CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Subdivision Preliminary Plat, **SUB.2.22**

DATE: July 5, 2022
TO: Planning Commission
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT: Ken Sandblast, Westlake Consultants, Inc.
OWNER: Chieko Comstock

ZONING: Moderate Residential, R7
LOCATION: 4N1W-6D-604 and 4N1W-6AD-2600
PROPOSAL: 46 lot Planned Development Subdivision Preliminary Plat

SITE INFORMATION / BACKGROUND

The subject property is approximately 12 acres in size and is undeveloped. The property is roughly rhomboidal is shape and generally descends in elevation from where is abuts Pittsburg Road to its southern boundary that abuts a row of lots that abut Sykes Road. The property itself does not abut Sykes Road. There are two wetland areas that divide the property into three segments. Some roads stub to the property along the long sides of the rhombus such as Westboro Way on the west side and Edna Barr Lane on the east side. Also, Meadowview Drive on the NW side and Barr Avenue on the SE side abut the property along the sides of those streets.

This property was annexed recently (file Annexation A.5.21) via Ordinance No. 3281 adopted by the City of St. Helens in March of this year.

Associated file: Planned Development (overlay zone), PD.1.22.

PUBLIC HEARING & NOTICE

Public hearing before the Planning Commission: July 12, 2022

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on May 20, 2022 via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

Notice was published on June 29, 2022 in The Chronicle newspaper.

Wetland Land Use Notification was provided to Oregon DSL on May 17, 2022 pursuant to ORS 227.350.

APPLICATION COMPLETENESS

This application was originally received on April 11, 2022. Staff identified missing information or other aspects that rendered the application incomplete and notified the applicant of the issue pursuant to SHMC 17.24.050 on April 29, 2022. The applicant provided revised or new information and the application was deemed complete on May 9, 2022. The 120-day rule (ORS 227.178) for final action for this land use decision is September 6, 2022.

However, the applicant submitted a phasing plan not originally proposed, on May 20, 2022, so the 120th day could be considered as September 17, 2022.

AGENCY REFERRALS & COMMENTS

As of the date of this staff report, the following agency referrals/comments have been received that are pertinent to the analysis of this proposal:

City Engineering Manager: See attached Engineering Staff Report dated June 22, 2022

Columbia County Public Works: Here are the Columbia County Public Works Departments comments for this subdivision:

1. The applicant needs to obtain an access permit for their connection to Meadowview Drive from the Columbia county Public Works department.

2. The applicant must obtain a construction permit for any work within the Pittsburg Road ROW and a construction permit for any work in the Meadowview Drive ROW.

3. No additional storm water to be added to Pittsburg Road or Meadowview Drive. The applicant must treat and contain all additional storm water within the property.

4. The County supports the City of St Helens requirements for street frontage improvements and ROW dedications.

Bonneville Power Administration: Bonneville Power Administration (BPA) has reviewed the above-referenced materials and its relationship to the BPA transmission line easement that this project impacts. BPA does not have any objection to this project as long as, except as shown on the drawings supplied with the Notice of Public Hearing, all buildings and facilities remain off of the BPA right-of-way. We do request, however, that the following statement be forwarded to the property owners that are adjacent to the right-of-way to help ensure public safety and reliable operation of BPA's facilities.

Portions of the property are encumbered by easements for high-voltage transmission lines owned by the Bonneville Power Administration (BPA). BPA has acquired rights for these easements that limit the landowner's use of this area. BPA has the right of ingress and egress, and the right to keep the easement free and clear of all buildings, sheds, fences, roads, in-ground and above-ground swimming pools, trampolines, or any other type of structure, trees, and all vegetation. All activities planned within the BPA easement need to be reviewed by BPA prior to

their occurrence. Do not build, dig, install utilities, plant, or burn within the easement area. For further questions or concerns regarding any proposed uses of the easement you may contact BPA Real Estate Field Services by calling (800) 836-6619.

The plans do indicate that a road and pedestrian path will be located within the easement area. These improvements will require an application to be submitted for review by BPA. This review process generally takes between 6 and 8 weeks. This review process will determine if your requested uses are compatible with the operation and maintenance of the transmission line.

Your cooperation in this matter is greatly appreciated. By working together with our agency, your effort will help to minimize later disputes or unnecessary costs associated with the required removal or modification of incompatible or non-permitted activities placed within BPA's easement. If you have any questions regarding this request or need additional information, please feel free to contact me.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

The first step to a Planned Development proposal is to adopt a Planned Development overlay zone. This overlay zone is necessary to use the flexibility of Chapter 17.148 SHMC. **Such an overlay zone is proposed via file PD.2.22**. Though a separate matter, this Subdivision Preliminary Plat approval shall be contingent on successful adoption of a Planned Development overlay since it would not be possible without it.

The Planned Development overlay zone allows flexibility to the provisions of the base zoning district. The site is zoned R7 and this zone will be the focus in considering zoning flexibility per **SHMC 17.148.080 as follows:**

(1) The provisions of the base zone are applicable as follows:
(a) Lot Dimensional Standards. The minimum lot size, lot depth and lot width standards shall not apply except as related to the density computation under Chapter 17.56 SHMC;
(b) Site Coverage. The site coverage provisions of the base zone shall apply;
(c) Building Height. The building height provisions shall not apply except within 100 feet of an "established area"; and
(d) Structure Setback Provisions.
(i) Front yard and rear yard setbacks for structures on the perimeter of the project shall be the same as that required by the base zone unless otherwise provided by Chapter 17.96 SHMC;
(ii) The side yard setback provisions shall not apply except that all detached structures shall meet the applicable building code (as administered by the building official) requirements for fire walls; and
(iii) Front yard and rear yard setback requirements in the base zone setback shall not apply to structures on the interior of the project except that:
(A) A minimum front yard setback of 20 feet is required for any garage structure which opens facing a street;
(B) A minimum front yard setback of eight feet is required for any garage opening for an attached single-family dwelling facing a private street as long as the required off-street parking spaces are provided.
(2) All other provisions of the base zone shall apply except as modified by this chapter.

Finding(s): The applicant proposes some desired standards as allowed per the provisions above.

Note that per (1)(b) above, the site coverage rules cannot be changed.

Also note that building height can be flexible, but not within 100' of an "established area" per Chapter 17.112. Per SHMC 17.112.020:

(1) Established Area.
  (a) An "established area" is an area where the land is not classified as buildable land under OAR 660-08-0005;
  (b) An established area may include some small tracts of vacant land (tracts less than an acre in size) provided the tracts are surrounded by land which is not classified as buildable land; and
  (c) An area shown on a zone map or overlay map as an established area.
(2) Developing Area. A "developing area" is an area which is included in the city's buildable land inventory under the provisions of OAR except as provided by subsection (1)(b) of this section.

OAR 660-008-0005 classifies *buildable land* as:

Residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered "suitable and available" unless it:
  (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;
  (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;
  (c) Has slopes of 25 percent or greater;
  (d) Is within the 100-year flood plain; or
  (e) Cannot be provided with public facilities.

Generally, surrounding lands can be considered buildable. There is no severe constraints, there are some Goal 5 lands but not enough to prevent development, predominant slopes are less than 25%, there is no 100-year floodplain and public facilities can be or are anticipated to be available within a 20 year planning period. But, since the applicant proposes the standard building height, this issue is moot.

Moreover, "interior yards" (i.e., distance between buildings) as established via Ordinance No. 3264 in 2021 are not included in the provisions that may be flexed and thus apply per (2). Applicant proposed a change, probably by accident.

Applicant proposes a 15-foot building and 12-foot porch front yard. SHMC 17.64.050(4) allows a porch to extend into a front yard as much as four feet. Thus, applicants' three-foot proposal is more restrictive. Staff assumes this was based on the applicant being unaware of this provision.

A summary of the standards proposed for this development per the applicant's proposal and based on staff's observations and assumptions as noted above, is attached as Exhibit A.

ORS 94.550 to 94.783 (2019) address Planned Communities, which are defined as:

ORS 94.550(20)(a) "Planned community" means any subdivision under ORS 92.010 to 92.192 that results in a pattern of ownership of real property and all the buildings, improvements and rights located on or belonging to the real property, in which the owners collectively are responsible for the maintenance, operation, insurance or other expenses relating to any property within the planned

community, including common property, if any, or for the exterior maintenance of any property that is individually owned.

ORS record of declaration requirements:

ORS 94.565(2) A person may not convey any lot or unit in a planned community until the planned community is created by the recording of the declaration for the planned community with the county recording officer of each county in which the planned community is located.

The declaration is the instrument per ORS 94.580 that establishes a planned community. This includes formation of a homeowners association, bylaws and such.

ORS 94.625(1) and (2) requires that a homeowners association be formed as a nonprofit corporation, and adopt and record bylaws either (1) not later than when the first lot is conveyed or (2) if the plat contains a conveyance of any property to the association, before the plat is recorded. This is important since tracts of the subdivision will be conveyed to the homeowners association.

ORS 94.665(1) says that a homeowners association may sell, transfer, convey or subject to security interest any portion of the common property given certain affirmative votes, except as otherwise provided in the declaration. The exception is important given common ownership of wetlands. The declaration will need to include a provision that any sale, transfer, etc. also requires city approval.

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Subdivision Standards

SHMC 17.136.040(1)

(1) The preliminary plat approval by the planning commission or final approving authority shall lapse if:

(a) A final plat (first phase in an approved phased development) has not been submitted within a one-year period; or

(b) The final plat does not conform to the preliminary plat as approved or approved with conditions.

Discussion: This is not a standalone subdivision request. Four phases are proposed.

Note that Planned Developments may have an initial validity period of 1.5 years, which may be applied.

Finding: This Subdivision preliminary plat approval shall be effective for a period of eighteen (18) months from the date of approval per this section. Time extensions are possible per SHMC 17.136.040.

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SHMC 17.136.050 (1) and (2) Phased development.

(1) The planning commission may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years (unless an extension is granted) without reapplying for a preliminary plat, nor the cumulative time exceed six years (regardless of extensions) without applying for a new preliminary plat.

(2) The criteria for approving a phased site development review proposal are:

(a) The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;

(b) The development and occupancy of any phase shall not be dependent on the use of temporary public facilities:

(i) For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable city or district standard;

(c) The phased development shall not result in requiring the city or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat; and

(d) Public facilities approved as conditions of approval must be bonded.

Discussion: Four phases are proposed as follows:

Phase 1: Lots accessed via Barr Avenue
Phase 2: Lots accessed via Westboro Way
Phase 3: Lots accessed via Edna Barr Lane all south of the Willie Lane
Phase 4: Remaining lots on the north side of the site

Note that Planned Developments may have a total time period of all phases up to seven years, which may be applied.

Finding: The Commission needs to approve the phasing scheme and as part of that, determine which phases the two wetland tracts belong to as that is not clear in the applicant's materials. Logically, the southerly wetland tract should be a part of Phase 1 as access it provided to it via that phase. And the wetland tract adjacent to Westboro Way should be a part of Phase 2, as the extension of Westboro will provide access to that and ties in with the proposed trail. This is staff's recommendation and is reflected in the draft conditions of approval herein.

The conditions of said sections (1) and (2) shall apply.

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SHMC 17.136.060(1) – Approval standards – Preliminary plat.

(1) The planning commission may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:

(a) The proposed preliminary plat complies with the city's comprehensive plan, the applicable sections of this code and other applicable ordinances and regulations;

(b) The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92[.090(1)];

(c) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern; and

(d) An explanation has been provided for all common improvements.

(a) This criterion asks if the proposed preliminary plat complies with the city's comprehensive plan, the applicable sections of this code and other applicable ordinances and regulations. The City's development code (SHMC Title 17) implements the Comprehensive Plan. The Development Code standards are addressed herein.

There are no known conflicts with the Comprehensive Plan. This includes addendums to the Comprehensive Plan: Economic Opportunities Analysis (Ord. No. 3101), Waterfront Prioritization Plan (Ord. No. 3148), the Transportation Systems Plan (Ord. No. 3150), the Corridor Master Plan (Ord. No 3181), the Parks & Trails Master Plan (Ord. No. 3191), the Riverfront Connector Plan (Ord. No. 3241), and the Housing Needs Analysis (Ord. No. 3244).

There is an identified routes in the city's Parks and Trails Master Plan that traverses through the subject property: trail #9. This is discussed further below.

Applicable provisions of the Development Code are addressed per Chapter as follows:

- **17.32 – Zones and Uses** → The subject property is zoned Moderate Residential, R7. As a Planned Development, the applicant is seeking different standards as allowed by the city's Planned Development provisions—see attached Exhibit A, which includes correction of errors noted on page 4 herein.

  The subdivision appears to comply with the proposed standards per attached Exhibit A, which include correction of errors noted on page 4 herein.

  There are no existing dwellings or other buildings to determine compliance with proposed property lines

  Flag lots are not allowed in the R7 zoning district. Other zoning districts where flag lots are allowed, identify flag lots as possible. For example, see SHMC 17.32.070(5)(d), 17.32.080(5)(d) and 17.140.055(2). Planned Development overlay zone does not exempt this allowance. No flags lots are proposed. Though Lot 46 looks like a flag lot, its lot width at the street—30 feet—meets the minimum proposed PD standard.

- **17.40 – Wetlands & Riparian Areas** → There are two significant wetlands within the boundaries of the subject properties:

  Wetland MC-1, a type I wetland with a required 75' upland protection zone.

  Wetland MC-2, a type II wetland with a required 50' upland protection zone.

  Both of these wetlands are inventoried as riparian corridor too, but R-MC-18 is not significant per this Chapter and does not result in any additional requirements.

An environmental assessment has been conducted (DSL WD # 2021-0642) identifying the specific location of these significant wetlands. This is required for land divisions such as this.

All proposed lots, roads and stormwater facilities are located outside of wetlands MC-1 and MC-2 and their upland protection zones.

A trail is proposed along the south side of the 75' upland protection zone on the south side of the wetland/stream of MC-1. This is acceptable provided impacts are minimal. Trail specifications will be necessary to evaluate this. Sensitive Lands Permit may be required based on anticipated impacts of the trail.

Moreover, the easterly extension of Westboro Way street improvements are proposed to abut the MC-1 75' upland protection zone in the same area. This immediate adjacency begets necessary identification to prevent impact during construction. Sheet P202 shows protection fencing behind the outer edge of the protection zone, which by itself, would be insufficient.

Subdivision infrastructure will be within proximity of these sensitive lands as will development of any lot adjacent to them. Methods of how sensitive lands/upland protection zones will be identified and protected during development of the subdivision and development of its lots will be necessary. Any impacts, including temporary may require a Sensitive Lands Permit

Density transfer is allowed as part of a Planned Development with a Development Agreement. A Development Agreement application has not been submitted. However, the applicant proposes density transfer, but as allowed by Chapter 17.56 SHMC, not this chapter.

The wetlands and their protection zones are required to be preservation tracts to be managed by a homeowner association or other entity responsible for preservation.

- **17.44 – Sensitive Lands** → This chapter addresses various types of sensitive lands, including steep slopes 25% or greater.

  The applicant proposes creating steep slopes along the lots that abut Pittsburg Road. There is a 20 minimum yard that cannot be reduced by the Planned Development aspect of this proposal along Pittsburg that will contain much of the proposed steep slope area, but not necessarily all of the steep slope.

  There is potential for someone to want to build within the steep slope. If such is proposed, a Sensitive Lands Permit per this chapter will be required.

- **17.56 – Density Computations** → The applicant provided a summary of the density calculations as revised and received on July 1, 2022 justifying the proposed 46 lots.

This property was annexed and zoned as R7, which needs to be honored.

- **17.72 – Landscaping and Screening** → Street trees are required per this Chapter because the site fronts a street for more than 100 feet.

  All abutting and stubbed streets to be extended within the subject property are classified as local per the City's Transportation Systems Plan, except Pittsburg Road, which is classified as a minor arterial.

