



MEMORANDUM

TO: Planning Commission

FROM: Elena Sasin, Associate Planner

DATE: April 15, 2020

SUBJECT: Hawaii Kai Multi-Family (CU2019-0001 / DR2019-0012 / LD2019-0003 / PLA2020-0001 / TP2019-0001) Supplemental Memorandum

Staff is providing the subject memo to make corrections to the Staff Report, dated April 8, 2020, to add findings in response to the Conditional Use criteria, and to incorporate an exhibit provided by the applicant. New language is underlined.

Parking Lot Layout

In response to staff's concerns about the parking lot layout in earlier versions of the site plan, the applicant attempted to remediate the issue, however, the change caused a different issue to arise. Staff did not notice the new issue until after the staff report had been finalized and distributed. Therefore staff is providing the following revised additional finding in response to Development Code Section 60.30.15:

Facilities Review

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

The proposal includes 90-degree parking stalls with a dead end. Drawings provided in Section 60.30.15 of the Development Code outline the parking lot design requirements. Two-way, 90-degree, dead-end parking lots must provide a five-foot deep backing area at the dead-end to allow vehicles to exit the parking lot. The applicant's plans show that the proposed backing area is approximately 3.5 feet in depth and therefore does not meet the standard. Any change from the numerical requirements contained in Section 60.30. (Off-street Parking) are subject to review under the Major Adjustment application, which the applicant has not submitted.

Therefore, staff find the criterion has not been met.

Side Setbacks

The proposed side setback complies with the standard side setback requirement. In response to Facilities Review criteria C and F, as well as the Code Conformance Analysis chart on page FR-11, staff state compliance with the side setback cannot be determined because the applicant's plans are difficult to read. In making this assessment, the applicant has provided updated plans which show compliance with the side setback. The plans provided to the Planning Commission more clearly demonstrate the proposed property line configuration and their relation to the proposed building envelopes. Staff provides the following updated findings referencing the side setback.

Facilities Review

- C. 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).**

Staff cites the Code Conformance Analysis chart at the end of the Facilities Review Report, which evaluates the project as it relates to applicable code requirements of Chapter 20 for the Neighborhood Service (NS) zone, as applicable to the aforementioned criterion. As demonstrated in the chart, the development proposal ~~does not meet~~s, or can be conditioned to meet, all applicable Chapter 20 criteria, setbacks, specifically the southern building does not appear to meet the side setbacks in the southeast corner of the site.

Therefore, the Committee finds that the proposal ~~does not meet~~s the criterion for approval.

- L. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.**

The application was submitted on January 31, 2019. The applicant deemed the application complete on July 30, 2019. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are not contained within this proposal. The applicant has not provided sufficient and/or consistent evidence in the application materials needed to determine compliance with applicable criteria, such as ~~setbacks and~~ grading.

Therefore, the Committee finds that the proposal does not meet the criterion for approval.

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Neighborhood Service (NS) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code 20.10.20			
Use – Attached Residential	Conditional	The proposal includes two buildings, with six units within each building, for a total of 12 units.	See CU2019-0001 Section of Staff Report
Development Code Section 20.10.15 (Residential Urban Medium Density)			
Minimum Land Area – Residential (Attached)	1,000 square feet/unit	Approximately 18,862 square feet or approximately 1,571 square feet per unit.	Yes
Lot Dimensions	Min. Width = 70 feet Min. Depth = 100 feet	Proposed Width = approximately 186 feet Proposed Depth = 100 feet	Yes
Minimum Yard Setbacks	Front = 20 Side = 10 Rear = zero	Proposed Front: 26 feet Rear: Zero Side: 10 feet <i>The applicant has proposed a property line adjustment between the subject site and abutting lot to the east (1S114BA01501) however the applicant's plans are difficult to read and compliance with all side setbacks cannot be determined.</i>	Yes No
Maximum Building Height	35 feet	The applicant states that the proposed structures are 35 feet in height. The applicant's architectural elevations show the proposed buildings are approximately 33.5 feet in height, yet elsewhere in the applicant's materials, the applicant states the proposed buildings have a height of 35 feet plus a one-foot parapet above the 35 feet. The Facilities Review Committee recommend a condition of approval that the applicant submit revised plans and narrative that consistently demonstrate the proposed buildings do not exceed 35 feet in height, including parapet walls.	Yes, w/COA

Conditional Use

Section 40.03.1 Facilities Review 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:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As

identified in Attachment A, above, the proposal does not meet Criteria G, J, and L, and therefore does not meet the criterion for approval.

