

MEMORANDUM

City of Beaverton

Community Development Department

To: Interested Parties
From: City of Beaverton Planning Division
Date: August 7, 2024
Subject: ***Notice of Decision for LU22024-00307 Westport Village Subdivision (PS22024-00302 / SDM12024-00348)***

Please find attached the Notice of Decision for **LU22024-00307 Westport Village Subdivision (PS22024-00302 / SDM12024-00348)**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for DR2021-0059 is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision-making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision-making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for LU22024-00307 Westport Village Subdivision (PS22024-00302 and SDM12024-00348) is 4:30 p.m., August 19, 2024.

The complete case file including findings, conclusions, and conditions of approval, if any, are available for review. The case file may be reviewed by contacting the project planner, Brett Cannon at bcannon@beavertonoregon.gov or at <https://apps2.beavertonoregon.gov/DevelopmentProjects/>

NOTE: The City of Beaverton Community Development Department customer service center is now open to the public Monday through Thursday from 8:30am – 4:30pm.

Accessibility information: This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance

notice. To request these services, please contact Brett Cannon at 711-503-350-4038 or bcannon@beavertonoregon.gov.

STAFF REPORT

Report date: August 7, 2024

Application/project name: LU22024-00307 Westport Village Subdivision

Application Numbers: PS22024-00302, SDM12024-00348

Proposal: The applicant's representative NW Engineers, requests Preliminary Subdivision approval to divide one lot of record into seven lots of record. The applicant also requests Sidewalk Design Modification approval to deviate from the required sidewalk and landscape planter widths for the west side of the SW Watershed Lane Extension.

Proposal location: North of SW Watershed Lane, south of Southwest Farmington Road, east of SW 148th Terrace, tax lot 600 of Washington County Assessor's Map 1S117AD.

Applicant: Kim-Hein Nguyen

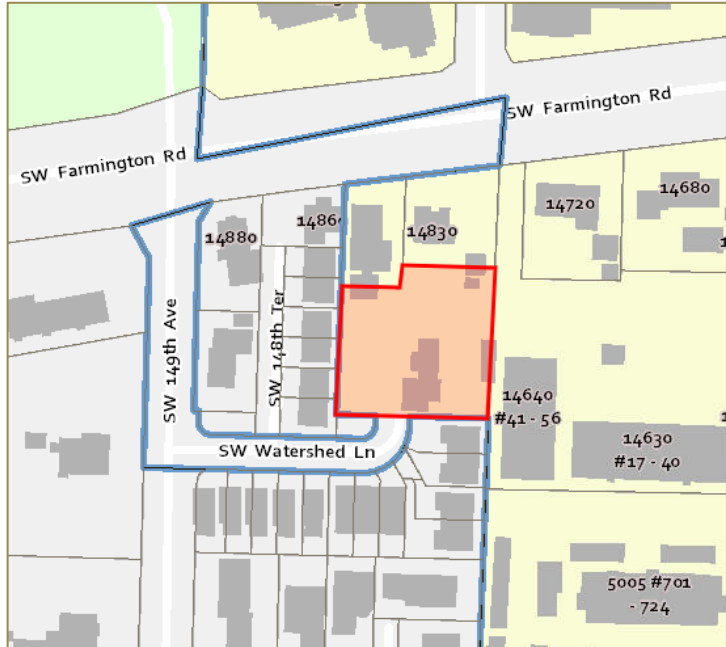
Recommendation: **APPROVAL** PS22024-00307 and SDM12024-00348, subject to conditions of approval.

Contact information:

City staff representative: Brett Cannon AICP, Associate Planner
503-350-4038
bcannon@BeavertonOregon.gov

Applicant: Kim-Hien Nguyen
15 Duberstein Drive
San Ramon, CA 94583

Applicant representative: NW Engineers
Matt Newman
3409 NE John Olsen Ave
Hillsboro, OR 97124



Property owners: Kim-Hien Nguyen
 15 Duberstein Drive
 San Ramon, CA 94583

Existing conditions

Zoning: RMA Residential Mixed A

Site conditions: The site is developed with one single family dwelling, proposed to be demolished with the proposal.

Site Size: Approximately 0.5 acres.

Location: Parcel is east of SW 148th Terrace, south of SW Farmington Road, north of SW Watershed Lane.

Neighborhood Association Committees: West Beaverton

Table 1: Surrounding uses

Direction	Zoning	Uses
North	RMA Residential Mixed A	Professional Services
South	Washington Country R-15	Attached and detached single family residential
East:	RMA Residential Mixed A	Multifamily residential
West:	Washington Country R-15	Attached and detached single family residential

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
PS22024-00302	Preliminary Subdivision	Seven-lot subdivision plus one tract for stormwater.	Development Code Section 40.45.15.5.C
SDM12024-00348	Sidewalk Design Modification	Allow for curb tight sidewalks adjacent to Tract A.	Development Code Section 40.58.15.1.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day**
PS22024-00307	April 10, 2024	June 18, 2024	October 16, 2024	June 17, 2025
SDM12024-00348	April 25, 2024	June 18, 2024	October 16, 2024	June 17, 2025

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

Summary of Public Comment

Staff has identified the following as the themes or issues raised in public testimony and addresses those issues herein, and/or refers to the portion(s) of the staff report and record in which those issue are addressed.