  For the local streets, street trees will be planted behind the sidewalk in the right-of-way or landscape/public utility easement, per this Chapter. These trees will be planted as each lot is developed, as a condition of building permits. Exceptions to this are within the BPA easement, where no trees are required (BPA doesn't want trees) and along a wetland protection zone or along storm water tracts. These "natural areas" will provide "green-scape" there.

  For Pittsburg Road, which requires a landscape strip with street trees as part of the public street frontage improvements (curb, gutter, landscape strip, and sidewalk), street trees will need to be installed as part of the frontage improvements required for the subdivision (as opposed to development of the subdivision's lots). As Pittsburg Road has overhead utilities, tree species shall be "small" per this Chapter.

- **17.84 – Access, Egress & Circulation** → Pittsburg Road is a minor arterial street per the city's Transportation Systems Plan. All other adjacent streets are classified as local.

  The development code does not favor access from minor arterial streets. No direct access using Pittsburg Road is proposed. Direct access shall not be allowed.

  Access from Barr Avenue was approved prior to this Subdivision application (see dedication deed recorded as instrument no. 2022-3799 and public utility easement recorded as instrument no. 2022-3800). All other streets are stubbed to the site and will be extended within, except for the proposed Comstock Way off of Meadow View Drive, which will provide access to Pittsburg Road. A minimum 150' separation (measured from centerline) is required; the distance between Pittsburg Road and Comstock Way (off Meadow View Drive) exceeds 150 feet.

  Some private streets (shared accesses) are proposed, and this Chapter provides some guidance for those.

  Lots 1, 2, 3 and 46 (four total) are proposed to share an access. A 30' wide easement is proposed, which is suitable for 3-6 lots. Minimum pavement width required is 20 feet.

  Note that because Pittsburg Road is a minor arterial street. Lots 1-3 cannot have direct access onto it.

20' roadway is the minimum width needed for traffic circulation. No parking signage is necessary.

No private drive exceeds 150 feet, which would require a turnaround suitable for emergency vehicles (fire department standard).

Easements for access to lots are possible per this Chapter 17.152. Easements need to be shown properly on all plans. These will require a maintenance agreement between all lots that utilize such access, to be recorded with the final plat. These are not to be public streets subject to city maintenance and such. Physical improvements shall be included on construction plans. Will need to include utility easements to serve the lots served by access. They will be too narrow for on-street parking.

- **17.132 – Tree Removal** → A tree plan is a required for a property with more than 10 trees or any tree over 2 feet diameter at breast height (DBH). This chapter focuses on trees over 12 inches DBH.

  There are about 51 trees pertaining to this chapter. 20 of those are proposed to be removed. As this is less than 50% of these trees, replacement is required as a 1:1 ratio.

  Street trees will be required and there are anticipated to be more than 20 street trees within the site upon full buildout, which will satisfy the replacement requirement.

  Tree plan includes protection of existing trees as required. This, as revised, will need to be a part of subsequent development permits.

- **17.152 – Street & Utility Improvement Standards** → Development is required to have frontage along a public street improved to city standards. Streets are proposed to be dedicated and improved both adjacent to and within the subject property.

  Pittsburg Road will require approximately 10' of right-of-way dedication (30' from centerline) to meet the 60' ROW width for Minor Arterial classified streets.

  Other streets that abut the subject property along their sides (i.e., Meadow View Drive and Barr Avenue) are already at the 50' minimum width for local classified streets.

  An access easements (private shared drive/street) is proposed for some lots, which the code allows if it's the only reasonable method to create lots large enough to be developed. These must be approved by the Commission; they are described in greater detail under Chapter 17.84 SHMC above.

  The applicant is acknowledging all streets stubbed to the property and extending them within. This includes continuation of the right-of-way recently dedicated for access

to Barr Avenue (see dedication deed recorded as instrument no. 2022-3799 and public utility easement recorded as instrument no. 2022-3800), Westboro Way, Edna Barr Lane and Willie Lane.

Willie Lane differs from the others since it does not stub to the subject property, rather, the stub is about 260' to the east, with an easement in between—instrument no. 01-10543 as depicted on P.P. No. 2003-100. The purpose of this easement is to preserve right-of-way for Willie Street to eventually be extended westward. The Willie Lane portion of the development will be the only street stub that does not abut a fully improved stub on the other side of the property line.

The Westboro Way extension will have the additional review and agreements required by the Bonneville Power Administration. Road, utility and other construction within the BPA easement will require review and approval from the BPA.

Any county road will require coordination with Columbia County. See Columbia County Public Works comments herein.

Generally, the street layout proposed is logical utilizing existing surrounding streets and avoiding wetland/upland protection zone impacts. Intersection angles are at right angles more-or-less as required.

Cul-de-sac. Cul-de-sacs are allowed only when there are justifiable constraints. Cul-de-sacs shall be no more than 400' long and not provide access to more than 20 dwelling units per normal standards.

Two cul-de-sacs are proposed, each logical due to surrounding development and wetlands.

The first is the extension of Westboro Way. Currently, the leg of this street from the centerline of Mountain View Drive to the east stub to the subject property is 175' long and provides access to 5 lots (east of the Mountain View Drive C/L). The proposal extends the leg 200' ending in a conventional circular cul-de-sac; it will still be less than 400' total. An additional 6 lots will be added, remaining under the 20 total.

Being longer than 150' the cul-de-sac needs to terminate with a turnaround area meeting fire code standards (which exceeds the city's normal cul-de-sac end standards). Plans show a 96-diameter cul-de-sac end, exclusive of sidewalks, which meets the minimum per the fire code.

The second proposed cul-de-sac is the southerly access off Barr Avenue. This is proposed to be approximately 300' long, providing access to 8 lots and terminating in a modified hammerhead, which appears to exceed fire code, except a 28' corner

radius is required; 26 radii are proposed at the hammerhead. Note that the longer of the hammerhead sides is at 150 feet. Any longer would require another turn-around!

This southerly cul-de-sac is proposed to be a skinny street. Local "skinny" streets are possible with only a 40' wide right-of-way provided they will provide access to land whose combined average daily trip rate (ADT) is 200 ADT or less (in this case 20 lots). Only 8 lots are proposed for access. Roadway must be 28' wide, which will permit parking on one side of the street. Roadway section on the plans show this. No parking signage, etc. will be necessary.

Street names. All new street names are subject to approval by Columbia 9-1-1 Communications District. There are a couple new street names that will need to be reviewed. These should be approved prior to construction plans to ensure street name consistency throughout the post preliminary plat approval review processes.

Street grade and curves. Street grades for new streets appear less than 12%, which is the basic maximum standard for local streets. The greatest road grades are around 6.5%. The centerline radii of proposed curves is not less than 100' (except at intersections), which is the normal minimum requirement.

Access to Arterials/Collectors. Pittsburg abutting the north side of the subject property is a Minor Arterial Street. Separate access is required (no direct access for lots) and will be provided via Meadowview Drive and the rest of the proposed street network. SHMC 17.152.030(16) calls for buffering or screening for the lots with frontage along Pittsburg Road. A plan to address this for these lots shall be approved prior to the final plat, to be implemented no later than prior to occupancy of any permitted principle building on each lot.

Mailboxes. Joint mailbox facility shall be included on engineering/construction plans per city standards and the USPS. Subject to city and Postmaster approval.

Street signage. Signs for street names, traffic control and such are the financial responsibility of the developer.

Street lights. Are required at least at each intersection and as otherwise required by City Engineering.

Blocks. This proposal will nearly create the one possible block with Edna Barr Lane on the south side and Willie Lane on the north side. It will approximate the normal 1,800-foot maximum perimeter.

Easements. Minimum 8' wide public utility easements will be required along the street frontage of all lots unless a greater width is determined necessary by City Engineering. Moreover, other utility easements necessary, as identified on approved engineering/construction plans shall be included on the final plat. Approved engineering/construction plans will be required before submission of the final plat.

Easements specific to city utilities (e.g., sanitary sewer) are proposed. These are typically 15' wide on the center of the utility line, unless the utility is really deep or there is another unusual circumstance.

Sidewalks/street frontage improvements. All abutting streets and those within, except Pittsburg Road, are local classified streets and will require curb-tight sidewalks. Because, Pittsburg Road is a minor arterial, a planter strip between the curb and sidewalk will be required.

City Utilities. Water, sanitary sewer, and storm water system plans will be required in accordance with city requirements.

Waters is available in multiple locations and is available along all abutting rights-of-way. City Engineering comments on water in their June 22, 2022 Engineering Staff report.

Sanitary sewer is problematic. The city adopted a new Wasterwater Master Plan in November 2021 that identifies multiple undersized trunk lines already operating at or above capacity, that this development would depend on, which can cause surcharges (i.e., wastewater backing up and out of manholes). This can also result in sewerage backing up into existing buildings (like people's homes). Adding new development will increase surcharging potential and is a great risk considering the city's overarching obligation of public health, safety and welfare.

As such, city engineering recommends disallowance of connection to the sanitary sewer system until it is upsized such that it can handle additional load. Note that the sanitary sewer infrastructure for this subdivision itself could be allowed to be constructed in the interim, which is important as completion of infrastructure is necessary for the final plat to be executed and for the lots to be created. However, no building permit could be submitted, processed or issued until the sewer system until it is upsized.

See Engineering Staff Report dated June 22, 2022 for additional details.

The sanitary sewer issue presents a critical decision for the Planning Commission. Allowing the subdivision to be completed, including building permits for those lots will increase the probably of surcharges and other backups. Potential issues includes but are not limited to individual claims for cleanup and repair for sanitary sewer backup into a building, clean up of backup out of manholes and potential claims of individuals from sewerage exposure, political backlash ("how could you let this happen"), and fines from Oregon DEQ. Because it is identified in our recently adopted Wastewater Master Plan, the city cannot plead ignorance. Examples of DEQ fines can be found here:

https://www.oregon.gov/deq/Pages/enforcement-actions.aspx?wp2643=p:2#g_c4e47a01_bc88_4a9f_aa38_c1bcac799ce5

For example, in February 2022 the City of Seaside was fined close to $13,000 for untreated sewerage discharge. For egregious situations, the fine amount can be considerable such as the nearly $1.3 million fine to the Port of Morrow in Boardman from January 2022. Even the US Army Cops of Engineers is subject to Oregon DEQ's wrath having been fined nearly $31,000 in December of 2021

So, it is a question of risk. Will "bad" things happen before the overall sanitary system is upgraded?

The Commission could also consider denial of the subdivision. This may be an option if the Commission is not comfortable with allowing the infrastructure to be built so the subdivision can be platted and lots created, but bar any building permit until the sanitary sewer is upgraded. This is an estimated 2-4 year wait. If approved with this delay, a notice should be recorded on every deed, because once the lots are created, they can be sold and anybody who may purchase a lot that is not eligible for a building permit for several years needs to be aware of that. Perhaps this complexity alone, will cause the commission to consider denial?

A key provision providing basis for denial is SHMC 17.152.090(4):

> Permits Denied. Development permits may be restricted by the commission or council (i.e., the applicable approval authority) where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system.

There is now a known existing deficiency that:

1. Cannot be rectified by development because the scale and cost is too high to require the improvements (disproportionately high) and would make the project economically infeasible.
2. Surcharging problems can be worsened by this and result in violations of a higher governmental authority.

The "permits denied" provision above fits the circumstances of this proposed like a glove; thus, denial should be evaluated as an option by the Commission.

So, in considering the risk, there is a "where do you draw a line in the sand" question. Do you allow this development now, but deny later ones after (and if) surcharges become more of a problem?

The Commission must also consider ORS 197.522, which suggests that the city approve the subdivision (for needed housing) if it is possible with reasonable

conditions. However, ORS 197.522(4) specifically allows a government to deny an application that cannot be made consistent with reasonable conditions. Is it more reasonable to outright deny this or to approve with the delay of building permit activity until the sanitary sewer is upsized?

Note that the Council discussed the overall sanitary sewer conveyance issue (though outside of an actual land use application), at their April 6, 2022 meeting. They were posed with a more general question of how we address development given the sanitary sewer issue. The Council did not like the idea of suppressing development. Perhaps the Planning Commission would consider this in your decision for this specific proposal. Note that the City Council is the appellate authority.

Storm water infrastructure is proposed within the public streets for the conveyance (pipes) system. Easements will be needed anywhere the conveyance, or any other part of the public storm system is proposed outside of a public right-of-way.

For storm purposes, the site is divided into three "regions" each with a stormwater facility within a proposed tract. For two of these, storm water encounters the stormwater facilities before being discharged to the two on-site wetlands. The third storm facility (the most southerly one) is not adjacent to a wetland.

Per the Engineering Staff Report dated June 22, 2022, on-site detention is necessary, thus the proposed storm water facilities. There are other pertinent details in the Engineering Staff Report as well. A final drainage report will be required. Note also the preference that the stormwater facilities be privately owned with the maintenance plan.

As the city will not accept these facilities, they must be private. Engineering has determined that they are to be private facilities per SHMC 17.152.100(6) and will not be accepted by the city for use by the general public and that management of them by a private entity is something that can be approved via SHMC 13.20.050(4).

Storm water facilities not part of a public storm water system are to be managed by the persons responsible for property per SHMC 13.20.060. As these will not be accepted as public or not part of the public storm water system per SHMC 13.20.060(a), they will be subject to private management. As a planned development this is logical as the very definition of "planned community" per ORS 94.550(20)(a) emphasizes a subdivision in which owners are collectively responsible for common property.

All utilities shall be underground pursuant to SHMC 17.152.120.

Bikeways and trails. There are no bicycle improvements identified in the city's Transportation Systems Plan the affect the subject property as it pertains to this subdivision. There is an identified route in the city's Parks and Trails Master Plan that traverses through the subject property: trail #9.

Trail #9 is classified as a local access trail connecting Pittsburg Road and Sykes Road. There is a standard for local access trails along roadways (asphalt, concrete or other smooth and hard surface 5' to 12' wide), but no standard for a local access trail not along roadways.

Staff believes that the proposed W-E trail along proposed just north of the Westboro Way cul-de-sac that will connect Westboro Way and the open space tract of the Meadowbrook Subdivision will ultimately help facilitate north/south connectedness and thus meets the intent of the trail, provided it is accessible by the public.

Development completion, financial guarantees, building permit timing, etc.
There are two options for completing the subdivision for the purpose of completing the final plat and creating lots eligible for building permits: 1) the *HB 2306 method* (Oregon Laws Chapter 397) and 2) the *full completion method.* "Completion" in this case pertain to public improvements that a developer, declarant or owner must construct. For this specific subdivision, this pertains to on-site improvements and not the city's sanitary sewer system off-site that is inadequate, and the remedy is too large in scope and cost to require as a condition of approval for the developer to complete. In other words, there are issues outside the scope of HB 2306 (Oregon Laws Chapter 397), that also impact building permits for this subdivision. The text below (but before Chapter 17.165 SHMC analysis) pertains specifically to HB 2306 (Oregon Laws 397). The broader issue is reflected in the recommended conditions.

Developments require financial guarantees (e.g., bonds) of workmanship and guarantees of performance for public improvements, as determined by City Engineering. All public improvements shall be guaranteed (e.g., warranty bond) as to workmanship in a form and value as required by City Engineering. The degree of various financial guarantees required of the developer will depend on whether or not they use the ***HB 2306 method* or the *full completion method***.

The HB 2306 Method (Oregon Laws Chapter 397).

HB 2306 (effective January 1, 2020), as it pertains to subdivisions, disallows a city from denying a building permit for residential dwellings for a residential subdivision based on the conditions of a preliminary plat not being met, if "substantial completion" occurs and the remaining public improvements are secured with some type of financial guarantee such as a bond.

A city may still delay (deny) any certificate of occupancy for residential dwellings if the conditions of the development are not fully completed or the conditions for the release of the financial guarantee are not fulfilled.