Therefore, the Committee finds that the proposal does not meet the criteria.

5. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*

The applicant states that the development requires a flat site to be compatible with apartments and is compatible with surrounding uses such as condominiums and apartments. The subject site is set back from SW Beaverton Hillsdale Highway on SW 96th Avenue. The surrounding properties are mix of residential and commercial uses. ~~While The proposed apartment development is consistent with size and scale of surrounding developments., staff cite the findings of Facilities Review Approval Criterion C (Attachment A), as applicable to this approval criterion. The development proposal does not meet all applicable setbacks, specifically the southern building does not appear to meet the side setbacks in the southeast corner of the site. Staff find that the location of the proposed buildings are not consistent with the required setback of the zoning district and there is not compatible to the surrounding area of the subject site.~~

Therefore, staff finds that the proposal ~~does not~~ meets the approval criterion.

Design Review

Section 40.03.1 Facilities Review 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:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal does not meet Criteria G, J, and L, and therefore does not meet the criterion for approval.

Therefore, the Committee finds that the proposal does not meet the criteria.

Comprehensive Plan Criteria Responses

The applicant provided responses in a previous submittal but did not carry the information forward to further submittals, or to the packet provided to the Planning Commission on April 8, 2020. Staff in writing the staff report worked from the most recent submittal in place at the time, which did not include the responses to the Comprehensive Plan criterion, staff now provides responses in light of this information and includes the applicant's narrative as an exhibit to this memo. The text below should be considered a full replacement of the previous response to Criterion 3.

Conditional Use

3. *The proposal complies with the applicable policies of the Comprehensive Plan.*

Staff has identified the following Comprehensive Plan policies as applicable to the proposed development.

Chapter 3 (Land Use Element)

Goal 3.1.1 Encourage development and land use patterns that support a variety of transportation options

Policy 3.1.1.a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.

Policy 3.1.1.c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.

Policy 3.1.1.l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.

The applicant addresses all three policies together and states that the plan has sidewalks to doors in a simple direct pattern which supports Goal 3.1.1: a, c and l.

Staff concurs that direct pedestrian connections are provided between onsite buildings, parking and open spaces. Additionally, the applicant's plans indicate frontage improvements are proposed, including a sidewalk on SW 96th Avenue. The applicant's plans also show short-term bike parking racks on the subject site.

Staff finds that the proposal meets the policies.

Goal 3.2.1 Provide for thoughtful and strategic infill and redevelopment

Policy 3.2.1.a) Provide a set of residential infill guidelines and standards that encourage compatible infill development, consistent with the following principles:

- i. Provide flexibility on development standards when it can help preserve trees and natural resources.***
- ii. Allow a wider variety of housing choices that can accommodate a range of ages, household sizes and/or income levels while ensuring the new housing responds to the scale and form of the neighborhood.***
- iii. Manage transitions between different uses and housing types.***
- iv. In areas well-served by transit, amenities and services, offer more flexibility for infill housing and innovative housing types that meet city goals for affordability and livability, and provide housing for diverse household sizes, types, and age ranges.***
- v. Encourage site and building design features, including setbacks and sight lines that minimize impacts to sunlight and privacy for existing adjacent homes.***

The applicant states that the geometry of the site does not enable the preservation of existing trees, however, the applicant also adds that the proposal includes more new trees than are being removed

from the site. The applicant states that a range of household sizes will be accommodated within the proposed development as a result of varying unit sizes. The applicant also explains that transit is available and parking is provided with efficient access without detracting from pedestrian access.

Staff finds the proposed development is subject to Conditional Use review and a zoning restriction which limits how much of the contiguous area is developed residentially. This restriction aids in the transition between different uses and housing types. The applicant's plans also show that the proposed buildings are located generally in the southeastern corner of the site and further away from the existing residential development to the north, allowing for more sunlight and privacy.

Staff finds that the proposal meets the policy.

Goal 3.3.1 Promote sustainable development, resilience, and resource protection

Policy 3.3.1.a) Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

Policy 3.3.1.b) Conserve, protect and enhance natural resources identified in the city's adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.

The applicant states that the flood plain area is culverted and part of the development parking area and will continue to be in a developed condition. The applicant further states that the area will continue to be developed and that this does not meet Goal 3.3.1.

Staff finds the applicant's plans show the proposed development effectively uses the land to provide housing within the urban area, relieving some development pressure in rural areas.