Garbage Pick-Up, Parking and Pedestrian Safety

Several concerns were raised about the impact to parking and congestion on SW Watershed Lane. The proposed subdivision is for 7 lots in a residential zone and includes an extension of SW Watershed Lane. A hammerhead turnaround will be constructed allowing for large vehicles to safely turnaround and return to SW 149th Avenue. The vehicle turnaround should alleviate some of the issues that Waste Management is currently having collecting refuse containers on pick-up days. The development doesn't include any structures or dwellings at this time; however, the plans indicate that driveway aprons will be constructed to provide access to future dwellings when they're proposed. Additionally, staff notes that in the RMA zone off-street parking for single-detached dwellings, duplexes and townhouses is not required.

Concerns were raised that the proposed Sidewalk Design Modification would be a liability and a hazard to members of the community with disabilities. The Sidewalk Design Modification proposes to remove the required 6.5-foot planter strip found in Standard Drawing 200-4 of the Engineering Design Manual. The sidewalks on both sides of the local street extension will be five foot in width meeting ADA standards. Additionally, on the west side of the extension an ADA compliant crossing will be constructed to cross from Lot 1 to Tract A.

Tree Impact on Neighboring Property

Concerns were raised by a neighbor south of the property that grading could impact the roots of a tree on their property and ultimately kill their tree. Grading at the southern property line is minimal given the relatively flat site. The tree's drip line is located approximately 4 feet from the future side property line of Lot 7, meaning the building pad for any development on Lot 7 will be located approximately 9 feet away from the drip line of the tree. Therefore, after review of the grading plans and location of the tree in question at 14738 SW Watershed Lane staff doesn't expect any negative impact to the tree roots. If there is impact to trees on neighboring properties because of development of the site it would be a civil matter between the properties.