"Substantial completion" means the city, county or other appropriate public body has inspected, tested and found acceptable under applicable code requirements, unless the parties agree to a lower standard: (A) The water supply system; (B) The fire hydrant

system; (C) The sewage disposal system; (D) The storm water drainage system, excepting any landscaping requirements that are part of the system; (E) The curbs; (F) The demarcating of street signs acceptable for emergency responders; and (G) The roads necessary for access by emergency vehicles.

Building permits must be applied for based on lots that actually exist. The City of St. Helens views these requirements as when a final plat can be considered for review as it is the final part of the process before the land is divided into lots. This will be incorporated into the conditions for final plat review for this subdivision.

The Full Completion Method.

As an alternative to the HB 2306 (Oregon Laws Chapter 397) method as described, in order to minimize financial guarantees, all public improvements shall be completed, in place and acceptable to the city prior to the final plat. The only exception to this is that portions of sidewalk that abut buildable lots created by this subdivision where there may be a driveway approach are often not built until the lot is developed. Though some portions of sidewalk will be required where there will be no driveway approach such as corners and along non-buildable tracts. For these portions of sidewalk allowed to be left unfinished for the final plat, a performance guarantee will be required prior as approved by City Engineering.

Required in all cases.

Before construction, **performance guarantees** will be required for storm drainage systems, grading and erosion control. This is necessary for public health, safety and welfare, because if this work is only partially done and the developer/owner abandons the project, these could have negative impacts on other property owners. Other improvements left unfinished (e.g., streets, water and sewer infrastructure) do not necessarily have the same impact to a neighboring property owner. This initial guarantee should not be encumbered by other "non-impact" issues as it complicates executing the security; thus, dealing with storm drainage systems, grading and erosion control specifically.

- **17.156 – Traffic Impact Analysis (TIA)** → A TIA is warranted per SHMC 17.156.030.

  A study was conducted based on a study scope that city staff and the traffic consultant agreed to (based on city code standards). The study found that the development will not result in functional issues as it pertains to vehicle use and no mitigation, including left-turn lanes, are warranted.

  Note that the study was based on 50 lots (more than proposed) for conservative analysis.

Other applicable ordinances and regulations.

As per the Bonneville Power Administration (BPA) (see comments above), improvements within their easement requires an application with them.

BPA also has a required notice, per the comments above. For the Forest Trail Subdivision (on the opposite end of Westboro Way) the BPA required this specific language on the final plat. More will be known with the application to the BPA for this proposal and any requirements thereof, but as a communication tool, it is logical that the BPA language be added to any Homeowners Association documentation.

(b) This criterion requires that the proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92.

The name "Comstock Subdivision" will need to be approved by the County Surveyor per ORS 92.090.

There is no evidence that the applicant has made an attempt to determine the eligibility of this name with the County Surveyor. This is recommended for consistency of plans following this preliminary plat decision.

(c) This criterion requires that the streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.

All streets stubbing into the property are being utilized. All abutting streets (except Pittsburg Road) are also utilized. The proposal acknowledges surrounding street patterns and connections well considering the wetland constraints.

(d) This criterion requires that an explanation has been provided for all common improvements.

Common improvements are proposed. These include: three storm water tracts. In addition, the wetland areas will be tracts as well (as required by Chapter 17.40 SHMC).

The city will require the Homeowners Association to own and maintain responsibility of these improvements.

* * *

SHMC 17.136.060(2) – Lot Dimensions

(a) Lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:

(i) No lot shall be dimensioned to contain part of an existing or proposed public right-of-way;

(ii) The depth of all lots shall not exceed two and one-half times the average width, unless the parcel is less than one and one-half times the minimum lot size of the applicable zoning district; and

(iii) Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Findings: **(i)** No proposed lot interferes with existing or proposed right-of-way given compliance with the conditions herein. **(ii)** The normal minimum lot size of the R7 zone is 7,000 square feet. 150% of that is 10,500 square feet. Of the lots that are 10,500 or greater, the following have an issue:

- Lot 24 @ 10,677 s.f. Lot width 40 feet. Lot depth >240 feet. Depth to width is about 6:1 and well above the 2.5:1 maximum. This should be easy to correct.

(iii) The site is zoned residential; thus, this criterion is not applicable.

* * *

SHMC 17.136.060(3) – Through Lots

(a) Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or to overcome specific disadvantages of topography and orientation, and:

(i) A planting buffer at least 10 feet wide is required abutting the arterial rights-of-way; and

(ii) All through lots shall provide the required front yard setback on each street.

Discussion: The Development Code defines a through lot is a lot having frontage on two parallel or approximately parallel streets. Note that access easements are considered "streets" for the purpose of the Development Code.

Finding: Some through lots are proposed. This includes all lots along Pittsburg Road, a minor arterial street. A planting buffer at least 10 feet wide is required along Pittsburg Road and shall be incorporated into the conditions of this decision.

* * *

SHMC 17.136.060(4) – Large Lots

(a) In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the approving authority may require that the lots be of such size and shape, and be so divided into building sites, and contain such site restrictions as will provide for the extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size, and:

(i) The land division shall be denied if the proposed large development lot does not provide for the future division of the lots and future extension of public facilities.

Finding: This proposal more-or-less maximizes the potential density, lot creation wise, of the subject property Future development plans or "shadow plans" are not warranted.

* * *

SHMC 17.136.060(5) – Access Control

(5) Control of access to adjoining properties, including but not limited to continuation of streets, shall be granted to the city via reserve strips or language in lieu of reserve strips as a note on the plat. Generally, language in lieu of reserve strips is preferred.

Discussion: One street stub is proposed—Willie Lane—that will not connect to another street.

Finding: The current west facing Willie Lane stub terminates about 260 feet from the subject properties east line. Right-of-way dedication is anticipated eventually between the existing street stub and the proposed one of this subdivision as the intervening parcels are divided or more intensely developed. This is contemplated in an easement recorded as instrument number 01-10543.

This criterion will apply to the Willie Lane stub of this subdivision.

* * *

SHMC 17.136.060(6) – Additional Conditions

(6) The planning commission may require additional conditions as are necessary to carry out the comprehensive plan and other applicable ordinances and regulations.

Finding: The city worked with the applicant and the Meadowbrook Homeowners Association to dedicate right of way to allow access from Barr Avenue from the SE corner of the site. This is described earlier in this report. There are improvements within this area that will need to be relocated to allow for street construction. Applicant will be responsible for this.

It is important that wetland, open space, storm water tracts and such are not landlocked for access and maintenance purposes. Storm Tract A has direct access from the proposed extension of Edna Barr Lane. The northerly tract for the wetland and related protection zone has direct access from the proposed extension of Westboro Way. Storm Tract B has access via an easement off Westboro Way. This is identified as a city shared driveway easement on sheet P301; this will need to be public if the infrastructure is public, otherwise it does not. Both the southerly tract for the wetland and related protection zone and Storm Tract C have direct access from the road proposed off Barr Avenue.

* * *

CONCLUSION & RECOMMENDATION

The Commission has *at least* three choices:

1. **Deny based on inadequate sanitary sewer infrastructure.**

   Under this scenario, no conditions would be needed.

2. **Approve with the conditions below including delaying any building permits until the off-site sanitary sewer system is upsized.**

   The conditions below are based on this scenario.

3. **Approve with the conditions below, but as amended, to "take the risk" that allowing the lots created by this subdivision to connect to the sanitary sewer system will not result in major issues between now and when the sewer system us upsized (est. 2-4 years).**

   At least The following conditions would need to be removed or amended:

   3.o – delete
   6.a – delete
   6.b – amended to remove reference to condition 6.a
   6.c – amended to remove reference to condition 6.a

   Note that the Commission can "give" this to the City Council with or without cause with a two-thirds affirmative vote from appointed members. You may want to consider this if you as a Commission are considering approval but are uncomfortable putting the city at risk due to the now known and documented sanitary sewer issue. Your basis for giving this to the Council could be that placing such risk on the city should come from the governing body and not a volunteer commission.

Proposed Conditions:

1. **This Subdivision preliminary plat approval shall be effective for a period of eighteen (18) months from the date of approval**. The approval shall become void if a final plat (for first phase) prepared by a professional registered surveyor in accordance with (1) the approved preliminary plat, (2) the conditions herein, and (3) the form and content requirements of the City of St. Helens Development Code (SHMC Title 17) and Oregon Revised Statutes is not submitted within the eighteen (18) month approval period.

   The approval for phase 2, contingent upon completion of phase 1, shall be void if the same requirements for phase 1 (noted above, except the time period) are not completed within two years from the date the final plat is submitted for phase 1 and the requirements of SHMC 17.136.050 are not met.

   The approval for phase 3, contingent upon completion of phases 1 and 2, shall be void if the same requirements for phase 1 (noted above, except the time period) are not completed within two years from the date the final plat is submitted for phase 2 and the requirements of SHMC 17.136.050 are not met.

   The approval for phase 4, contingent upon completion of phases 1, 2 and 3, shall be void if the same requirements for phase 1 (noted above, except the time period) are not completed within two years from the date the final plat is submitted for phase 3 and the requirements of SHMC 17.136.050 are not met.

   Two **time extensions** may be granted pursuant to SHMC 17.136.040(2) for any phase, but only two total are possible for all phases.

Notwithstanding any validity period or time extension above, **any portion or phase that is not vested, shall be void seven years from the date of the original decision of this preliminary plat**. Nothing under this condition is intended to preclude owner/developer from acting on multiple phases simultaneously.

**Note for Planning Commission: Condition #1 assumes the Commission approves the phasing concept proposed. Don't forget that which phases the wetlands tracts belong to also need to be determined. See condition 3.a.*

2. **The following shall be completed prior to submission and the City's acceptance of a final plat application (as applicable to each phase):**

   a. A Planned Development overlay (e.g., via file PD.2.22) shall be adopted and in effect for the subject property.

   b. Homeowners Association (HOA) and CC&Rs for establishing the HOA shall be approved (see condition 8).

   c. Engineering/construction plans for all public and other applicable improvements shall be submitted to the city for review and approval in compliance with all City of St. Helens laws and standards and in accordance with the conditions herein. As specific conditions of approval, these plans shall include:

      A. Changes necessary for the final plat per condition 3 to avoid conflicts between these plans and the final plat to the maximum extent possible.

      B. As per condition 3.a (tracts and phasing).

      C. Construction details for the pedestrian path connecting Westboro Way to Tract H of the Meadowbrook Planned Community, Phase 3.

      D. Methods of preventing disturbance and encroachment of wetland and upland wetland protection zone areas. See condition 4.c.

      E. Tree plan for existing trees to be preserved, to be protected during construction per Chapter 17.132 SHMC.

      F. Joint mailbox facility(ies) shall be included per City and USPS (Postmaster) standards. Subject to city and Postmaster approval.

      G. All applicable street cross sections representing the appropriate classifications per the City's Transportation Systems Plan.

      H. Street frontage improvements to Pittsburg Road per the city's minor arterial standards including street trees per Chapter 17.72 SHMC. Street trees shall be "small" per Chapter 17.72 SHMC due to existing overheard power.

I. Access and utility improvements to serve Lots accessed by access easement (private road). "No parking" designation required on both sides of street.

J. Streets shall meet fire code specifications as applicable. For example, 26 radii are proposed at the hammerhead cul-de-sac off Barr Avenue except a 28' corner radius is required.

K. Per condition 3.b (approval of street names).

L. Streetlights are required at each intersection and at such locations to provide overlapping lighting to sufficiently illuminate the street. New streetlights shall use LED fixtures.

M. Infrastructure and improvements reconfiguration/relocation to allow the Barr Avenue access made possible by the dedication deed recorded as instrument no. 2022-3799.

d. Prior to or with submission of engineering/construction plans per **condition 2.c**, a drainage plan and full stormwater report shall be submitted that includes methods of downstream conveyance and pre and post conditions. The proposed development shall mitigate the increased stormwater flows from the site so that the increased runoff will not impact the downstream flows. It shall also include provisions for protecting wetland water quality, for facilities draining into wetlands. As per Columbia County Public Works, no additional storm water to be added to Pittsburg Road or Meadowview Drive.

e. *The Full Completion Method.* **All public improvements shall be completed, in place and acceptable to the City, Columbia County, and Bonneville Power Administration (BPA) as applicable**. The only exception to this is that portions of sidewalk that abut buildable lots created by this subdivision where there may be a driveway approach are often not built until the lot is developed. Though some portions of sidewalk will be required where there will be no driveway approach such as corners and along non-buildable tracts. For these portions of sidewalk allowed to be left unfinished for the final plat, a performance guarantee will be required prior as approved by City Engineering. Completion includes providing final approved as-build plans to the City and any other guarantees (e.g., bonds) of workmanship or guarantees of performance for public improvements that may required;

Or

The HB 2306 Method (Oregon Laws Chapter 397). **All public improvements shall be "substantially completed," in place and acceptable to: the City, Columbia County, and Bonneville Power Administration (BPA) as applicable. "Substantial completed" means** the city, county or other appropriate public body has inspected, tested and found acceptable under applicable code requirements, unless the parties agree to a lower standard: (A) The water supply system; (B) The fire hydrant system; (C) The sewage disposal system; (D) The storm water drainage system, excepting any

landscaping requirements that are part of the system; (E) The curbs; (F) The demarcating of street signs acceptable for emergency responders; and (G) The roads necessary for access by emergency vehicles. The remaining public improvements are secured with some type of financial guarantee such as a bond. Other guarantees (e.g., bonds) of workmanship or guarantees of performance for public improvements may also be required. As-build plans shall be required unless insufficient work will be done per this "substantially completed" option, in which case the as-build plans shall be bonded.

f. Maintenance plan for the private storm water facilities shall be approved by the city. This shall clearly identify maintenance activities and frequency, and the proposed entity(s) responsible for maintenance. Private responsibilities are also referenced in SHMC 13.20.060.

g. Approved access permit for connection to Meadowview Drive and approved construction permit(s) for Meadowview Drive and Pittsburg Road shall be obtained from Columbia County Public Works.

h. Applicable approvals from the Bonneville Power Administration (BPA).

i. Areas where natural vegetation has been removed, and that are not covered by approved landscaping, shall be replanted pursuant to SHMC 17.72.120. This includes the proposed lots to be developed to show how the lot themselves will be covered to prevent erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards before development of that specific lot commences.

j. Screening and buffering plan along the north side of all lots along Pittsburg Road per SHMC 17.152.030(16) and 17.136.060(3). This shall be in a form (e.g., 8.5" x 11" page) such that it can be attached to building permits.

3. **In addition to compliance with local, county, state and other requirements, the following shall be included on/with (for recordation) the final plats (as applicable to each phase):**

a. The southerly wetland tract shall be part of Phase 1 of this subdivision. The wetland tract adjacent to Westboro Way and the pedestrian path connecting Westboro Way to Tract H of the Meadowbrook Planned Community, Phase 3, shall be a part of Phase 2 of this subdivision.

**Comment for Planning Commission: This assumes the Commission concurs with staff's recommendation on this matter.*

b. All new street names are subject to approval by Columbia 9-1-1 Communications District.

c. Minimum 8' wide public utility easements will be required along the street frontage of all lots (and tracts) unless a greater width is determined necessary by City Engineering.

d. All utility easements necessary, as identified on approved engineering/construction plans shall be included on the final plat.

e. The County Surveyor shall approve the name of the plat.

f. Right-of-way dedication for the Pittsburg Road, within 30 from the centerline of the right-of-way (approximately 10' of dedication along Pittsburg Road).

g. Access control guarantees in a form approved by the city for the extension of Willie Lane. This shall be a note on the plat as approved by the city.

h. Tracts shall be identified as to purpose.

i. Maintenance agreement amongst the lots with shared access via easement. These are not public streets subject to public maintenance. Agreement shall include no-parking provisions within the private street (access easement).

j. Any private shared access easement shall also be a public utility easement.

k. Declaration of Protective Covenants, Conditions and Restrictions (CCRs) and Establishment of a Homeowners Association (HOA) shall be recorded with and noted on the final plat for HOA responsibility for common improvement maintenance (see condition 8).

l. Conveyance of tracts and any other common area to the Planned Development's Homeowner's Association.

m. The pedestrian path connecting Westboro Way to Tract H of the Meadowbrook Planned Community, Phase 3 shall be publicly accessible.

n. All lots shall meet the dimensional and size requirements of the Development Code or as allowed by the Planned Development standards. This approval includes no Variance(s) or other means of allowing different standards. For example, Lot 24 shall meet the depth to width ratio of the R7 zoning district.

o. A notice shall be recorded on the deed of every lot indicating the building permit delay per condition 6.a.