Staff finds that the proposal meets the policies.

Goal 3.7.1 Enhanced Commercial Centers and Corridors

Policy 3.7.1.a) a) Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including:

- 1. Improving pedestrian and bicycle connections within and between sites***
- 2. Enhancing or creating multi-modal connections wherever feasible***
- 3. Providing direct pedestrian connections to, and amenities near, transit stops***
- 4. Providing a more visually engaging and appealing street frontage through the addition of buildings adjacent to the street, enhanced landscaping, more pedestrian scale signage, etc.***
- 5. Providing safe and convenient paths for pedestrians within large parking areas***

The applicant's plans show that onsite pedestrian walkways connect to the proposed abutting public sidewalk. SW 96th Avenue is currently underdeveloped and does not have a public pedestrian system. The applicant is proposing to make improvements to the subject site's frontage which will provide a connection when and if properties to the north and south develop. The applicant's plans show a

parking area is proposed to serve the development. Two pedestrian paths are shown to cross the drive aisle and parking bays.

Staff finds that the proposal meets the policies.

Policy 3.7.1.b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.

The proposal is for residential use only. Residential Development within the NS zoning district is limited to 50% of the contiguous area. The applicant has demonstrated that the proposed development will not result in an area that exceeds 50% residential use, which is the limit imposed by the Development Code, the implementing document of the Comprehensive Plan. Additionally the development is located on SW 96th Avenue, set back from the more commercially oriented Beaverton Hillsdale Highway.

Staff finds that the proposal meets the policy.

Policy 3.7.1.c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

The applicant states that this Project does not integrate housing with commercial use and is not proposed to meet this goal. The applicant further states that the proposal does promote housing close to commercial uses.

Staff finds the proposed development is residential only, however, the subject site is located within a Commercial zone that also borders a Residential zone to the north. The site is set back from SW Beaverton Hillsdale Highway behind commercial uses located on neighboring properties, meeting the intent of the Policy.

Staff finds that the proposal meets the policy.

Goal 3.7.4 Neighborhood Center: Provide opportunities for small-scale commercial development that serves adjacent neighborhoods

Policy 3.7.4.a) Limit the scale and type of non-residential uses to ensure compatibility with surrounding neighborhoods.

The proposed development is residential only.

Staff finds that the policy is not applicable.

Policy 3.7.4.d) Allow the continuation of existing residential uses and new residential uses that are part of a mixed use development or support and provide opportunities for future neighborhood commercial uses within the Neighborhood Center.

The proposed development is residential and is in close proximity to existing residential and commercial development.

Staff finds that the proposal meets the policies.

Policy 3.7.4.e) Improve and enhance connections to adjacent neighborhoods to make it easier and more enjoyable for neighbors to walk or bike to the Neighborhood Center.

The applicant is proposing frontage improvements, including a sidewalk which extends to the boundaries of the site and will enable future connections. The applicant has also proposed bike parking.

Staff finds that the proposal meets the policies.

Chapter 4 (Housing element)

Goal 4.1.1 Provide an adequate supply of housing to meet future needs

Policy 4.1.1.a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate

The proposed residential development is located within the NS zoning district which does not have a maximum density limit.

Staff finds that the policy is not applicable.

Policy 4.1.1.b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

The subject site was previously developed with two dwellings. The applicant proposes to increase density and capitalize on existing infrastructure on or within close proximity to the site.

Staff finds that the policy is met.

Policy 4.1.1.c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

The proposed residential development is located within a commercial zone and in proximity to transit and amenities, including commercial uses.

Staff finds that the policy is met.

Goal 4.5.1: Ensure that Beaverton continues to be one of the most livable communities in the region

Policy 4.5.1.a) Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources and scenic view corridors

The proposed residential development is located in a neighborhood with a mix of residential and commercial uses. The site is located along SW 96th Avenue which is not fully developed. The applicant's plans include frontage improvements and onsite bicycle parking.

Chapter 7 (Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources Element)

Upon further review, staff have determined that the identified Comprehensive Plan goals and policies in Chapter 7 are not applicable as the subject site does not contain inventoried Significant Natural Resources and have been omitted..

Chapter 8 (Environmental Quality and Safety Element)

8.7.1 Goal: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy 8.7.1.a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Policy 8.7.1.c) Construction within the floodfringe shall be regulated through the City's implementing ordinances, such as the City's Engineering Design Manual and Standard Drawings.

