersection with Maplelane Road has at times congestion issues for vehicles making left turn lanes onto Maplelane Road. That is why the Transportation Master Plan called for a traffic circle at Walnut Grove and Maplelane Road, to allow for drivers wanting to get to Beaver Creek Road to make a right turn from Thayer and go around the circle to gain access to Beaver Creek Road. In the Concept Lot Plan the cul-de-sac is pushed tight to the Maplelane Road right-of-way (an arterial street) to allow for pedestrian connections and if needed emergency vehicles.

The number of lots taking access from the cul-de-sac would not exceed 15, well under the 25 maximum permitted. The length of the cul-de-sac though would be approximately 355 feet as measured from the end from the back of the cul-de-sac curb to the nearest intersecting street right-of-way. This would require a modification through Section 12.04.007.

12.04.255 Street design--Alleys.

Public alleys shall be provided in the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than ten feet.

No alleys are proposed in the concept plan.

CHAPTER 13.12 - STORMWATER CONVEYANCE, QUANTITY AND QUALITY

13.12.050 - Applicability and exemptions.

This chapter establishes performance standards for stormwater conveyance, quantity and quality. Additional performance standards for erosion prevention and sediment control are established in OCMC 17.47.

A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:

- 1. The conveyance facilities are located entirely on one privately owned parcel;*
- 2. The conveyance facilities are privately maintained; and*
- 3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.*

Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.

The concept plan if were truly developed would have to meet the stormwater conveyance requirements of this section.

Chapter 16.04 - GENERAL PROVISIONS AND ADMINISTRATION OF LAND DIVISIONS

16.08.030 - Preliminary subdivision plat—Narrative statement.

In addition to the plans required in the previous section, the applicant shall also prepare and submit a narrative statement that addresses the following issues:

B. Timely Provision of Public Services and Facilities. The applicant shall explain in detail how and when each of the following public services or facilities is, or will be, adequate to serve the proposed development by the time construction begins:

- 1. Water,*
- 2. Sanitary sewer,*

3. *Storm sewer and stormwater drainage,*
4. *Parks and recreation,*
5. *Traffic and transportation,*
6. *Schools,*
7. *Fire and police services;*

Water would need to be extended from existing water mains in Maplelane Road to serve the proposed development. Sanitary sewer would need to be extended from existing City lines in Maplelane Road and Maplelane Court. Storm drainage facilities would be public facilities, and be a combination of localized detention and water quality facilities scattered throughout the Concept subdivision layout and work in harmony with roadside planters. The larger lot areas (R-10 and R-6) where there is more spacing between driveways the road side planters would be the preferred method for stormwater water quality and quantity. In the small lot areas (R-3.5) where driveways would be too close together to effectively create roadside planters than the larger stormwater planter areas would be utilized. The intent of the roadside planters and the larger stormwater planter areas would be to only treat public street runoff. The plan for such a concept would be that the stormwater off individual lots would be treated and detained through the use of on-site downspout planters. Parks and recreation would be to use the nearby Metro park site when developed. Traffic and Transportation consideration are address elsewhere in this application. Schools, police and fire services would be served by existing City or School District facilities.

CHAPTER 17.49 – NATURAL RESOURCE OVERLAY DISTRICT

17.49.070 - Prohibited uses.

The following development and activities are not allowed within the NROD:

- A. *Any new gardens, lawns, structures, development, other than those allowed outright (exempted) by the NROD or that is part of a regulated use that is approved under prescribed conditions. Note: Gardens and lawns within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to continue but cannot expand further into the overlay district.*
- B. *New lots that would have their buildable areas for new development within the NROD are prohibited.*
- C. *The dumping of materials of any kind is prohibited except for placement of fill as provided in subsection D. below. The outside storage of materials of any kind is prohibited unless they existed before the overlay district was applied to a subject property. Uncontained areas of hazardous materials as defined by the Oregon Department of Environmental Quality (ORS 466.005) are also prohibited.*
- D. *Grading, the placement of fill in amounts greater than ten cubic yards, or any other activity that results in the removal of more than ten percent of the existing native vegetation on any lot within the NROD is prohibited, unless part of an approved development activity.*

Under the concept plan submitted portions of some lots would lie within the NROD area, but these would areas outside the buildable areas of concept lots as not permitted by Section B above (and as permitted by 19.49.080 below) and such areas would be left natural or re-

vegetated with more appropriate riparian vegetation and those things noted as not permitted under Section A would not be allowed. Also such things as not permitted under C or D would not be allowed either.

17.49.080 - Uses allowed outright (exempted).

The following uses are allowed within the NROD and do not require the issuance of an NROD permit:

- G. Land divisions provided they meet the following standards, and indicate the following on the final plat:*
 - 1. Lots shall have their building sites (or buildable areas) entirely located at least five feet from the NROD boundary shown on the city's adopted NROD map. For the purpose of this subparagraph, "building site" means an area of at least three thousand five hundred square feet with minimum dimensions of forty feet wide by forty feet deep;*
 - 2. All public and private utilities (including water lines, sewer lines or drain fields, and stormwater disposal facilities) are located outside the NROD;*
 - 3. Streets, driveways and parking areas where all pavement shall be located at least ten feet from the NROD; and*
 - 4. The NROD portions of all lots are protected by:*
 - a. A conservation easement; or*
 - b. A lot or tract created and dedicated solely for unimproved open space or conservation purposes.*

Envision in the Concept Lot plan is that while a portion of some of the lots would lie within the 50 foot buffer, the buildable areas would meet the intent of 17.49.080(G)1 above, except for some of the lots in the R-3.5 zoning area where the minimum lot sizes of individual lots is allowed to be smaller than the building site area noted in G(1). The intent of G(2) and G(3) would also be met except where access to the three lots in very southeast corner would require access from the opposite side of drainageway do to access restrictions Maplelane Road and Beavercreek Road.

CHAPTER 17.44 – GEOLOGIC HAZARDS OVERLAY DISTRICT

17.44.050 - Development—Application requirements and review procedures and approvals.

Except as provided by subsection B. of this section, the following requirements apply to all development proposals subject to this chapter:

- A. A geological assessment and geotechnical report that specifically includes, but is not limited to:*
 - 4. Opinion as to the adequacy of the proposed development from an engineering standpoint;*
 - 5. Opinion as to the extent that instability on adjacent properties may adversely affect the project;*

As only a Concept lot plan was developed and no specific subdivision application is a part of this zone change application and geotechnical engineering report could not speak to specifics. However, a geotechnical commentary, submitted as a part of the application materials does address those things noted in 17.44.050(A) 4 and 5. In general terms the Concept is a feasible concept from the geotechnical standpoint.