**Comment for Planning Commission: This condition is not necessary if the Commission disagrees with a delay of building permits based on sanitary sewer upsizing and doesn't want to deny the proposal.*

4. **Prior to any construction or development of the subject property of each phase:**

a. Performance guarantees (e.g., performance bond) as approved by City Engineering shall be required for storm drainage systems, grading and erosion control. In addition, engineering/construction plans shall be approved.

b. Applicant shall provide a copy of the approved 1200-C permit from Oregon DEQ.

c. Any necessary sensitive lands permitting based on plans provided by condition 2.c for impacts not known or anticipated as part of the preliminary subdivision plat application.

5. **After completion of construction and City approval, all public improvements (for each phase) shall be guaranteed** (e.g., warranty bond) for at least two years as to workmanship in a form and value as required by City Engineering.

6. **The following requirements shall apply to the development of the lots of this Subdivision:**

a. No building permit may be submitted, processed, or issued for any lot created by this subdivision until the undersized trunk lines already operating at or above capacity that this development would connect to are upsized. This is not an explicit requirement of the developer, declarant or owner and is not a "condition of development" per Oregon Laws Chapter 397.

**Comment for Planning Commission: This condition is not necessary if the Commission disagrees with a delay of building permits based on sanitary sewer upsizing and doesn't want to deny the proposal.*

b. If the "*HB 2306 Method*" is chosen under condition 2.e, certificate of occupancy for residential dwellings shall not be granted if **all public improvements are not completed, in place and acceptable to the City.** This includes providing final approved as-build plans to the City and release of any and all financial guarantees for improvements used to allow submission of the final plat or recordation of the final plat, before completion of said improvements. This is in addition to condition 6.a above, which is more restrictive.

**Comment for Planning Commission: The last sentence of this condition is not necessary if the Commission disagrees with a delay of building permits based on sanitary sewer upsizing and doesn't want to deny the proposal.*

c. Building permits for Lots created by this Subdivision cannot be accepted until the final plat is recorded. This is in addition to condition 6.a above, which is more restrictive.

**Comment for Planning Commission: The last sentence of this condition is not necessary if the Commission disagrees with a delay of building permits based on sanitary sewer upsizing and doesn't want to deny the proposal.*

d. If not otherwise recorded with the final plat as required, a Declaration of Protective Covenants, Conditions and Restrictions (CCRs) and Establishment of a Homeowners Association (HOA) shall be recorded (see condition 8).

e. Curb/sidewalk shall be completed, and street trees will be required along all local streets (i.e., all streets except Pittsburg Road) as lots are developed. If the Pittsburg Road Street trees (installed as part of the subdivision infrastructure) are in a poor state, they will need to be replaced. The exception to the street tree installation requirement (i.e., none required) is within the BPA easement and along wetland or storm water tracts.

f. Areas where natural vegetation has been removed, and that are not covered by approved landscaping, shall be replanted pursuant to SHMC 17.72.120.

g. Sensitive Lands Permit will be required for any proposed structure to be placed or constructed on slopes of 25% or greater per Chapter 17.44 SHMC.

h. Vehicle access (e.g., driveways) are prohibited along Pittsburg Road. Direct access to Pittsburg Road is not allowed.

i. Screening and buffering plan per condition 2.j shall be implemented if not already installed and still intact (or not in disrepair and/or dying-dead, as applicable).

7. The zoning standards for this development shall be those as proposed per **Exhibit A**, attached hereto.

8. Declaration per ORS Chapter 94 that establishes the Planned Community **shall be recorded with the final plat**. Subject to review and approval by the City, it shall include the following:

   a. A Planned Development Homeowners Association formed as a nonprofit corporation.

   b. Bylaws.

   c. Specific language that prohibits the Homeowners Association from selling, transferring, conveying or subjecting to security interest of any platted open space or wetland tract without City of St. Helens approval.

   d. The Planned Development Homeowners Association shall be responsible for all common improvements including but not limited to any open space tract, wetland tract, trail, stormwater quality facility (see condition 11), and subdivision entry monument signage.

   e. Provisions for the City to veto dissolution of the Homeowners Association or have the right to assess owners for taxes and maintenance or lien properties.

f. Responsibility for common improvement maintenance. This includes but is not limited to the long-term operation and maintenance of the water quality facilities and wetland responsibilities. Storm management plan per condition 2.f shall be incorporated.

g. As applicable per condition 4.c related to any necessary sensitive lands permitting.

h. BPA's required notice per their preliminary subdivision plat comments shall be incorporated.

9. Any new sign (e.g., entrance monument signs for the development) requires a sign permit prior to installation.

10. All new utilities shall be underground pursuant to SHMC 17.152.120.

11. The city will not accept any open space, wetland, or stormwater facility tract or improvement. Ownership shall belong to the Homeowners Association of this Planned Development.

12. Developer will be required to repair damages to roadways as a result of subdivision construction, up to full width asphalt overlay as determined by City Engineering.

13. Portions of the property are encumbered by easements for high-voltage transmission lines owned by the Bonneville Power Administration (BPA). BPA has acquired rights for these easements that limit the landowner's use of this area. BPA has the right of ingress and egress, and the right to keep the easement free and clear of all buildings, sheds, fences, roads, in-ground and above-ground swimming pools, trampolines, or any other type of structure, trees, and all vegetation. **All activities planned within the BPA easement need to be reviewed by BPA prior to their occurrence**. Do not build, dig, install utilities, plant, or burn within the easement area. For further questions or concerns regarding any proposed uses of the easement you may contact BPA Real Estate Field Services by calling (800) 836-6619.

14. Owner/Developer shall be solely responsible for obtaining all approvals, permits, licenses, and authorizations from the responsible Federal, State and local authorities, or other entities, necessary to perform land clearing, construction and improvement of the subject property in the location and manner contemplated by Owner/Developer. City has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying Owner/Developer compliance with the applicable State and Federal agency permit or other approval requirements. This land use approval shall not be interpreted as a waiver, modification, or grant of any State or Federal agency or other permits or authorizations.

15. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17).

Attachment(s): Exhibit A, A summary of the standards proposed for this Planned Development Subdivision based on applicant's application materials with corrections by staff.

Engineering Staff Report dated June 22, 2022

Applicant's main application narrative

Applicant's phased development narrative

Applicant's preliminary storm report (summary only, pages 1-7)

Applicant's PD standards table (with city staff notes)

Applicant's density calculation sheet (as received July 1, 2022)

Applicant's Traffic Impact Analysis (summary only, pages 1-24)

Applicant's plan set

*COMSTOCK SUBDIVISION PLANNED DEVELOPMENT STANDARDS

The base standards the R7 zone, those which can deviate as a Planned Development, and those proposed:

PLANNED DEVELOPMENT STANDARDS TABLE

STANDARD	R7 ZONING DISTRICT	PD ALLOWS FLEXIBILITY?	PROPOSED
Min. lot size	7,000 s.f. for detached single-family dwellings and duplexes	Yes	4,000 s.f. for detached single-family dwellings and duplexes
Min. lot width at building line (interior lots)	60 feet for detached single-family dwellings and duplexes	Yes	40 feet for detached single-family dwellings and duplexes
Min. lot width at building line (corner lots)	85 feet for detached single-family dwellings and duplexes	Yes	40 feet for detached single-family dwellings and duplexes
Min. lot width at street (standard)	50 feet for detached single-family dwellings and duplexes	Yes	30 feet for detached single-family dwellings and duplexes
Min. lot width at street (cul-de-sac)	30 feet	Yes	30 feet
Min. lot width at street (flag lot)	Flag lots prohibited	Yes (unless flag lots prohibited)	Flag lots prohibited
Min. lot depth	85 feet	Yes	80 feet
Min. front yard (setback)	20 feet	Yes (except along perimeter of PD and for garage structures which open facing a street)	15 feet (20 feet required along perimeter of PD and for any garage structure which opens facing a street)
Min. side yard (setback)	7 feet for interior lots and 14 feet for sides of corner lots along street for detached single-family dwellings and duplexes	Yes	5 feet for interior lots and 10 feet for sides of corner lots along street for detached single-family dwellings and duplexes
Min. rear yard (setback)	20 feet	Yes (except along perimeter of PD)	15 feet (20 feet along perimeter of PD)
Min. interior yard (building/structure separation)	7 feet	No	7 feet
Max. building height	35 feet	Yes	35 feet
Max. lot coverage	Buildings and structures shall not occupy more than 40% of the lot area for detached single-family dwellings and duplexes	No	Buildings and structures shall not occupy more than 40% of the lot area for detached single-family dwellings and duplexes
Min. landscaping	25% of the lot area	No	25% of the lot area

No other code exceptions or modifications are proposed.

*Final subdivision name requires approval by the County Surveyor. This is a preliminary name and may change.

June 2022

PUBLIC WORKS – ENGINEERING DIVISION
265 STRAND STREET, ST. HELENS, OR 97051
503.397.6272 | WWW.STHELENSOREGON.GOV

ENGINEERING STAFF REPORT

PROJECT/SITE: COMSTOCK

REPORT DATE	PROJECT NAME	PREPARED BY
6/22/2022	Comstock Property (Subdivision / SUB.2.22 & Planned Development / PD.2.22)	Sharon Darroux Engineering Manager

CONCLUSIONS/RECOMMENDATIONS

STREETS

- Construction of the subdivision is anticipated to be detrimental to adjacent roadway surfaces, particularly Meadow View Drive, Edna Barr Ln, Westboro Way, and Barr Ave. Contractor will be required to repair damages to roadways, up to full width asphalt overlay, as determined by the City Engineering Manager or authorized representative.

WATER

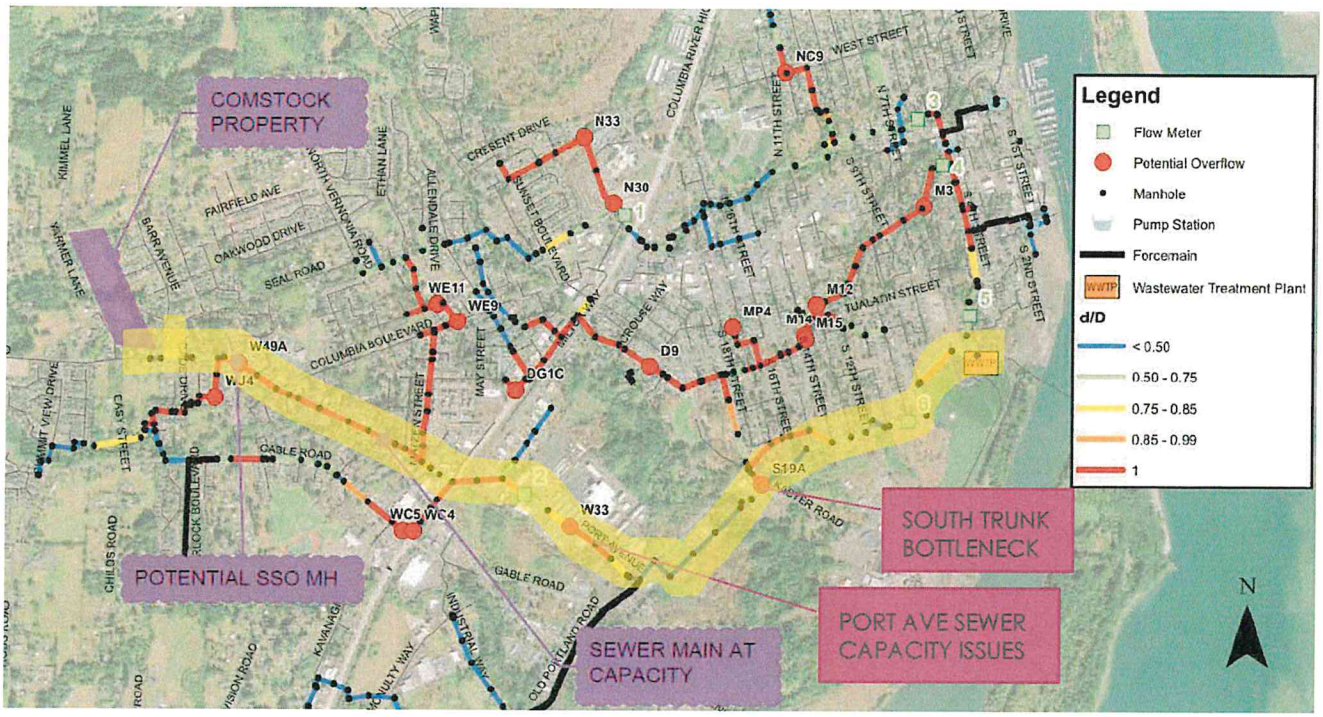
- Site is in located in the high pressure zone, the design will need to incorporate pressure and elevation needs in design of the water system.

- Fire Flow: The 12-inch diameter water mains on Pittsburg Rd, Meadow View Drive, and Barr Ave meet current fire flow demands.

- Pressures: The average day demand water pressures for the site are 40 to 60 psi for the Pittsburg Rd watermain; 40 to 80 psi for the Meadow View and Edna-Barr Ave watermains; and 80 to 100 psi for the Barr Ave watermain.

SEWER

- Development proposes to connect to the public sewer main on Sykes Rd which is identified in the City's Wastewater Master Plan as "operating at or above capacity ". The deficiencies found in Sykes Rd sewer are undersized trunklines and by high peak flows. These deficiencies put the sewer main at risk of surcharging, which occurs when flows exceed the capacity of a full pipe causing wastewater to back up into and out of manholes. Surcharging sewer mains may cause an increase for potential backing up into residents' homes. Furthermore, the growth affects more than one basin trunkline. The undersized Sykes Rd sewer trunkline is connected to the undersized Port Ave trunkline and the undersized South Trunk.



The City has considered and studied several options to address the development's connection and added load to the public sewer. Options considered are as follows,

(1) Do nothing regarding the identified sewer capacity issues and continue to allow new developments, Single Family Homes, etc. to connect to the public sewer system.

(2) Assess a sewer capacity impact fee to new developments, Single Family Homes, etc. wanting to connect to the public sewer. Built into this framework would be a predetermined fair share cost per EDU for each new sewer connection which would distribute the costs of upsizing the public sewer.

(3) Disallow future connections to the public sewer until the sewers have been upsized and capacity has been increased to carry the added growth.

After a full review of all options, recommendation is to disallow connection to the public sewer until the City upsizes the public sewer main to be able to accommodate the additional load the development will add to the system. The City intends to secure Clean Water State Revolving Funds to begin the process of upsizing the sewer and anticipates two to four years for this work to be completed. During the interim, the Developer will be allowed to construct public sewer for the proposed subdivision in preparation to connect the system to the public sewer after it has been upsized.

- Additional requirements (See Wastewater Master Plan Appendix C – Engineering Standards Review),
  - Distance between manholes shall be 300 feet.

  - Pipes shall be ductile iron or other material as approved by the City Engineering Division where the pipe velocity is greater than 15 feet per second.

- Hydraulic calculations shall be performed to ensure that pipe size is adequate for conveying PIF5 flows (peak instantaneous flow) at full development of the drainage basin. Pipe size should be adequate for conveying PIF5 at full development of the basin with pipe flow no more than 85% full depth (d/D). Capacity shall be based on Manning's Equation with "n" = 0.013.