Exhibit 1.1 Vicinity Map

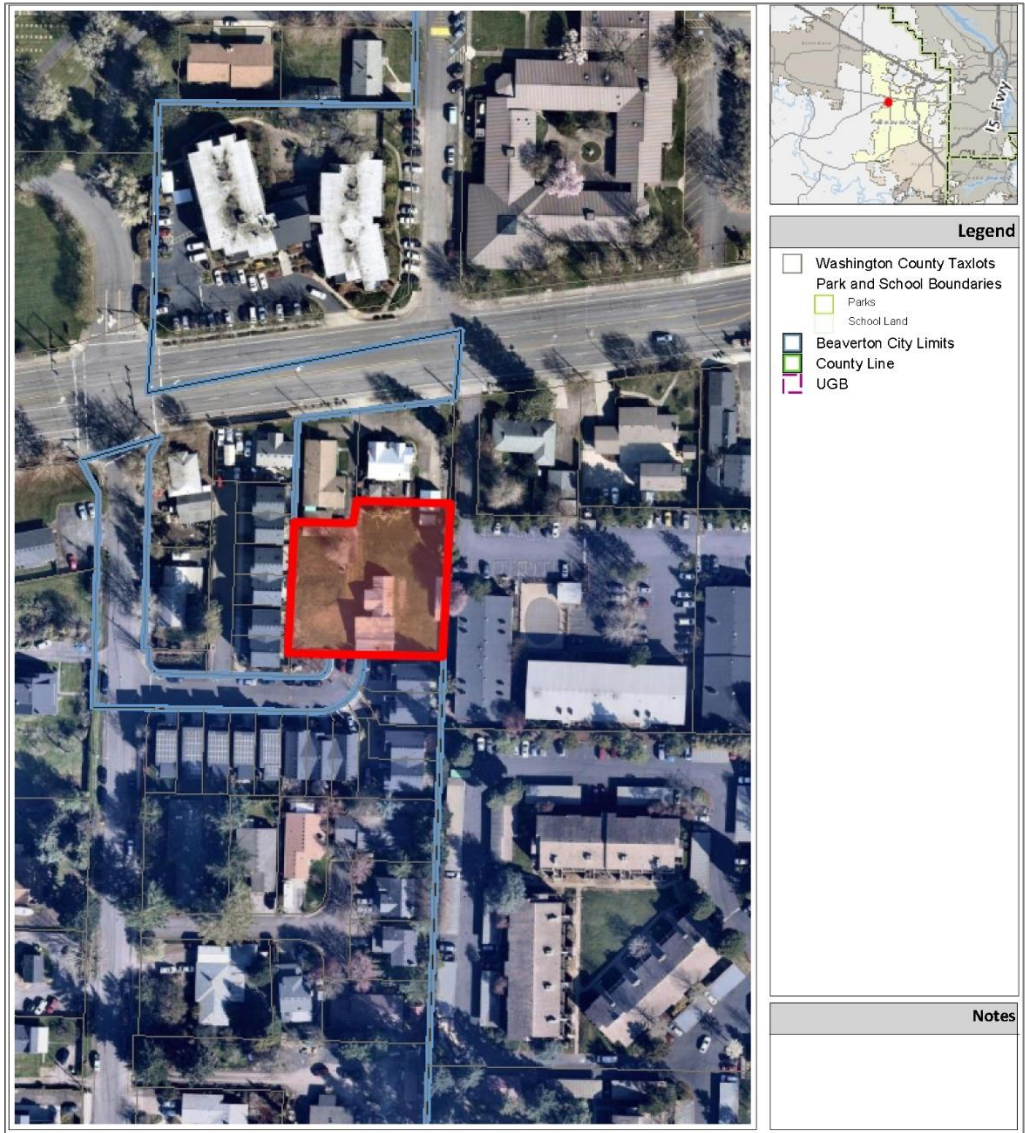


Exhibit 1.2 Zoning Map



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Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map (Page 7 of this report)

Exhibit 1.2 Zoning Map (Page 8 of this report)

Exhibit 2. Public Comment

Exhibit 2.1 Justine Gorman Public Comment

Exhibit 2.2 Kylee Weisser Public Comment

Exhibit 2.3 Brandon Schie Public Comment

Exhibit 2.4 KT Mallison Public Comment

Exhibit 2.5 Patty Kallan Public Comment

Exhibit 2.6 Cory Bence Public Comment

Exhibit 2.7 Lance Miller and Adam Speakman Public Comment

Exhibit 2.8 Michael Cobb Public Comment

Exhibit 2.9 Joel Johnson Public Comment

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Plan Set

Exhibit 3.2 Written Narrative

Exhibit 3.3 Service Provider Letters

Attachment A: FACILITIES REVIEW REPORT

FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: LU22024-00307 Westport Village

Proposal: The applicant, NW Engineers, requests approval of a Preliminary Subdivision application for a 7-lot subdivision and a Sidewalk Design Modification application to allow for a curb tight sidewalk abutting the stormwater tract.

Recommendation: APPROVE PS22024-00302 / SDM12024-00348

Finding: The Facilities Review Committee finds that the proposal complies with all technical approval criteria and therefore, the Committee recommends that the decision-making authority in approving the proposal, adopt the conditions of approval found at the end of this report.

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings.

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

- All twelve (12) criteria are applicable to the Preliminary Subdivision (PS22024-00302) application as submitted.
- Facilities Review Committee criteria do not apply to the submitted Sidewalk Design Modification (SDM12024-00348) application.

Section 40.03.1.A

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

FINDING:

Chapter 90 of the Development Code defines “critical facilities” to be services that include public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection.

Potable Water: The property is served by City of Beaverton public water service and the applicant has stated that the water services are adequate to service the proposed development. There is an existing eight-inch water line in the adjacent segment of SW Watershed Lane that will be extended to the north. All sewer lots will connect to the existing eight-inch water line for domestic water. A new fire hydrant will connect to the same eight-inch water line to provide fire service water. City staff reviewed the proposal and stated in the Beaverton Water Service Provider Letter that there will be adequate capacity to service the proposed development. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

Non-Potable Water: There is no non-potable water network in the area of development. Therefore, the proposal is exempt from connecting to a non-potable water network.

Sanitary Sewer: The property is served by City of Beaverton sanitary sewer service and the applicant has stated that the sanitary sewer services are adequate to service the proposed development. There is an existing sanitary sewer line in the adjacent segment of SW Watershed Lane that will be extended north to serve each of the seven lots. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: The property is served by City of Beaverton storm sewer service and the applicant has stated that the storm sewer services are adequate to service the proposed development. The proposed stormwater management system includes new catch basins along the extended segment of SW Watershed Lane and a water quality facility in Tract A. The proposal will connect to an existing 12-inch stormwater line in SW Watershed Lane.

The applicant has provided a Preliminary Stormwater Report for the quantity and quality of stormwater resulting from the proposed development. The Committee finds that adequate stormwater drainage, treatment, and retention service can be provided to the site to serve the proposed development.

Transportation: Vehicular access is provided to the site via SW Watershed Lane, which will be extended as a public street to provide service to each lot. Per BDC Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. Based on the proposed lot sizes single-detached dwellings or duplexes could be developed on the lots. Based on either of these potential development scenarios, staff find that the potential trips generated will not meet the 300 vehicle threshold. Therefore, no TIA must be provided,

and no modifications are recommended to the surrounding transportation network based on this proposal.