The applicant states that the construction within the floodway fringe is proposed and a flood study showing the balance of cut and fill with no net fill has been submitted for review. City staff have reviewed the applicant's materials and have provided a number of conditions to address compliance with applicable ordinances.

In summary staff finds that the proposal complies with the applicable policies of the Comprehensive Plan.

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

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

The applicant has submitted this New Conditional Use application in association with the following land use applications; Design Review Three, Replat One, Property Line Adjustment, and Tree Plan Two. ~~The New Conditional Use application is dependent upon approval of the associated land use applications. Staff recommends a condition of approval that all associated applications be approved in order for the New Conditional Use to be approved. applicant has not provided written responses to the Comprehensive Plan criteria, which are required for approval. Therefore the applicant has not provided all documents necessary related to this request for Conditional Use approval.~~

Therefore, staff finds that by meeting the conditions of approval the proposal ~~does not~~ meets the approval criterion.

Staff notes that while the applicant has been able to show compliance with Criteria 3, 5 and 6 they have not shown compliance with the Facilities Review approval criterion to which the Conditional Use request is also subject. Staff's recommendation of Denial of CU2019-0001 has not been modified.

Exhibits

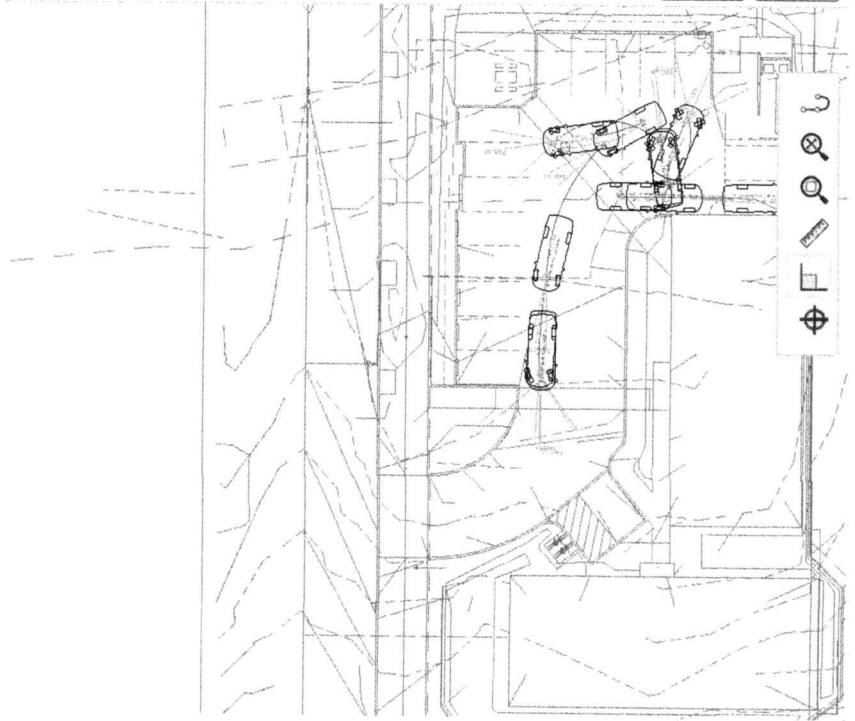
Exhibit 2.1 – Applicant's turning diagram, dated April 15, 2020

Exhibit 2.2 – Applicant's response to Comprehensive Plan approval criteria, dated March 6, 2020