STORM

- Site drains to the McNulty Creek Basin. Per SHMC 18.16.090, "All development on sites within the McNulty Creek Drainage Basin that are one-half acre or greater in area shall be required to provide on-site detention. A complete drainage report is required for all proposed developments greater than one-half acre in area addressing the existing and proposed conditions and any detention requirements".

- Per the recommendations of the Stormwater Master Plan, the post-development peak release rates shall equal the pre-development release rates for their matching design storm event up to the 10-year design storm. The 25-year storm event peak release rate should not exceed the 10-year pre-development peak release rate.

- Storm detention facilities shall be designed to provide storage using the 25-year event, with the safe overflow conveyance of the 100-year storm. Calculations of site discharge for both the existing and proposed conditions is required.

- Storm flows shall be pretreated be a water quality manhole before entering a stormwater detention facility.

- Distance between manholes shall be 300 feet.

- Provisions shall be made for gravity drainage of roofs and foundation (footing) drains to be connected directly to public storm drain system. No weepholes through sidewalk

- The City prefers the proposed stormwater detention facilities to be privately owned and maintained. Developer shall submit a maintenance plan that clearly identifies maintenance activities and frequency, and the proposed entity(s) responsible for maintenance.

- In the hydrological analysis, the Engineer shall reduce the maximum sheet flow distance from 300 feet to 100 feet as recommended by the Stormwater Master Plan. Additionally, the storm drainage conveyance system shall be designed to be able to pass runoff from the 25-yr storm event without flooding.

Comstock Subdivision

46-Lot Subdivision

with Planned Development Overlay

RECEIVED
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CITY OF ST. HELENS

Comstock Subdivision

46-Lot Subdivision

With Planned Development Overlay

Prepared for:

Noyes Development Co.
16305 NW Bethany Court, Suite 101
Beaverton, OR 97006
503-451-6138

Prepared by:

Westlake Consultants, Inc.
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224
Phone: (503) 684-0652

APPLICANT AND SUBJECT PROPERTY SUMMARY

APPLICANT:	Clark Vorm Noyes Development Co. 16305 NW Bethany Court, Suite 101 Beaverton, OR 97006 Phone: 503-451-6138 Email:
PROPERTY OWNER:	Chieko Comstock 980 Joshua Place Fremont, CA 94539
APPLICANT'S REPRESENTATIVE:	Ken Sandblast, AICP Westlake Consultants, Inc. 15115 SW Sequoia Parkway, Suite 150 Tigard, OR 97224 Phone: (503) 684-0652 Email: ksandblast@westlakeconsultants.com
PROPOSED PROJECT:	46-Lot Subdivision with Planned Development Overlay
PROPERTY LOCATION:	Pittsburg Road, St. Helens, OR
TAX MAP/LOTS:	4N1W06AD / 2600 and 4N1W06D / 604
SITE SIZE:	12.0 Acres
ZONING DESIGNATION:	R-7 – Single-Family Residential
COMP PLAN DESIGNATION:	Rural Suburban Unincorporated Residential (RSUR)

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PROJECT OVERVIEW

Introduction

The applicant, Noyes Development, is seeking Subdivision and Planned Development approval for a 46-lot subdivision within the City of St. Helens.

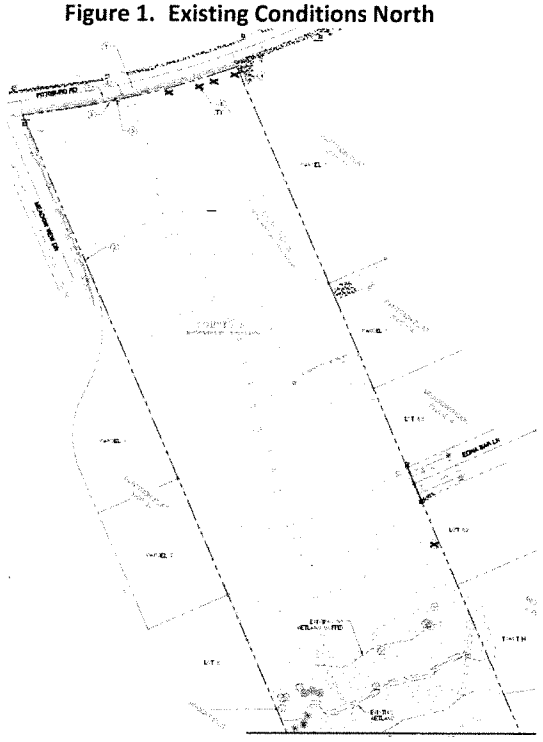
Subject Property

The subject property consists of two undeveloped parcels totaling 12 acres, with frontage on Pittsburg Road to the north. The property was recently annexed into the City, with a zoning designation of R-7, Moderate Residential (Figure 1).

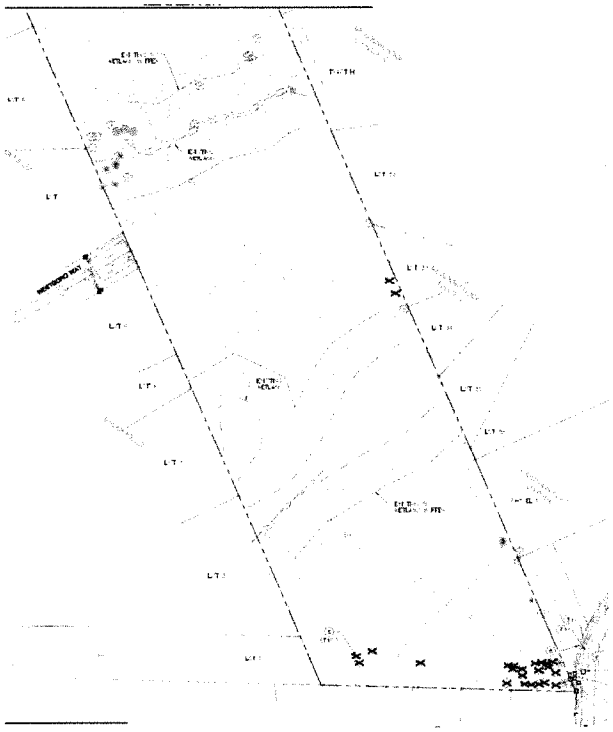
The site has a stream and associated riparian area that cross the site about midway between the north and south property lines, essentially dividing the site into two parts. Within the southern portion of the site, there are two wetlands (MC-2) with associated 50-foot upland protection zones, that further divide that portion of the site into two parts.

Currently, direct access to the site is available from Pittsburg Road, along the site's northern property line, although future direct access from Pittsburg Rd will be prohibited. Following development of the subdivision, access from Pittsburg Road will be provided to the subdivision via Meadow View Drive, which will intersect with the proposed Comstock Way. Access to the southern half of the subdivision will be from the connections made to the existing rights-of-way on Westboro Way and Barr Avenue. The Barr connection will provide a hammerhead style accessway with no internal connection to the other lots, while the Westboro connection provides a cul-de-sac.

Figure 1. Existing Conditions North



Existing Conditions South



Adjacent Properties

The subject property is adjacent to constructed subdivisions along its eastern, western and southern sides. Zoning in the area is split between R7 moderate residential and R5 General Residential in the south and R10 Suburban residential adjacent to the northern portion of the site. Many of the subdivisions in the near proximity also include PD (Planned Development) overlays.

Figure 2. Vicinity Map

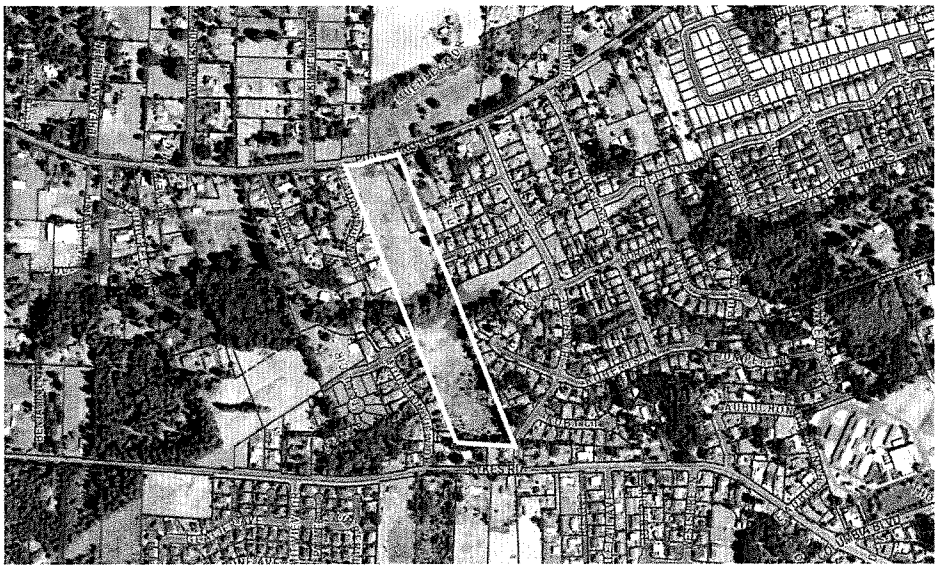
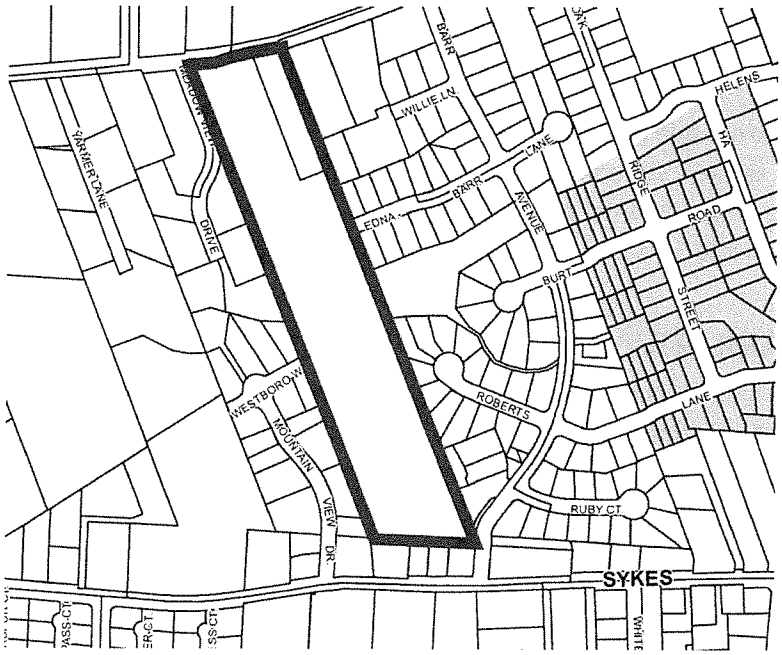


Figure 3. Comprehensive Plan Map



Proposed Development

This application proposes a 46-lot subdivision with a Planned Development overlay. Within the PD subdivision, future development will include 46 single-family homes. The site has two wetland areas and associated buffer zones. The protected wetland area will provide approximately 2.75 acres of open space. In an effort to prioritize the protection of these wetland and buffer zones, the proposed site design divides the property into three areas of development. The three areas will have access from the existing rights-of-way and proposed sidewalks to meet the required connectivity requirements. The proposed layout of the subdivision can be referenced on the site plan (Exhibit A).

Facilities and Services

Water: Water service is available from the City of St. Helens from the existing public water mains in Meadow View Drive, Barr Avenue and Westboro Way. Water service will be extended to development on the site through the public streets, with laterals provided to each lot. The proposed design for water service is shown in Sheet P500 of Exhibit B.

Sewer: Sanitary Sewer service is available from the existing public lines located in Meadow View Drive to the west, Westboro Way to the southwest and Barr Avenue to the southeast. As shown in the Preliminary Utilities Plan, Sheet P500 of Exhibit B, the new lines will be extended into the development within the new public streets on site in order to provide service to every lot.

Stormwater: A new storm line will be constructed within the new streets to all lots. As shown in the Preliminary Utility Plan, Sheets P500 & P501 of Exhibit B & C, the stormwater will be directed to the stormwater treatment

and detention facility located adjacent to each lot cluster. The storm facilities are shown on the utility plan as "Storm A-C". Additional information about stormwater collection is included in the Preliminary Storm Drainage Report, submitted as Exhibit D.

Streets: The subject property has frontage along Pittsburg Road, Meadow View Drive and at the connection point in Barr Avenue. The site also has connection stubs at Westboro Way an Edna Barr Avenue. The proposed dedicated streets will provide adequate circulation and connection to every lot in the subdivision. Sidewalks will be installed adjacent to the new streets to provide safe pedestrian access throughout the subdivision. The access to the lots will be unique in order to preserve existing wetland areas and utilize existing roadway stubs. The lots will be broken up into 3 clusters with open spaces separating each cluster.

APPLICANT'S NARRATIVE

The applicable chapters of the City of Hillsboro Community Development Code appear in **BOLD CAPS**. Criteria from each chapter are cited in ***Italics***, followed by the applicant's response, which presents evidence and recommended findings for approval of the 46-lot Planned Development Subdivision.

17.20 PROCEDURES FOR DECISION-MAKING – LEGISLATIVE

17.20.020 The application process

(1) A request for a legislative change may be initiated by:

(a) Order of the council;

(b) Resolution of a majority of the commission;

(c) The director;

(d) Any person or the person's agent authorized in writing to make the application.

(2) Application acceptance:

(a) Form must be complete;

(b) City council must approve the concept;

(c) Fee must be paid unless previously waived by the city council

Applicant Response: The applicant acknowledges the application process for legislative decisions. The application, a subdivision with a planned development overlay, will require the planning commission provide a recommendation for this application since the required hearing body for the planned development overlay will be the city council.

17.20.030 Time Periods – Submissions/hearings

(1) The director may receive proposed legislative changes four times a year, and the completed application shall be submitted not more than 75 days and not less than 45 days before the first commission meetings in March, June, September, and December.

(2) The commission shall normally hear the matter at the first meeting in March, June, September, or December, depending upon which date the item has been scheduled.

(3) The council shall normally receive the commission's recommendations within 30 days after the commission's decision and schedule a public hearing of the commission's recommendation. If the

planning commission fails to act within 60 days after the scheduled public hearing date, the application shall be forwarded to the city council without a recommendation.

Applicant Response: The applicant acknowledges the time periods applicable to this application. It is the intent of the applicant to meet the legislative deadlines to be heard at the next available meeting.

17.20.130 Approval process and authority

(1) The commission shall:
- *a. After notice and a public hearing, formulate a recommendation to the council to approve, to approve with modifications, or to deny the proposed change, or to adopt an alternative; and*
- *b. Within 30 days of determining a recommendation, cause the written recommendation to be signed by the presiding officer of the commission and to be filed with the director.*

(2) Any member of the commission who voted in opposition to the recommendation by the commission on a proposed change may file a written statement of opposition with the director prior to any council public hearing on the proposed change. The director shall transmit a copy to each member of the council and place a copy in the record.

(3) If the commission fails to recommend approval, approval with modification, or denial of the proposed legislative change within 60 days of the first public hearing on the proposed change, the director shall:
- *a. Report the failure together with the proposed change to the council; and*
- *b. Cause notice to be given, the matter to be placed on the council's agenda, a public hearing to be held and a decision to be made by the council. No further action shall be taken by the commission.*

(4) The council shall:
- *a. Have the responsibility to approve, approve with modifications, or deny an application for the legislative change or to remand to the commission for rehearing and reconsideration on all or part of an application transmitted to it under this code;*
- *b. Consider the recommendation of the commission; however, it is not bound by the commission's recommendation; and*
- *c. Act by ordinance, if application approved with or without modifications.*

Applicant Response: The applicant acknowledges the approval criteria and authority of the planning commission and city council. It is also understood that the council will provide the decision for the planned development overlay.