Pedestrian circulation is provided by sidewalks to each lot. Due to the requirements for a stormwater detention area (Tract A), the applicant has submitted a design that includes curb tight sidewalks abutting Tract A. The applicant has applied for a Sidewalk Design Modification for the curb tight sidewalk. The committee recommends a condition of approval for the Preliminary Subdivision requiring that the Sidewalk Design Modification be approved.

The Committee finds that adequate transportation facilities are provided to the site to serve the proposed development.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff has reviewed and approved the proposed development's site plan. TVF&R had no comments or concerns regarding the proposal and did not require any conditions of approval. Therefore, the Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

In review of the proposal, the Facilities Review Committee has determined that by meeting the conditions of approval at the end of this report, the proposal does not impact the level of facilities and services available. The capacity of the existing systems is adequate to support the increased use of these critical facilities.

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

Section 40.03.1.B

Approval Criteria: Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both, will be provided to serve the proposed development within five (5) years of occupancy.

FINDING:

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

Schools: The proposed development is within the Beaverton School District (BSD) boundaries. The Beaverton School District reviewed the proposal and stated in their service provider letter that with the new school capacity scheduled to come on line in the years ahead that there will be sufficient capacity to accommodate new students from the

project. The district continuously monitors enrollment and capacity at all schools and may from time to time, take additional actions to manage enrollment and capacity issues as needed.

Transit Improvements: Tri-Met provides nearby transit service via Bus Route No. 52 (Farmington / 185th) at the intersection of SW Farmington Road and SW 149th Avenue. The proposal includes continued pedestrian access to nearby stops for this bus route, therefore access to transit service is provided.

Police Protection: The City of Beaverton Police Department will continue to serve the development site. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Therefore, the Committee finds that adequate police protection service can be provided to the site to serve the proposed development.

Pedestrian and Bicycle Facilities: The development will provide sidewalks along both sides of the extended segment of SW Watershed Lane, which will connect with existing sidewalks along the currently constructed segment of Watershed Lane. The proposed street extension will be classified as a local street, so no dedicated bicycle lanes are required.

For these reasons, the Committee finds that essential facilities and services related to the proposed development are available with adequate capacity to serve the development.

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

Section 40.03.1.C

Approval Criteria: The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

FINDING:

The site is zoned Residential Urban Medium Density District (R2). The Committee refers to the Chapter 20 use and site development requirements table at the end of this report, which evaluates the project as it relates to applicable code requirements of Chapter 20 (Land Uses). As demonstrated in the table, the development proposal is consistent with all applicable provisions of Chapter 20 (Land Uses).

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

Section 40.03.1.D

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

FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements). Staff will provide findings for the Design Review Three request within the applicable section of the staff report.

60.15 Land Division Standards: According to the applicant's plans, grading near property lines is limited to the hammerhead turnaround street improvement, and the Tract A stormwater facility, which is exempt from the grading standards of 60.15.10.

Right-of-way dedications and improvements will occur, as conditioned above. Street trees are planted by the city for residential subdivisions, with the developer paying street tree fee, calculated at one tree required for each 30 feet of frontage. As a condition of approval, the applicant shall pay this fee prior to approval of the Final Land Division application.

Section 60.30 Off-Street Parking: The Development Code doesn't require off-street parking for either single-detached dwellings or duplexes. The minimum short-term and long-term bicycle parking for single-detached dwellings or duplexes is 1 space per unit. Staff will review compliance with the minimum requirements for bicycle parking when development of the subdivision is proposed.

Section 60.55 Transportation Facilities: As stated in the findings for approval criterion 40.03.1.A, above, per BDC Section 60.55.20.2.A, a Traffic Impact Analysis is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. Based on the proposed lot sizes single-detached dwellings or duplexes could be developed on the lots. Based on either of these potential development scenarios, staff find that the potential trips generated will not meet the 300 vehicle threshold. Therefore, no TIA is required for the proposed subdivision. Aside from frontage improvements on site, no specific transportation improvements are recommended.

Section 60.60 Trees and Vegetation Requirements: One Community Tree is proposed for removal. No Tree Plan application or mitigation is required for the removal of the single tree.

Section 60.65 Utility Undergrounding: There are no existing above ground utilities along the site frontage, and all new utilities will be required to be undergrounded. To meet the requirements of this section, the Committee recommends a condition of approval requiring that the applicant provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development.