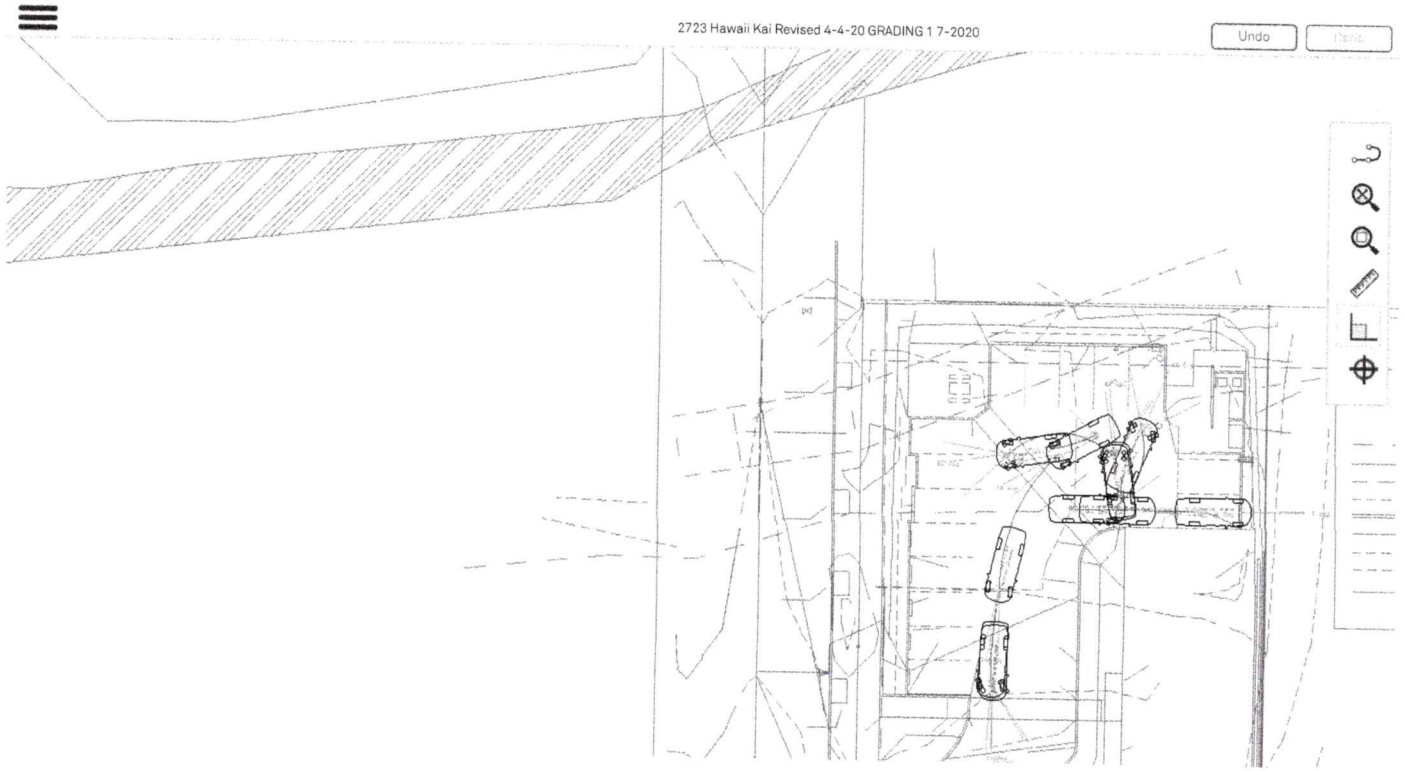
Chery Suburban From NE CORNER





Chery Suburban 18.7 Feet Long





Toyota Prius 14.89' Long



- a) Goal 3.1.1: Policies a, c, l
 - a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.
 - l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.

Response: The plan has sidewalks to doors in a simple direct pattern which supports Goal 3.1.1: a,c and l.

- b) Goal 3.2.1: Policy a
 - a) Provide a set of residential infill guidelines and standards that encourage compatible infill development, consistent with the following principles:
 - i. Provide flexibility on development standards when it can help preserve trees and natural resources.
 - ii. Allow a wider variety of housing choices that can accommodate a range of ages, household sizes and/or income levels while ensuring the new housing responds to the scale and form of the neighborhood.
 - iii. Manage transitions between different uses and housing types.
 - iv. In areas well-served by transit, amenities and services, offer more flexibility for infill housing and innovative housing types that meet city goals for affordability and livability, and provide housing for diverse household sizes, types, and age ranges.
 - v. Encourage site and building design features, including setbacks and sight lines, that minimize impacts to sunlight and privacy for existing adjacent homes.

Response: ai) This plan because of its geometry cannot save the trees

But only community trees are affected and are being replaced with more than existing.

Aii) This plan uses 2 housing types which should mix single persons with families and provides improvements that support the Families with small children.

Aiii) Housing has units of the same size across from each other in hallway relationships.

aiv) This is met in that transit is available and the units proposed will be affordable and will have diverse ages because of the propose 1 bedroom and 2 bedroom set ups.

av) Parking is provided in a very efficient access but does not detract from the pedestrian access.

c) Goal 3.3.1: Policies a, b (the floodplain area of the site is also mapped as a Riparian Wildlife Habitat Class III resource on the Habitat Benefit Areas Map in the Comp Plan)

a) Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

b) Conserve, protect and enhance natural resources identified in the city's adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.