17.24 PROCEDURES FOR DECISION-MAKING – QUASI-JUDICIAL

17.24.040 Preapplication conference

17.24.050 Application Submittal Requirements – Refusal of an Application

Applicant Response:

The applicant attended a pre-application conference with the City of St. Helens on February 15, 2022 and was advised that the proposed Pittsburg Road Subdivision would be subject to the applicable development standards within Chapter 17 of the St. Helens Municipal Code. This narrative is therefore provided in response to the City of St. Helens approval criteria.

17.32 ZONES AND USES

17.32.060 Moderate residential zone – R-7

Applicant's Response: The proposed 46-lot Planned Development Subdivision, located within the R-7 zone, is designed to include 46 future single-family, detached homes, which is an outright permitted use in the zone. This provision is satisfied.

17.40 PROTECTIVE MEASURES FOR SIGNIFICANT WETLANDS, RIPARIAN CORRIDORS, AND PROTECTION ZONES*

17.40.015 Establishment of significant wetlands, riparian corridors and protection zones.

Applicant's Response: No wetland delineation is proposed with this application. The wetlands on this site are currently being delineated and further delineation will not be submitted. The existing conditions plan and as well as the site plans show the existing wetlands and respective wetland buffers. The site includes a 50-foot buffer from the wetland's edge to provide the required protection zone for a type II wetland. All wetlands and buffers are to be dedicated as tracts and no projections or disturbance will happen with the development of this subdivision.

17.40.025 Prohibitions within significant wetlands, significant riparian corridors and protection zones

1. *All significant wetlands, significant riparian corridors and protection zones shall be protected from alteration or development activities, except as specifically provided herein.*
2. *Except as set forth in the exemption, exception, or other approval authorized in this chapter, no person or entity shall alter or allow, or permit or cause to be altered, any real property designated as a significant wetland, significant riparian corridor, or a wetland/riparian protection zone.*
3. *Except as set forth in the exemption, exception, or other approval authorized in this chapter, no person or entity shall use or allow, or permit or cause to be used, property designated as a significant wetland, significant riparian corridor, or wetland/riparian protection zone.*

Applicant Response: The applicant acknowledges the prohibitions within wetlands and riparian corridors. This application does not seek to encroach or seek exemptions to the provisions of chapter 17.40.

17.40.050 Additional requirements for land divisions and new development

1. *Density Transfer. Except as provided below, residential density transfer shall not be available.*
    a. *Residential density transfer within the same property, or within contiguous properties within the same ownership, shall be permitted for planned development with a development agreement pursuant to ORS Chapter 94, subject to the following:*
        i. *Density Bonus. The maximum gross density for the buildable area of the site shall not exceed 150 percent of the maximum density allowed by the underlying zoning district for that buildable area notwithstanding Chapter 17.56 SHMC.*
2. *Design Standards. Except as provided below, significant wetlands, significant riparian corridors and protection zones shall not be permitted as part of individual lots or new streets or infrastructure areas and shall be made part of separate preservation tracts to be managed by a homeowners association or other entity responsible for preservation.*

a. *Protection zones may be made part of individual lots and protection zones may vary in width provided average protection zone width complies with this chapter in planned developments with a development agreement pursuant to ORS Chapter 94, provided additional protection zones or off-site mitigation over the minimum standard is provided as consideration for such flexibility.*
b. *For parcels created by land partition per Chapter 17.140 SHMC, significant wetlands, significant riparian corridors and protection zones may be part of a parcel if:*
    i. *The parcel's area excluding the significant wetlands, significant riparian corridors and/or protection zone meets the minimum size and dimension requirements of the zoning district; and*
    ii. *A conservation easement benefiting the City of St. Helens shall be required for the portions of the parcel containing the significant wetlands, significant riparian corridors and/or protection zone. The easement shall be depicted on and incorporated into the recorded plat of the partition.*

3. *A development agreement entered into pursuant to ORS Chapter 94, and in accordance with city requirements may be used where a planned development is not available to achieve flexibility in design standards, density transfer, and density bonuses as discussed in subsections (1) and (2) of this section.*

Applicant Response: This planned development proposes the transfer of 4 units from the wetlands areas to be developed on the net developable area. The transferred units do not exceed 150% of the base zoning, further it considers the provisions listed in 17.56.030 which limits the transfer of density to 25%. The provisions of design have been significantly considered as the proposed layout and design promotes the preservation of the wetlands and riparian corridors. No disturbance of any kind is proposed within these areas, further they will be dedicated as tracts to ensure they are maintained. This provision is met.

17.56 DENSITY COMPUTATIONS

17.56.020 Density Calculation

3. *All density calculations shall comply with the provisions of SHMC 17.56.040, Residential density transition*

Applicant Response: The net development area does not include or take into account rights-of-way or wetland & open space tracts, all of which are present on site. Calculating density based on the criteria mentioned in 17.56.020, the site is permitted to have 42 lots, however there are 4 additional lots that can be transferred from the gross site area. The proposed density and calculations meet the applicable provisions of this section. Please see Exhibit H for the breakdown and calculation of the proposed and allowed density.

17.56.030 Transfer of Residential Density

1. *Units per acre calculated by subtracting land areas listed in SHMC 17.56.020(1)(a) from the gross acres may be transferred to the remaining buildable land areas*

Applicant Response: The proposed subdivision has 4.36 acres of open space. Based on the provisions for density transfer, the subject site would be able to transfer 4.36 units to the net development area. This proposed site

design incorporates 4 additional units creating a total of 46 single-family lots. Exhibit H provides a more detailed calculation of the allowed density transfer.

17.64 ADDITIONAL YARD SETBACK REQUIREMENTS AND EXCEPTIONS

17.64.020 Additional Setback from Centerline Required

17.64.040 Exceptions to yard requirements.

Applicant Response: Pittsburg Road is the only arterial adjacent to the subject site. However, with the proposed Comstock Way right-of-way, lots 1 through 6 will be through lots fronting on both Pittsburgh and Comstock. As shown on the Site layout exhibit, (Exhibit E) the building envelopes are setback a minimum of 50' from the center line of Pittsburg Road. The adjacent parcels have structures but do not have front yard depths less than the required minimum. The subject site does not fall within an exemption category but is designed to meet the required setback from the centerline.

17.72 LANDSCAPING AND SCREENING

17.72.020 General provisions

17.72.030 Street trees

1. *All development projects fronting on a public or private street, or a private driveway more than 100 feet in length approved after the adoption of the ordinance codified in this code shall be required to plant street trees in accordance with the standards in SHMC 17.72.035.*
2. *Certain trees can severely damage utilities, streets, and sidewalks or can cause personal injury. Approval of any planting list shall be subject to review by the director. A list of suggested appropriate tree species is located at the end of this chapter. Additional or alternative tree species also may be recommended by the applicant or determined by the director based on information provided in adopted city plans, policies, ordinances, studies or resolutions. Proposals by the applicant shall require approval by the director*

Applicant Response: Street trees will be selected from the City's suggested planting list and be planted in accordance Section 17.72.030. Trees will be selected and shown on the final engineering construction set.

17.72.035 Location of street trees

Applicant Response: Street trees will be placed at the appropriate spacing per the requirements of 17.72.035(2). The applicant acknowledges the required spacing requirements for small, medium, and large trees. The proposed tree locations will take into account, utilities, streetlights and visibility requirements along all street frontages.

17.72.040 Cut and fill around existing trees

1. *Existing trees may be used as street trees if no cutting or filling takes place within the dripline of the tree unless an exception is approved by the director*

Applicant Response: The applicant acknowledges the provisions of utilizing existing trees as street trees. To the greatest extent possible, the applicant will try to salvage and protect-in-place all existing street trees.

17.72.050 Replacement of street trees

1. *Existing street trees removed by development projects or other construction shall be replaced by the developer with those types of trees approved by the director.*
2. *The replacement trees shall be of a size and species similar to the trees that are being removed unless lesser sized alternatives are approved by the director.*

Applicant Response: The Applicant acknowledges the provisions of this section.

17.72.070 Buffering and screening – General provisions

1. *It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.*
2. *Buffering and screening are required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrix in this chapter. The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening.*
3. *In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the director's approval as an alternative to the buffer area landscaping and screening standards, provided it affords the same degree of buffering and screening as required by this code*

Applicant Response: The proposed use for the residential site is a detached single-family product. This is consistent with the adjacent uses and does not require a buffer. These provisions are not applicable.

17.72.080 Buffering and screening requirements

Applicant Response: The proposed use for the residential site is a detached single-family product. This is consistent with the adjacent uses and does not require a buffer. These provisions are not applicable.

17.72.090 Setbacks for fences or walls

1. *No fence or wall shall be constructed which exceeds the standards in subsection (2) of this section except when the approval authority, as a condition of approval, allows that a fence or wall be constructed to a height greater than otherwise permitted in order to mitigate against potential adverse effects. For residential uses, a fence may only exceed the height standards if approved by a variance.*
2. *Fences or walls:*
    a. *May not exceed four feet in height in a required front yard along local or collector streets or six feet in all other yards and, in all other cases, shall meet vision clearance area requirements (Chapter 17.76 SHMC);*
    b. *Are permitted up to six feet in height in front yards adjacent to any designated arterial or street. For any fence over three feet in height in the required front yard area, permission shall be subject to review of the location of the fence or wall;*
    c. *All fences or walls shall meet vision clearance area requirements (Chapter 17.76 SHMC);*
    d. *All fences or walls greater than six feet in height shall be subject to building official approval.*

Applicant Response: No fences, walls or landscaping are proposed through this application.

17.72.100 Height restrictions

1. *The prescribed heights of required fences, walls, or landscaping shall be measured from the actual adjoining level of finished grade, except that where parking, loading, storage, or similar areas are located above finished grade, the height of fences, walls, or landscaping required to screen such areas or space shall be measured from the level of such improvements.*
2. *An earthen berm and fence or wall combination shall not exceed the six-foot height limitation for screening*

Applicant Response: No fences, walls or landscaping are proposed through this application.

17.72.120 Revegetation

1. *Where natural vegetation has been removed through grading in areas not affected by the landscaping requirements and that are not to be occupied by structures, such areas are to be replanted as set forth in this section to prevent erosion after construction activities are completed.*
2. *Methods of Revegetation. Acceptable methods of revegetation include hydromulching or the planting of rye grass, barley, or other seed with equivalent germination rates, and:*
    a. *Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscape cover is to be sown at not less than four pounds to each 1,000 square feet of land area;*
    b. *Other revegetation methods offering equivalent protection may be approved by the approval authority;*
    c. *Plant materials are to be watered at intervals sufficient to ensure survival and growth; and*
    d. *The use of native plant materials is encouraged to reduce irrigation and maintenance demands.*

Applicant Response: The wetlands and open space are remaining protected and in place, therefore no grading or incidental grading will occur in those areas. The areas where vegetation has been removed, such as individual lot yards will be revegetated with lawns or similar landscaping at the time of lot and home construction.

17.76 VISUAL CLEARANCE AREAS

17.76.020 Visual clearance – Required

1. *A visual clearance area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing access to a public or private street.*
2. *A clear vision area shall contain no vehicle, hedge, planting, fence, wall structure, or temporary or permanent obstruction (except for an occasional utility pole or tree), exceeding three feet in height, measured from the top of the curb, or where no curb exists, from the street centerline grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed.*
3. *Where the crest of a hill or vertical curve conditions contribute to the obstruction of clear vision areas at a street or driveway intersection, hedges, plantings, fences, walls, wall structures and temporary or permanent obstructions shall be further reduced in height or eliminated to comply with the intent of the required clear vision area.*

Applicant Response: The Applicant acknowledges the provisions of 17.76.020 and has designed the corner lots to incorporate the 30-foot by 30-foot required visibility triangle. The proposed lots and respective building envelopes take into account the abovementioned visibility requirements.

17.76.030 Computation – Nonarterial street and all accessways

A visual clearance area for all street intersections, street and accessway intersections, and street or accessway and railroad track intersections shall be that triangular area formed by the right-of-way or property lines along such lots and a straight line joining the right-of-way or property line at points which are 30 feet distance from the intersection of the right-of-way line and measured along such lines

Applicant Response: As shown on the Preliminary Plat, intersections have been designed to provide the required visual clearance and maintain safe access to and through the subdivision.

17.80 OFF-STREET PARKING AND LOADING REQUIREMENTS

17.80.020 General Provisions

1. *Parking Dimensions. The minimum dimensions for parking spaces are:*
    e. *Special provisions for side-by-side parking for single-family dwellings (attached and detached) and duplexes:*
        i. *The total unobstructed area for side-by-side parking spaces for single-family dwellings (attached and detached) and duplexes shall still be 18 feet by 18 feet (two nine-foot by 18-foot standard spaces together), but the improved portion may be 16 feet in width centered within the 18 feet for the purposes of the surface (paving) requirements of this chapter and, if the spaces are adjacent or close to the street, driveway approach width.*
        ii. *This does not apply to single parking spaces by themselves or rows of parking spaces that exceed two spaces. This only applies to two standard space parking areas where the spaces are adjacent to each other along the long side.*

Applicant Response: The proposed lots are designed to provide adequate area for the required parking-space design. Compliance will be further confirmed at the time of building permit issuance. This provision is met.

17.80.30 Minimum off-street parking requirements

1. *Residential.*
    i. *Single-dwelling units, detached – Two off-street spaces for each dwelling unit or pair of dwelling units as allowed by the zoning district. No more than two spaces are required for one detached single-family dwelling on a single lot, or two detached single-family dwellings on a single lot.*

Applicant Response: The proposed lots are designed to provide adequate area for the required minimum number of parking spaces. Compliance will be further confirmed at the time of building permit issuance. This provision is met.

17.84 ACCESS, EGRESS AND CIRCULATION

17.84.030 Joint access and reciprocal access easements

Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the combined requirements as designated in this code, provided:

1. *Satisfactory legal evidence shall be presented in the form of deeds, easements, leases, or contracts to establish the joint use; and*
2. *Copies of the deeds, easements, leases, or contracts are placed on permanent file with the city.*

Applicant Response: Access easements are proposed to provide access to lots within the subdivision with limited street frontage and will be designed to meet the requirements of Section 17.84.030. As shown on the Preliminary Plat, attached Sheets P300 & P301. There will be access easements over adjacent lots to the open spaces and storm facilities in order to meet the access requirements. There will also be an access easement over lot 45 to provide access and frontage to lots one through 3 and a shared driveway easement over lots 31 and 32. All recorded deeds will be provided to the city of St. Helens in order to satisfy this code provision.

17.84.040 Public street access

1. *All vehicular access and egress as required in SHMC 17.84.070 and 17.84.080 shall connect directly with a public or private street approved by the city for public use and shall be maintained at the required standards on a continuous basis.*
2. *Vehicular access to structures shall be provided to residential uses and shall be brought to within 50 feet of the ground floor entrance or the ground floor landing of a stairway, ramp, or elevator leading to the dwelling units.*

   ...

7. *Development Fronting onto an Arterial Street.*
   a. *New residential land divisions fronting onto an arterial street shall be required to provide secondary (local or collector) streets for access to individual lots. When secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes).*
8. *Number of Access Points. All access points, including additional ones as noted below, are subject to the access spacing standards in subsection (5) of this section and all other provisions of this chapter. Specific standards based on use are as follows:*
   a. *For single-family dwellings, detached and duplexes, one street access point is permitted per lot/parcel except an additional (second) access point may be allowed when:*
      i. *The property is a corner lot/parcel and the additional access point is on the other street (i.e., one access per street).*
      ii. *The lot/parcel does not abut a street that provides any on-street parking on either side.*
   b. *For single-family dwellings, attached, one street access point is permitted per lot/parcel.*

9. Shared Driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site development review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

a. *Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).*
b. *Reciprocal access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.*
c. *Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.*

Applicant Response: The applicant acknowledges the applicable access point requirements for the proposed subdivision. Each lot is proposed to have one connection point allowing access to the dwelling, storm facility or usable open space. Due to the narrowness of the site, some constraints required lot design flexibility and easements in order to provide access. Access was shared where feasible and any through lots were given frontage to local streets.