Section 60.67 Significant Natural Resources: No significant natural resource areas are identified in the City of Beaverton's Comprehensive Plan.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.E

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

FINDING:

The applicant states that individual homeowners will provide continued periodic landscape maintenance of individual properties. The stormwater facility in Tract A will be dedicated to the City of Beaverton and will be maintained by the City. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.F

Approval Criteria: There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

FINDING:

The applicant states the proposed vehicular and pedestrian circulation has been designed to the minimum requirements and standards that facilitate safe, efficient, and direct travel. The city Traffic Engineer has reviewed the proposal and concurs with the applicant's findings for pedestrian and vehicle circulation.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.G

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

FINDING:

The applicant states the proposal's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner. Extension of SW Watershed Lane shall provide direct vehicular access to the single-family homes and sidewalks will provide pedestrian circulation. Staff concurs with the applicant's findings.

The proposed sidewalks on both sides of the street extension will be constructed at five foot in width and to the requirements of local, state, and federal regulations at the time of construction. As seen on Sheet 5 of the preliminary plan set, the applicant has connected the existing sidewalks on either side of SW Watershed Lane with the proposed extension. This will allow pedestrian visitors and residents access to the subdivision without having to navigate a transition without sidewalks. Additionally, on the east side of the extension the applicant has proposed ADA receiving ramps on the north and south sides of the hammerhead turnaround in conformance with Americans with Disabilities Act (ADA) standards.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.H

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

FINDING:

Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). The layout of the proposed development provides proper spacing, building access, and turning radii. TVF&R staff has reviewed the proposed development's site plan and endorsed the proposal as shown without any conditions of approval. TVF&R will verify that their requirements are met prior to Site Development Permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.I

Approval Criteria: Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

FINDING:

The applicant states that all streets and public facilities are designed in accordance with adopted City codes and standards except where design modifications or exceptions have been requested. Development permits will be submitted for life and safety review prior to site development.

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

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

Section 40.03.1.J

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

FINDING:

The applicant states that the site is relatively flat and will be graded to ensure adequate drainage to the stormwater facility is provided. The applicant has stated that no drainage is expected to impact the neighboring sites.

Staff concurs that the location of the stormwater facility and hammerhead along the west edge of the development will not have adverse impacts on the neighboring properties.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.K

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

FINDING:

The applicant states that the proposal complies with all requirements of Beaverton’s Engineering Design Manual, and all pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitates efficient pedestrian travel. ADA-accessible sidewalk ramps are proposed at the hammerhead to facilitate crossing from Lot 1 to Tract A.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at Site Development and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

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

Section 40.03.1.L

Approval Criteria: The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.

FINDING:

The applicant submitted the Preliminary Subdivision and Sidewalk Design application on April 10, 2024. The applications were deemed complete on June 26th, 2024.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Residential Mixed A (RMA) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20			
Detached Residential Dwellings and Middle Housing	Permitted	The applicant proposes to subdivide the land into seven parcels. No dwelling units are proposed	N/A
Development Code Section 20.05.15			
Parcel Area	<p><u>Minimum:</u></p> <p>Single Detached or Duplex- 1,500 Square Feet</p> <p>Triplex or Quadplex- 3,000 Square feet</p> <p><u>Maximum:</u> None</p>	<p>Lot 1- 2,230 Square Feet</p> <p>Lot 2- 1,979 Square Feet</p> <p>Lot 3- 1,689 Square Feet</p> <p>Lot 4- 1,682 Square Feet</p> <p>Lot 5- 1,675 Square Feet</p> <p>Lot 6- 1,688 Square Feet</p> <p>Lot 7- 1,801 Square Feet</p>	YES
Residential Density	<p>Minimum: 6 lots</p> <p>Maximum: None</p>	7 lots	YES
Minimum Lot Dimensions	Width: 14 Feet	The proposed lot widths range from 24 feet to 28 feet.	YES
Yard Setbacks	<p>Front Minimum: 10 feet</p> <p>Side Minimum: 0 or 5 or 10 feet</p> <p>Rear Minimum: 15 feet</p> <p>Garage Minimum: 18.5</p>	<p>10 feet</p> <p>5 feet</p> <p>15 feet</p> <p>18.5 feet as measured from back of sidewalk to prevent parked vehicles from blocking sidewalks on private</p>	YES

		property within public access easements.	
Maximum Building Height	40 feet	No Building Elevations Provided	YES

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	No Design Review Proposed, Subdivision only.	N/A
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	No food cart pods are proposed.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property.	Proposed grading near property lines is limited to street improvements and storm water facilities, both of which are exempt.	YES

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.20			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading Requirements	Minimum: None	No loading space is proposed.	N/A
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	No Structures Proposed	No minimum parking required.	N/A
Development Code Section 60.30			
Required Bicycle Parking	No Structures Proposed	Minimum bike parking will be reviewed with future development.	N/A
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
Development Code Section 60.35			
Planned Unit Development	Development and design principles for Planned Unit Developments.	The subject site is not part of a PUD, nor is a PUD Proposed.	N/A
Development Code Section 60.40			
Sign Regulations	Requirements for signs.	No signs are proposed	N/A

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.50			
Accessory Uses and Structures	Requirements for accessory uses and structure.	No accessory uses or structures are proposed.	N/A
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	YES w/ COA
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	Refer to the Facilities Review Committee findings herein.	YES
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	Refer to the Facilities Review Committee findings herein.	YES
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	No wetlands or riparian areas are located on site.	N/A
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: PRELIMINARY SUBDIVISION PS22024-00302

ANALYSIS AND FINDINGS FOR PRELIMINARY LAND DIVISION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **PS22024-00302**, subject to the applicable conditions identified in **Attachment D**.