Response: The flood plain area is culverted and part of the development parking area and will continue to be in a developed condition. The area will continue to be developed. This does not meet Goal 3.3.1.

d) Goal 3.7.1: Policies a, b, c

a) Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including:

i. Improving pedestrian and bicycle connections within and between sites

Response: This development proposes pedestrian connections to the properties to the North that is not available at this time.

ii. Enhancing or creating multi-modal connections wherever feasible

Response: The pedestrian connection meets this Goal.

iii. Providing direct pedestrian connections to, and amenities near, transit stops

Response: Both on site sidewalks and street improvements provide pedestrian connections.

iv. Providing a more visually engaging and appealing street frontage through the addition of buildings adjacent to the street, enhanced landscaping, more pedestrian scale signage, etc.

Response: The existing project has 2 houses and parking and access drives that have poor appealing street frontages. The project meets this requirement by providing street trees a pedestrian friendly landscape on the property and building with an attractive façade to face the street.

v. Providing safe and convenient paths for pedestrians within large parking areas

Response: There are no large parking areas so v. does not apply

b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.

Response: This Project does not Emphasize commercial or employment uses so the development does not meet this goal.

c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

Response: This Project does not integrate housing with commercial use and is not proposed to meet this goal. It does promote housing close to commercial uses.

e) Goal 3.7.4: Policies a, d, e

a) Limit the scale and type of non-residential uses to ensure compatibility with surrounding neighborhoods.

Response: This project meets this goal since it is residential use.

d) Allow the continuation of existing residential uses and new residential uses that are part of a mixed use development or support and provide opportunities for future neighborhood commercial uses within the Neighborhood Center.

Response: The project continues to have residential use to support the commercial uses in the Neighborhood Center.

e) Improve and enhance connections to adjacent neighborhoods to make it easier and more enjoyable for neighbors to walk or bike to the Neighborhood Center.

Response: The project proposes a continuation of a sidewalk to enhance

connections to the existing adjacent residential uses.

f) Goal 4.1.1: Policies a, b, c

a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate

Response: This project maximizes the density available given the need to also continue a Stream Floodway through the property.

b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: This project cannot save existing infrastructure and the existing infrastructure is too old and oriented wrong to meet existing code requirements.

c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: This development proposes residential development on a commercially zoned property and will help to create an 18 hour neighborhood.

g) Goal 4.5.1: Policy a

a) Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources and scenic view corridors

Response: The Proposed development provides residential housing next to Commercial properties and provides extensions of sidewalks that are now available. It does not directly integrate open space but allows for extensions of sidewalk to open space areas near the site.

h) Goal 7.3.1.1: Policies a, c, e, f

a) Inventoried natural resources shall be conserved, protected, enhanced or restored:

- to retain the visual and scenic diversity of our community;
- for their educational and recreational values;

- to provide habitats for fish and wildlife in our urban area.

Response: There are no inventoried natural resources to be conserved, protected, and enhanced on the site. There is no indication that a natural resource was on the site recently.

c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.

Response: Inventoried natural resources do not exist so this condition does not apply to the development.

e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.

Action 1: During pre-application conferences for developers, City staff will attempt to identify any Federal, State, or local requirements and regulations affecting sites in Significant Natural Resource areas.

Response: In the pre-application conferences for the development city staff did not identify significant natural resources on the site.

f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.

Response: The development has no significant natural resources.

i) Goal 7.3.2.1: Policy a

a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.

Response: The development has no wetland as defined in the Local Wetland inventory maps.

j) Goal 7.3.4.1: Policy a

a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.

Action 1: Adopt development regulations that call for consideration of impacts of development on wildlife species likely to be present on development sites, and mitigation of such impacts to the extent practicable. These regulations should allow for flexibility in development standards to achieve wildlife habitat protection.

Response: There is no wildlife habitat on the site.

k) Goal 8.7.1: Policies a, c

a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Action 1: Adopt and apply appropriate land use regulations that allow and encourage low impact development techniques and habitat friendly development practices to mimic the natural system, thereby reducing or eliminating the need for piped systems.

c) Construction within the floodfringe shall be regulated through the City's implementing ordinances, such as the City's Engineering Design Manual and Standard Drawings.

Response: Construction within the floodway fringe is proposed and a flood study showing the balance of cut and fill with no net fill has been submitted for review. Regulations must be reviewed by the City to allow the development to occur.