17.84.070 Minimum requirements – Residential use

1. *Vehicular access and egress for single-dwelling units, duplexes or attached single-dwelling units on individual lots, residential use, shall comply with the following:*

Figure 4: Residential Dwelling Use

Number Dwelling Units/Lot	Minimum Number of Driveways Required	Minimum/Maximum Access Width	Minimum Pavement Width
1 or 2	1	15'/24'	10'
3 to 6	1	24'/30'	20'

1. *Private residential access drives shall be provided and maintained in accordance with the provisions of the Uniform Fire Code.*
2. *Access drives in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus in accordance with the engineering standards of SHMC Title 18 and/or as approved by the fire marshal.*
3. *Vehicle turnouts (providing a minimum total driveway width of 24 feet for a distance of at least 30 feet) may be required so as to reduce the need for excessive vehicular backing motions in situations where two vehicles traveling in opposite directions meet on driveways in excess of 200 feet in length.*
4. *Where permitted, minimum width for driveway approaches to arterials or collector streets shall be no less than 20 feet so as to avoid traffic turning from the street having to wait for traffic exiting the site.*

Applicant Response: The proposed lots are designed to provide adequate area for the required minimum driveway widths. Compliance will be further confirmed at the time of building permit issuance. This provision is met.

17.132 TREE REMOVAL

17.132.025 Tree plan requirement

1. *A tree plan for the planting, removal, and protection of trees prepared by a certified arborist or other capable professional as allowed by the director (for property or site with more than 10 trees or any tree over two feet DBH) shall be provided for any lot, parcel or combination of lots or parcels for which a development application for a land division, site development review, planned development or conditional use is filed. Protection is preferred over removal where possible.*

Applicant Response: The applicant acknowledges the requirements for a tree plan if any trees are to be removed. At the time of construction, the trees indicated to be removed on the existing conditions plan will only be removed with the approval of the appropriate tree removal permit.

17.132.030 Permit requirement

1. *Tree removal permits shall be required only for the removal of any tree which is located on or in a sensitive land area as defined by Chapter 17.44 SHMC.*

Applicant Response: The subdivision has created tracts around the wetland and sensitive areas of the site in order to protect it. No trees or plant material is going to be removed from these areas therefore, this provision is not applicable.

17.132.040 Permit criteria

1. *The following approval standards shall be used by the director or designee for the issuance of a tree removal permit on sensitive lands:*
    a. *Removal of the tree must not have a measurable negative impact on erosion, soil stability, flow of surface waters, or water quality as evidenced by an erosion control plan which precludes:*
        i. *Deposits of mud, dirt, sediment or similar material exceeding one-half cubic foot in volume on public or private streets, adjacent property, or into the storm and surface water system, either by direct deposit, dropping, discharge or as a result of the action of erosion; and*
        ii. *Evidence of concentrated flows of water over bare soils; turbid or sediment-laden flows; or evidence of on-site erosion such as rivulets on bare soil slopes where the flow of water is not filtered or captured on site.*
2. *Within stream or wetland corridors, tree removal must maintain no less than a 75 percent canopy cover or no less than the existing canopy cover if the existing canopy cover is less than 75 percent*

Applicant Response: No trees will be removed from sensitive areas and therefore a tree permit is not required. The applicant is not seeking a tree permit therefore this provision is not applicable.

17.132.050 Expiration of approval – Extension of time

1. *A tree removal permit shall be effective for one and one-half years from the date of approval.*
2. *Upon written request by the applicant prior to the expiration of the existing permit, a tree removal permit shall be extended for a period of up to one year if the director finds that the applicant is in compliance with all prior conditions of permit approval and that no material facts stated in the original application have changed.*

Applicant Response: The applicant acknowledges the expiration timeframe of a tree removal permit.

17.132.060 Application submission requirements

17.132.070 Illegal tree removal – Violation – Replacement of trees

Applicant Response: The applicant acknowledges the penalty for removing trees without a city permit. If trees that fall within the applicable criteria need to be removed, the applicant will seek the appropriate permit and approval.

17.136 LAND DIVISION – SUBDIVISION

17.136.020 General provisions

1. *An application for a subdivision shall be processed through a two-step process*: the preliminary plat and the final plat:*
    (a) *The preliminary plat shall be approved by the planning commission before the final plat can be submitted for approval consideration; and*
    (b) *The final plat shall reflect all conditions of approval of the preliminary plat.*
2. *All subdivision proposals shall be in conformity with all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.**
3. *When subdividing tracts into large lots, the planning commission shall require that the lots be of such size and shape as to facilitate future redivision in accordance with the requirements of the zoning district or comprehensive plan and this code and that a redevelopment plat be approved and used to approve building permits.*
4. *Temporary sales offices in conjunction with any subdivision may be granted as set forth in Chapter 17.116 SHMC.*
5. *All subdivision proposals shall be consistent with the need to minimize flood damage.*
6. *All subdivision proposals shall have underground public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.*
7. *All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and*
8. *Where base flood elevation has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or five acres (whichever is less)*

Applicant Response: The applicant acknowledges the procedures, special provisions and two-step process required for subdivisions. The proposal includes, preliminary grading and drainage, utility and site plans (all within this application) in order to meet all of the abovementioned criteria in 17.136.020.

17.136.030 Administration and approval process
17.136.040 Expiration of approval – Standards for extension of time
17.136.050 Phased development
17.136.060 Approval standards – Preliminary plat

1. *The planning commission may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*
    a. *The proposed preliminary plat complies with the city's comprehensive plan, the applicable sections of this code and other applicable ordinances and regulations;*
    b. *The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92[.090(1)];*
    c. *The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern; and*
    d. *An explanation has been provided for all common improvements.*
2. *Lot Dimensions.*
    a. *Lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:*
        i. *No lot shall be dimensioned to contain part of an existing or proposed public right-of-way;*
        ii. *The depth of all lots shall not exceed two and one-half times the average width, unless the parcel is less than one and one-half times the minimum lot size of the applicable zoning district; and*
        iii. *Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.*
5. *Control of access to adjoining properties, including but not limited to continuation of streets, shall be granted to the city via reserve strips or language in lieu of reserve strips as a note on the plat. Generally, language in lieu of reserve strips is preferred.*
6. *The planning commission may require additional conditions as are necessary to carry out the comprehensive plan and other applicable ordinances and regulations.*

Applicant Response:

1. The proposed plat takes into account the cities goals and projections from the comprehensive plan. The site has been successfully annexed and rezoned to R7 to have a similar density to compatible subdivisions adjacent to the subject site. The Plat name is the first of its kind and the site design provides connections to existing streets utilizing the existing street names. Further, the proposed subdivision meets all applicable criteria herein.
2. Lot sizes and shapes have been designed to be appropriate for their location. There is adequate right-of-way, and width to depth ratio to be consistent with adjacent subdivisions while also meeting the

requirements for lot sizes with PUD overlays. There are four through lots along Comstock Way. Three of these are along Comstock and Pittsburg, however, the lots are oriented inwards to provide safe access.

17.136.070 Application submission requirements – Preliminary plat
17.136.080 Additional information required and waiver of requirements

Applicant Response: The applicant acknowledges the submittal requirements for a preliminary plat. This narrative and submitted materials will meet the submittal criteria set forth in this chapter.

17.148 PLANNED DEVELOPMENT
17.148.015 The process

1. *The planned development designation is an overlay zone applicable to all zones.*
2. *There are three elements to the planned development approval process and the elements are as follows:*
    a. *The recommendation of approval by the planning commission of the planned development overlay zone and the subsequent approval by the city council;*
    b. *The approval by the planning commission of the preliminary planned development plan; and*
3. *The approval by the director of the final detailed development plan.*
4. *The planned development overlay zone shall be processed in the same manner as a zone change under the provisions of SHMC 17.24.090(3)(o), Approval authority responsibilities, except in the situation where zone change is part of a legislative rezoning. In the case of an existing planned development overlay zone for a subdivision, conditional use or site development review application, the proposal shall be reviewed by the commission. In the case of an existing planned development overlay zone for any other type of application, the application shall be reviewed under the provisions required in the chapters which apply to the particular land use application.*
5. *The application for the overlay zone and for approval of the preliminary development plan may be heard concurrently if an application for each of the actions is submitted.*
6. *If the application involves subdivision of land, the applicant may apply for preliminary plat approval and the applications shall be heard concurrently.*
7. *The application for the preliminary development plan shall satisfy all of the requirements of SHMC 17.148.110. The applicant may file for exceptions under the provision of SHMC 17.148.190.*
8. *The application for the detailed development plan shall satisfy all of the requirements of SHMC 17.148.020(7).*
9. *The applicant can file for an overlay zone, or overlay plus preliminary planned development, or overlay zone and subdivision preliminary plat.*

Applicant Response: The applicant acknowledges the process requirements for a Planned Development. This application will be concurrently reviewed with a subdivision application. The application includes all of the applicable plans required of the specific applications as well as responses to all applicable code criteria.

17.148.020 Administration and approval process

1. *The applicant for a planned development overlay zone may be as provided by SHMC 17.24.020. The applicant for the preliminary plan and detailed plan shall be the recorded owner of the property or an agent authorized in writing by the owner.*
2. *A preapplication conference with city staff is required (see SHMC 17.24.040).*
3. *Due to possible changes in state statutes, or regional or local policy, information given by staff to the applicant during the preapplication conference is valid for no more than six months:*

a. *Another preapplication conference is required if any planned development application is submitted six months after the preapplication conference; and*
b. *Failure of the director to provide any of the information required by this section shall not constitute a waiver of the standards, criteria, or requirements of the applications.*

4. *Notice of the planned development proceeding before the commission shall be given as required by SHMC 17.24.130.*
5. *Action on the application shall be in accordance with Chapter 17.24 SHMC and the following:*
    a. *The commission shall make a recommendation per planned development overlay zone application to city council for their final decision;*
    b. *Unless otherwise provided by this code, the commission shall hold a public hearing and approve, approve with conditions, or deny the application for subdivision or development plan based on findings related to the applicable criteria set forth in SHMC 17.148.120; and*
    c. *A decision on subdivision or development plan by the commission may be reviewed by the council as provided by SHMC 17.24.310(2).*
6. *Where a planned development overlay zone has been approved, the development zoning district map shall be amended to indicate the approved planned development designation for the subject development site.*
7. *Within one and one-half years after the date of commission approval of the preliminary development plan, the owner shall prepare and file with the director a detailed, final development plan. Action on the detailed development plan shall be ministerial and taken by the director, and:*
    a. *The director shall approve the detailed, final development plan upon finding that the final plan conforms with the preliminary development plan approved, or approved with conditions, by the commission. The final plan shall be approved unless the director finds:*
        i. *The change increases the residential densities, the lot coverage by buildings or reduces the amount of parking;*
        ii. *The change reduces the amount of open space and landscaping;*
        iii. *The change involves a change in use;*
        iv. *The change commits land to development which is environmentally sensitive or subject to a potential hazard; and*
        v. *The change involves a major shift in the location of buildings, proposed streets, parking lot configuration, utility easements, landscaping, or other site improvements;*
    b. *A decision by the director may be appealed by the applicant or other affected/approved parties to the commission and the commission shall decide whether the detailed, final development plan substantially conforms to the approved preliminary development plan based on the criteria set forth in subsection (7)(a) of this section:*
        i. *The decision shall be based on testimony from the applicant and the staff exclusively; and*
        ii. *No notice shall be required except as required by SHMC 17.24.120.*
8. *Substantial modifications made to the approved preliminary development plan shall require a new application.*

Applicant Response: The applicant has attended a preapplication conference for this proposal, included with this application is a signed copy of the notes provided by St. Helen's. The applicant acknowledges the action criteria for this application as well as the approval length for the application. Further, it is understood the requirements of the development plan to be submitted as an additional part of the subdivision application.

17.148.030 Expiration of approval – Standards for extension of time

Applicant Response: The applicant acknowledges the process provisions for the approval, administration and expiration standards for planned developments.

17.148.060 Planned development allowed and disallowed

1. *A planned development shall not be allowed on any lands, with less than a two-acre minimum, shown on the comprehensive plan map as "developing areas" (SHMC 17.112.030).*
2. *A planned development shall not be allowed in residential zones located in areas designated as "established areas" on the comprehensive plan map, except the commission may approve a planned development within an "established area" where the commission finds:*
    a. *Development of the land in accordance with the provisions of the "established area" would:*
        i. *Result in an inefficient use of land;*
        ii. *Result in removing significant natural features; or*
        iii. *Result in a change of the character of the area surrounding a significant historic feature or building;*
    b. *The planned development approach is the most feasible method of developing the area; and*
    c. *The site is of a size and shape that the compatibility provisions of Chapter 17.56 SHMC can be met.*

Applicant Response: The subject site is 11.91 acres prior to the subtraction of right-of-way but will well exceed the require 2-acre minimum size requirement. Additionally, the site is not within an established area as noted on the city of St. Helens comprehensive plan map. This provision is met.

17.148.070 Applicability and allowed uses

1. *In addition to the use allowed outright in an underlying residential zone the following uses are allowed outright where all other applicable standards are met:*
    a. *Community building;*
    b. *Indoor recreation facility, athletic club, fitness center, racquetball court, swimming pool, tennis court, or similar use;*
    c. *Outdoor recreation facility, golf course, golf driving range, swimming pool, tennis court, or similar use; and*
    d. *Recreational vehicle storage area.*
2. *In all commercial and industrial planned developments the uses permitted outright shall comply with the underlying zoning district.*

Applicant Response: Detached single-family housing is an allowed use in the underlying zoning district. The proposed subdivision does not include any of the abovementioned additional uses listed in a-d. This criteria is met.

17.148.080 Applicability of the base zone provisions

1. *The provisions of the base zone are applicable as follows:*

a. *Lot Dimensional Standards. The minimum lot size, lot depth and lot width standards shall not apply except as related to the density computation under Chapter 17.56 SHMC;*
b. *Site Coverage. The site coverage provisions of the base zone shall apply;*
c. *Building Height. The building height provisions shall not apply except within 100 feet of an "established area"; and*
d. *Structure Setback Provisions.*
    i. *Front yard and rear yard setbacks for structures on the perimeter of the project shall be the same as that required by the base zone unless otherwise provided by Chapter 17.96 SHMC;*
    ii. *The side yard setback provisions shall not apply except that all detached structures shall meet the applicable building code (as administered by the building official) requirements for fire walls; and*
    iii. *Front yard and rear yard setback requirements in the base zone setback shall not apply to structures on the interior of the project except that:*
        A. *A minimum front yard setback of 20 feet is required for any garage structure which opens facing a street;*
        B. *A minimum front yard setback of eight feet is required for any garage opening for an attached single-family dwelling facing a private street as long as the required off-street parking spaces are provided.*

2. *All other provisions of the base zone shall apply except as modified by this chapter.*

Applicant Response: The proposed subdivision meets the density calculation requirements set forth in the base zoning district but does incorporate lot design changes. The site has a few restrictions such as wetlands and existing road stubs that require modification to conventional lot layout and design. Many of the lots are laid out in a traditional fashion with widths averaging 50' and depths averaging 96'. However, there are lots that incorporate a flagpole or shared driveways. The applicant acknowledges the applicability and flexibility to specific development standards within the PUD overlay. Setbacks, building height and other site specific development standards will be reviewed when the individual lots are reviewed and permitted.

17.148.090 Applicability of site development review chapter

The provisions of Chapter 17.96 SHMC shall apply to all uses except as provided by Chapter 17.96 SHMC.

Applicant Response: The applicant acknowledges the applicability of 17.96. Section 17.96 lists single-family dwellings as an exception to this review. This provision is not applicable.

17.148.110 Application submission requirements – Preliminary development plan
17.148.120 Approval standards

Applicant Response: The applicant acknowledges the applicability of the chapters listed in this section, this narrative addresses all applicable criteria with justifications of how this planned development meets the sections. In addition, the planned development provides ample open space and landscaping that can be enjoyed by the community. The open space includes a trail as well as each individual lot containing its own yard. The

open space and protected areas make up 22.9% of the gross lot size, exceeding the required 20% landscape area.