Section 40.03.1 Facilities Review Committee Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met, as applicable.

FINDING:

Staff has reviewed the applicable Facilities Review Committee approval criteria in Attachment A of this report. Staff cites the findings presented in Attachment A in response to the Facilities Review Committee approval criteria. As identified in Attachment A, the proposal meets Approval Criteria 40.03.1.A through L, subject to conditions of approval identified in Attachment D.

Conclusion: Therefore, staff finds that by meeting the conditions of approval the proposal meets the Facilities Review Committee approval criteria.

Section 40.45.05 Purpose:

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

Section 40.45.15.5.C Approval Criteria

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

Section 40.45.15.5.C.1

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

FINDING:

The applicant proposes to divide one legal lot into seven lots and one tract. No Legal Lot Determination is pending for the parcel, meeting the threshold for a Preliminary Subdivision below Threshold 1 for a Preliminary Subdivision reads, “the creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.” Therefore, the application meets Threshold 1 for a Preliminary Subdivision.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.45.15.5.C.2

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

FINDING:

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

Conclusion: Therefore, staff finds the proposal meets the criterion.

Section 40.45.15.5.C.3

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

Finding:

The subject parcel was approved for a Preliminary Subdivision in 2021 pursuant to land use file LD2021-0011, which has since expired. Before the Preliminary Subdivision was approved, the parcel was part of two Property Line Adjustments (casefiles PLA2020-0003 & PLA2020-0004). The proposed subdivision will not conflict with the previously

approved Property Line Adjustments. The proposed application will not affect or modify any applicable current or previous land use approvals.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.45.15.5.C.4

Approval Criteria: Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.

Finding:

No oversized parcels are proposed with this development.

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

Section 40.45.15.2.C.5

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

Finding:

The application does not request phasing with this proposal.

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

Section 40.45.15.2.C.6

Approval Criteria: Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:

a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,

b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.

Finding:

The application does not propose lot averaging standards.

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

Section 40.45.15.2.C.7

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

Finding:

The application does not propose lot averaging standards.

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

Section 40.45.15.2.C.8

Approval Criteria: The proposal does not create a lot which will have more than one (1) zoning designation.

Finding:

The subject site is zoned RMA. The proposal only includes lots zoned RMA. No proposed lot will have more than one zoning designation.

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

Section 40.45.15.2.C.9

Approval Criteria: Applications and documents related to the request requiring further City approval, shall be submitted to the City in the proper sequence.

Finding:

The applicant has submitted this Preliminary Subdivision application along with a Sidewalk Design Modification application for this project. Concurrent review of the application satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review both applications at once.

Conclusion: Therefore, staff find that by meeting the condition of approval, the proposal meets the criterion for approval.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL
Grading Standards		
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	Grading for the stormwater detention facility in Tract A and the extension of SW Watershed Lane and hammerhead turnaround are exempt.
60.15.10.3.A-F	When grading a site within 25 feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe A-E of this code section.	Although the site is generally flat, grading for building pads are not shown. Staff recommends a condition of approval requiring all building pads are shown to meet grading standards of Section 60.15.10 at Site Development Permit review.
60.15.10.3.G	The on-site grading contours stated above apply only to the property lines of the parent parcel(s). They do not apply to internal property lines within a development.	The grading standards have only been applied to the parent property lines of the Westport Village subdivision.
Significant Trees and Groves		
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	Existing trees that do remain onsite will be protected in accordance with Tree Protection standards in Section 60.60.20 of the Code. No Significant Trees or Groves are located on-site.

Attachment C: SIDEWALK DESIGN MODIFICATION SDM12024-00348

ANALYSIS AND FINDINGS FOR MINOR ADJUSTMENT APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **SDM12024-00348**, subject to the applicable conditions identified in **Attachment D**.

Section 40.58.05 Purpose

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

Section 40.58.15.1.C Approval Criteria

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

Section 40.58.15.1.C.1

Approval Criteria: The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

Finding:

The applicant proposes to construct curb-tight sidewalks abutting Tract A of the proposed subdivision. The sidewalks along the extension of NW Watershed Avenue will be built to the standards of the Engineering Design Manual. As such, staff find that proposal satisfies threshold 1 of the Sidewalk Design Modification One application which reads:

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

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.2

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

Finding:

The applicant has paid the required fees related to the land use applications.

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

Section 40.58.15.1.C.3

Approval Criteria: One or more of the following criteria are satisfied:

a. That there exist local topographic conditions, which would result in any of the following:

- i. A sidewalk that is located above or below the top surface of a finished curb.
- ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.

b. That there exist local physical conditions such as:

- i. An existing structure prevents the construction of a standard sidewalk.
- ii. An existing utility device prevents the construction of a standard sidewalk.
- iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.

c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.

d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.

Finding:

The applicant states that curb tight sidewalks are required to accommodate the narrow width of the existing site in relation to the alignment of the SW Watershed Lane Street

stub. The existing terminus of SW Watershed Lane is unproportionally skewed to the west, in relationship to lot proposed for development. If the applicant were required to provide the full sidewalk corridor inclusive of a planter strip, then the proposed subdivision would lose the ability to provide the required area for the stormwater tract. By providing a continuous extension of SW Watershed Lane, the western portion of the site is limited to approximately 41-feet in width, while the eastern portion of the site is approximately 73-feet in width. By providing curb tight sidewalks the applicant can provide a street section that allows for pedestrian access to the subdivision while providing enough area for the construction of a required stormwater facility (Tract A).

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

Section 40.58.15.1.C.4

Approval Criteria: The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.

Finding:

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative. Staff refers to the Facilities Review findings for approval criterion D in reference to compliance with 60.55. The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

In addition to the findings for Section 60.55.25, the applicant states a hybrid of the Engineering Design Manual's Local Street standards are proposed. To accommodate vehicular, bicycle, pedestrian, and emergency services the applicant has proposed a 28-foot paved street width narrowing to 26-feet north of the hammerhead, as this is the minimum width required by TVF&R. The 26-foot paved width of the proposed local street is less than the 28-foot requirement for a L2 Local Street but greater than the 20-foot requirement for an L3 Local Street. To continue SW Watershed Lane along its current alignment the right-of way centerline for the proposed SW Watershed Lane extension is required to be offset. The centerline will be off set 13-feet on the west side of the center line and 29 feet on the east side of the centerline. Therefore, the right of way width meets the 44-foot L3 standard, but the full cross section is only viable on the eastern portion of the right of way because of the offset required to align with the existing segment of SW Watershed Lane.

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

Section 40.58.15.1.C.5

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

Finding:

The applicant has submitted this Sidewalk Design Modification application and the associated Preliminary Subdivision application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review both applications at once.

Conclusion: Therefore, staff finds that the criterion for approval does not apply.

Section 40.45.15.2.C.6

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

Finding:

Staff cites the finding prepared herein in response to Criterion G of Facilities Review approval as adequate for supportive findings for this criterion.

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

Attachment D: CONDITIONS OF APPROVAL

Preliminary Subdivision (PS22024-00302)

A. General Conditions, the applicant shall:

1. Ensure that the Sidewalk Design Modification (SDM12024-00348) application has been approved and is consistent with the submitted plans. (Planning / BC)

B. Prior to issuance of the site development permit, the applicant shall:

2. Submit revised site plans consistent with the plans submitted to the City on July 19, 2024, demonstrating the required dedication of property for right-of-way purposes and the required street improvements along SW Watershed Ln (extension). (BDC 40.03.1.A and 60.55.10) (Transportation / FdF)
 - a. Sidewalk corridor improvements along the east side of SW Watershed Ln extension shall include a 0.5-ft curb, 6-ft wide furnishing zone (planter strip), 5-ft wide sidewalk, and 0.5-ft wide buffer between the back of sidewalk and the right-of-way line pursuant to EDM Standard Drawing 200-4. (BDC 40.03.1.A and 60.55.10) Transportation / FdF
 - b. Sidewalk corridor improvements along west side of SW Watershed Ln extension shall include a 0.5-ft curb, 5-ft wide curb-tight sidewalk, and 0.5-ft wide buffer between the back of sidewalk and the right-of-way line. NOTE that this sidewalk corridor configuration is not consistent with the EDM's Curb-tight sidewalk Standard Drawing #216, which requires a minimum 6-ft width. The applicant must request and receive approval of an EDM Design Exception for the proposed curb-tight sidewalk (BDC 40.03.1.A and 60.55.10) (Transportation / FdF).
3. Submit revised site plans demonstrating that the proposed access driveway for Proposed Lot 1 satisfies the City's adopted standard drawing for a residential driveway (Standard Drawing 211). (BDC 40.03.1, 60.55.10, and EDM Chapter 2) (Transportation / FdF)
4. Submit photometric lighting analysis and revised site plans to demonstrate that adequate street lighting will be installed along the site's SW Watershed Ln extension frontage in accordance with the street illumination standards within the City's

Engineering Design Manual, Chapter 4. (BDC 40.03.1, 60.55.10 and EDM Chapter 4) (Transportation / FdF).

5. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div. / SAS)
6. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / SAS)
7. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / SAS)
8. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div. / SAS)
9. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District (TVWD) for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div. / SAS)
10. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div. / SAS)
11. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or

more. These shall be maintained and replaced as necessary during the duration of the project to prevent sediment laden run-off from leaving the site. (Site Development Div. / SAS)

12. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / SAS)
13. Submit a design for the retaining walls surrounding, adjacent, and within the storm water quality facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, portland cement concrete with a City Engineer approved texturing. At the top of the wall there shall be a minimum 18-inch wide, 4-inch thick concrete walkway for maintenance access. (Site Development Div. / SAS)
14. Submit plans that show access for a maintenance vehicle within 9-feet from the front, or within 19-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. A direct worker access route to the structures in the pond area shall be provided no steeper than 4 (horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 6-feet wide and have a surface consisting of the equivalent of 3-inches of $\frac{3}{4}$ "-minus crush rock to allow walking access in winter and vegetation shall allow easy access. This direct access route shall be delineated on the plans. (Site Development Div. / SAS)
15. Submit ODOT ADA curb ramp design checklist and standard detail DET1720 and DET1721 showing level of design detail for every public sidewalk ramp proposed with this development. Maximum designed ramp slope shall be 7.5%, maximum designed cross slope, flat landing or turning space shall be 1.5%. See ODOT standard drawings RD754, RD155, RD756, RD757, RD758 and RD759 for ramp details. (Site Development Div. / SAS)

C. Prior to approval of the final plat, the applicant shall:

16. Submit for payment for the installation of street trees along the extension of SW Watershed Lane, with credit potentially given for any mature trees to be retained that

- provide the benefits of street trees. The fee will be calculated based on the street frontage consistent with BDC 60.15.6.A, and the In-lieu Fee Schedule in effect at the time of plat signature. (Planning/BC)
17. Dedicate property to accommodate the street cross sections as shown on plans submitted to the City on July 19, 2024.. (BDC 40.03.1, 60.55.10, and EDM 210.16) (Transportation / FdF)
 18. Provide a copy of the required access easement to be granted from the abutting property owner to the north (Tax Lot 1S117AD00601) for the benefit of Proposed Lot 2. The access easement will need to be recorded with Washington County consistent with the City's Engineering Design Manual Sections 210.21 Driveways. (BDC 40.03.1, 60.55.30, and EDM 210.21) (Transportation / FdF)
 19. Commence construction of the required public street improvements (extension of SW Watershed Ln). Required public improvements shall be consistent with the July 19, 2024 submitted plans. (BDC 40.03.1, 60.55.10, and EDM Chapter 2) (Transportation / FdF)
 20. Have verified to the satisfaction of the City Engineer that the location and width of all existing and proposed rights of way and easements are adequate; that each parcel and tract has proper access provisions; and that each parcel and tract has adequate public utility service provision/availability per adopted City standards and requirements. (Site Development Div. / SAS)
 21. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div. / SAS)
 22. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div. / SAS)

D. Prior to building permit issuance, the applicant shall:

23. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / SAS)
24. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional and franchise utility undergrounding. (Site Development Div. / SAS)
25. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div. / SAS)
26. Pay a storm water system development charge (overall system conveyance) for each ESU (equivalent surface unit; NOTE: The development is eligible for system development charge credits at the rate of one ESU per each single family home demolished (2640 SF), as administered by the City Building Official and City Utilities Engineer). No credit shall be given for storm water quality (summer treatment) for the previous building demolished or pre-existing impervious area on site as the project is defined as "redevelopment" under Clean Water Services standards. Credits for storm water quantity (winter detention) for demolished building or pre-existing impervious on the site shall be granted. (Site Development Div. / SAS)

E. Prior to final inspection, the applicant shall:

27. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / SAS)
28. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning/BC)
29. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
30. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / SAS)
31. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / SAS)

32. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div. / SAS)

F. Prior to release of performance security, the applicant shall:

33. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / SAS)
34. Have entered into a maintenance agreement with a Clean Water Services certified stormwater facility maintenance landscape contractor for the maintenance of the stormwater management facilities for the 2-year Maintenance Security period. If re-planting is required, additional 2-year plant re-establishment maintenance periods will apply until the plants are successfully established. Planting maintenance reports shall be submitted to the assigned Site Development project inspector twice a year no later than June 15 and October 30. (Site Development Div. / SAS)
35. Provide an additional performance security for 100% of the cost of the sidewalks to be built as part of the home building construction. (Site Development Div. / SAS)
36. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility as determined by the City Engineer. If the plants are not well established (as determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div. / SAS)
37. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security for plant establishment and it is released 2 years after project acceptance, or will be extended for a period determined by the City Engineer following the correction of any identified defects. (Site Development Div. / SAS)