17.148.130 Site conditions

Applicant Response: The applicant has included an existing condition plan with this application (Exhibit E & F). The plan incorporates all of the requirements listed in this section. This provision is met.

17.148.150 Detailed plan

Applicant Response: The applicant acknowledges the site plan requirements. The included site plan with this application does contain the required information as mentioned in this section.

17.148.160 Grading and drainage plan

Applicant Response: The applicant acknowledges the grading and drainage plan requirements. The included grading and drainage plan with this application does contain the required information as mentioned in this section.

17.148.170 The landscape plan

Applicant Response: The proposed landscape areas will be dedicated as tracts to the HOA and will not be disturbed with site development. No landscaping is being proposed with this application. Any future landscaping requiring a landscape plan will be submitted for and reviewed under the city review process.

17.148.190 Exceptions to underlying zone, yard, parking, sign and landscaping provisions

3. *The commission may grant an exception to the landscape requirements of this code upon a finding that:*
    a. *The overall landscape plan provides for 20 percent of the gross site area to be landscaped.*

Applicant Response: No exceptions are being proposed with this application. This provision is not applicable.

17.148.200 Shared open space

Where the open space is designated on the plan as common open space the following applies:

1. *The open space area shall be shown on the final plan and recorded with the director; and*
2. *The open space shall be conveyed in accordance with one of the following methods:*
    a. *By dedication to the city as publicly owned and maintained as open space. Open space proposed for dedication to the city must be acceptable to it with regard to the size, shape, location, improvement, and budgetary and maintenance limitations;*
    b. *By leasing or conveying title (including beneficial ownership) to a corporation, home association, or other legal entity, with the city retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions suitable to the city attorney for guaranteeing the following:*
        i. *The continued use of such land for the intended purposes;*
        ii. *Continuity of property maintenance;*
        iii. *When appropriate, the availability of funds required for such maintenance;*

iv. *Adequate insurance protection; and*

v. *Recovery for loss sustained by casualty and condemnation or otherwise;*

c. *By any method which achieves the objectives set forth in subsection (2) of this section.*

Applicant Response: The open space provided within the subdivision will be conveyed to a homeowners association in order to maintain and provide adequate protection for the sensitive lands. The HOA will also provide proper insurance and allow continued use of the area for the adjacent homeowners.

17.152 STREET AND UTILITY IMPROVEMENT STANDARDS

17.152.030 Streets

3. *Creation of Access Easements. The approval authority may approve an access easement established by deed without full compliance with this code provided such an easement is the only reasonable method by which a lot, large enough to develop, can be created:*
    a. *Access easements which exceed 150 feet shall be improved in accordance with the Uniform Fire Code;*
    b. *Access shall be in accordance with Chapter 17.84 SHMC and Figures 15, 16, and 17.*

Applicant Response: The proposed subdivision includes lots with shared access and easements in order to create a lot. The easement sections of this code have been addressed earlier in this narrative. This criterion has been met.

17.152.060 Sidewalks and other frontage improvements

1. *Sidewalks and frontage improvements shall be constructed, replaced or repaired to city design standards as set forth in the standard specifications manual and located as follows:*
    a. *On both sides of arterial and collector streets to be built at the time of street construction;*
    b. *On both sides of all other streets and in pedestrian easements and rights-of-way, except as provided further in this section or per SHMC 17.152.030(1)(d), to be constructed along all portions of the property designated for pedestrian ways in conjunction with development of the property.*

Applicant Response: Sidewalks are proposed on both sides of the proposed streets installed with this development. In addition, the subdivision will do frontage improvements along Pittsburg, Meadowview, and at the connection point in Barr Avenue. The sidewalks will be constructed at the same time as the street construction as required in the section above. The proposed sidewalks can be referred to in Exhibit A.

17.152.080 Water Services

1. *Water Supply (Required). Municipal water system shall be installed to serve each new development and to connect development to existing mains in accordance with the provisions set forth in the standard specification manual and the adopted policies of the St. Helens comprehensive plan.*

Applicant Response: Water service is available from the City of St. Helens from the existing public water mains in Meadow View Drive, Barr Avenue and Westboro Way. Water service will be extended to development on the

site through the public streets, with laterals provided to each lot. The proposed design for water service is shown in Sheet P500 of Exhibit B.

17.152.100 Storm drainage

1. *Storm Drainage – General Provisions. The director and city engineer shall issue a development permit only where adequate provisions for storm water and floodwater runoff have been made, which may require storm water facilities, and:*
    a. *The storm water drainage system or storm water facilities shall be separate and independent of any sanitary sewerage system;*
    b. *Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street; and*
    c. *Surface water drainage patterns shall be shown on every development proposal plan.*

Applicant Response: A new storm line will be constructed within the new streets to all lots. As shown in the Preliminary Utility Plan, Sheets P500 & P501 of Exhibit B & C, the stormwater will be directed to the stormwater treatment and detention facility located adjacent to each lot cluster. The storm facilities are shown on the utility plan as "Storm A-C". Additional information about stormwater collection is included in the Preliminary Storm Drainage Report, submitted as Exhibit D.

17.152.120 Utilities

1. *Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and:*
    (a) *The subdivider shall make all necessary arrangements with the serving utility to provide the underground services;*
    (b) *The city reserves the right to approve location of all surface-mounted facilities;*
    (c) *All underground utilities, including sanitary sewers and storm drains installed in streets by the subdivider, shall be constructed prior to the surfacing of the streets; and*
    (d) *Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.*

Applicant Response: Planned utilities will be located underground per the provisions mentioned in 17.152.120. Exhibit B & C show the proposed 8-foot utility easements along all frontages in order to provide space for the utilities. This provision is met.

CONCLUSION

This narrative and the supporting documentation demonstrate compliance with all of the applicable City of Saint Helens Development Review criteria for building design and support the applicant's request for approval of the proposed 46-Lot single family development. The applicant therefore respectfully requests approval of the development as proposed.

WESTLAKE CONSULTANTS

Planning | Engineering | Surveying

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MAY 20 2022
CITY OF ST. HELENS

May 20, 2022

Mr. Jacob Graichen, AICP
City Planner
City of St. Helens
265 Strand Street
St. Helens, OR 97051

via email: jgraichen@sthelensoregon.gov

RE: Phased Site Development Request
Comstock 46-Lot Subdivision & Planned Development Overlay

Dear Jacob,

In addition to the supplemental application plans and materials resubmitted on May 9, 2022, this letter is submitted by the Applicant requesting a phased site development for the Comstock 46-lot subdivision and planned development overlay application for a total of four (4) phases.
Enclosed is Exhibit A, the phased site development plan for the four phases.

The St. Helens Community Development Code specifies the approval criteria for phased developments in Section 17.136.050. The applicable criteria from this section are addressed as follows:

17.136.050 Phased Development.

1. The planning commission may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years (unless an extension is granted) without reapplying for a preliminary plat, nor the cumulative time exceed six years (regardless of extensions) without applying for a new preliminary plat.

Response: The applicant acknowledges the two-year maximum time period for construction completion of each phase. Further, the applicant acknowledges the cumulative six-year period to complete construction for all four phases of Comstock.

2. The criteria for approving a phased site development review proposal are:

a. *The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;*
b. *The development and occupancy of any phase shall not be dependent on the use of temporary public facilities:*
i. *For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable city or district standard;*
c. *The phased development shall not result in requiring the city or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat; and*
d. *Public facilities approved as conditions of approval must be bonded.*

Response: As shown on the Comstock phasing plan (Exhibit A), the overall configuration of the property combined with the location of existing public streets and utilities stubs around perimeter provide for all public facilities including: street improvements, sewer, storm, and water lines to be constructed independently serving each of the four phases. In satisfaction of this section, none of the four phases of construction will rely on or use temporary facilities for the construction of or permitting of the subdivision. The applicant can and will install all necessary facilities for each phase of the subdivision to function without the involvement of the City or adjacent property owners. The applicant acknowledges the need to bond these facilities and will do so at the time that they are required.

3. The application for phased development approval shall be heard concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.

Response: The applicant submits this phased site development plan to be combined with the Comstock 46-lot subdivision and planned development overlay applications currently scheduled for a July 2022 Planning Commission hearing. As addressed above, the requested four (4) phase site development plan complies with the applicable Development Code.

If you have any questions or need any further information on this phase site development plan request, please contact me at 503-684-0652.

Sincerely,

Westlake Consultants, Inc.

Kenneth L. Sandblast, AICP
Director of Planning

cc: Clark Vorm, Noyes Development via email: clark@noyesdevelopment.com

Enclosure: Exhibit A – Phased Site Development Plan

DRAWING NAME: J:\2740-004.23\8. ENGINEERING\3. CAD\PRODUCTION\1. LU\2740-004 P302.DWG 2022/09/09 - 02:59PM - SDS

Exhibit A
Proposed Phased Site Development

LEDGEND:

- PHASE 1
- PHASE 2
- PHASE 3
- PHASE 4

SCALE: 1 INCH = 80 FEET

JOB NO.	SHEET
2740-004	P302

REVISIONS

NO.	DATE	DESCRIPTION	DRAFT BY	CHECK BY
0	2022/09/14	LAND USE SUBMITTAL	SDS	CHECKED

EXPIRES: 06/30/23

COMSTOCK SUBDIVISION

SE 1/4 SECTION 6, TOWNSHIP 4N, RANGE 1W
ST. HELENS, OREGON

PHASING PLAN

WESTLAKE CONSULTANTS
Planning | Engineering | Surveying

COMSTOCK SUBDIVISION PRELIMINARY STORMWATER REPORT

St. Helens, Oregon

For:
Noyes Development
16305 NW Bethany Court, Suite 101
Beaverton, OR 97006

Prepared By:
Westlake Consultants Inc.
15115 SW Sequoia Parkway, Suite 150
Tigard, OR 97224
Phone: (503) 684-0652
Fax: (503) 624-0157

April 2022

WCI #2740-004

WESTLAKE CONSULTANTS

Planning | Engineering | Surveying

Table of Contents

Introduction:

Pre-Developed

This site is located 34816-34820 Pittsburg Road, St Helens, Oregon. The existing site has a total area of 11.90 acres. The site contains two wetland areas that divides the site into three separate regions. The property currently has no improvements and is a mix of medium to dense grass/brush with occasional trees.

The site topography of the north region slopes generally from north to south towards on onsite unnamed drainage that flows east towards the North Fork McNulty Creek.

The site topography of the middle region is split with half of its areas generally flowing from south to north towards the onsite unnamed drainage that continues to North Fork McNulty Creek, and the other half generally flowing from north to south towards an onsite wetland.

The site topography of the south region slopes generally from north to south towards Barr Ave. The northern portion of this south region also drains north towards an onsite wetland.

Post-Developed

The developed area of 11.90 acres will provide 45 new residential homes with public streets and a new public walking path. The property will still be divided into three separate regions and will have three separate storm facilities.

Stormwater for the north region will be collected by catch basins and conveyed through a pipe network to a new storm detention pond at the southwest corner of the north region. The new pond will treat the 2 half street improvements, all the new streets and 32 of the 46 lots.

Stormwater for the middle region will be collected by catch basins and conveyed through a pipe network to a new detention pond at the south of the region. The new pond will treat the street extension and 6 of the 46 lots.

Stormwater for the south region will be collected by catch basins and conveyed through a pipe network to a new detention pond in the east of the region. The new ponds will treat most of the new street and 8 of the 46 lots.

Purpose:

The purpose of this Preliminary Stormwater Report is to demonstrate that this development complies with the requirements set forth in the City of St Helens municipal code. The following requirements apply:

1. Water quality treatment per King County WA standards for all new impervious surfaces
    a. The Water quality event is defined as the 6-month event or 72% of the 2-year rainfall per the King County 2021 Surface Water Design Manual.
2. Water quantity
    a. Provide detention up to the25-year, 24-hour storm. (ODOT TransGIS storm values)
    b. As required the post developed will peak match with the 10 year 24 hr storm. (ODOT TransGIS storm values)
    c. All systems will be designed with a weir to keep the 100 year storm event from overtopping the facility.
    d. The ponds are designed to drawdown within 48 hours to the permanent pool depth.
3. Stormwater conveyance
    a. Convey the 25-year storm

Stormwater Management Calculations:

Pre-Developed

Basin Area (North) =	**288,981 sf**
Impervious Area =	10,753 sf
Pervious Area =	278,228 sf
Basin Area (Middle) =	**106,800 sf**
Impervious Area =	0 sf
Pervious Area =	106,800 sf
Basin Area (South) =	**71,198 sf**
Impervious Area =	0 sf
Pervious Area =	71,198 sf

Post-Developed

Basin Area (North) =	**263,631sf**
Impervious Area =	194,298 sf
32 Lots @65% =	128,762 sf
ROW =	65,536 sf
Pervious Area =	69,333 sf
All Landscaping	
Basin Area (Middle) =	**70,731 sf**
Impervious Area =	50,807 sf
6 Lots @65% =	37,002 sf
ROW =	13,805 sf
Pervious Area =	19,924 sf
All Landscaping	

Basin Area (South) =	**84,400 sf**
Impervious Area =	62,405 sf
8 Lots @65% =	40,848 sf
ROW =	21,557 sf
Pervious Area =	21,995 sf
All landscaping	

See **Appendix A:** Basin Map – Existing Site and **Appendix B:** Basin Map – Proposed Site.

Water Quantity

Impacts to the downstream receiving water bodies will be mitigated via the construction of 3 retention ponds. A retention pond is a stormwater management approach that addresses quantity for conveyance capacity and qualifies as a flow control approach and a water quality treatment approach.

The northern retention pond requires a bottom elevation of 217', a top of pond elevation of 223' and a freeboard of 1 foot. The flow control effects are summarized in Table 1 with required orifice inverts in Table 2.

The middle retention pond requires a bottom elevation of 203', a top of pond elevation of 209' and a freeboard of 1 foot. The flow control effects are summarized in Table 3 with required orifice inverts in Table 4.

The southern retention pond requires a bottom elevation of 188', a top of pond elevation of 194' and a freeboard of 1 foot. The flow control effects are summarized in Table 5 with required orifice inverts in Table 6.

Table -1: Pond Peak Flow Release Rates – North Pond

DESIGN STORM EVENT	DEPTH (IN)	PRE-DEVELOPED PEAK FLOW RATE (CFS)	POST-DEVELOPED PEAK FLOW RATE BEFORE FACILITY (CFS)	POST-DEVELOPED PEAK FLOW RATE AFTER FACILITY (CFS)
Water Quality[1]	1.80	0.10	1.80	0.10
10 Year	3.00	0.60	3.35	0.57
25 Year	3.50	0.96	4.02	0.88
100 Year	4.50	1.80	5.41	2.07

1. Water quality event is defined per the King County 2021 Surface Water Design Manual as the 6-month event or 72% of the 2-year rainfall.

Table -2: Orifice Data - North Pond

DESIGN STORM EVENT	ORIFICE SIZE AND NUMBER OF ORIFICES	ORIFICE INVERT ELEVATION	PEAK ELEVATION
Water Quality[1]	1.4" vert.	217.20	220.96
10 Year	24"x12" vert.	221.50	221.67
25 Year	-	-	221.74
100 Year	-	-	221.95 (Pond Rim@223.00)

1. Water quality event is defined per the King County 2021 Surface Water Design Manual as the 6-month event or 72% of the 2-year rainfall.

Table -3: Pond Peak Flow Release Rates – Middle Pond

DESIGN STORM EVENT	DEPTH (IN)	PRE-DEVELOPED PEAK FLOW RATE (CFS)	POST-DEVELOPED PEAK FLOW RATE BEFORE FACILITY (CFS)	POST-DEVELOPED PEAK FLOW RATE AFTER FACILITY (CFS)
Water Quality[1]	1.80	0.02	0.46	0.04
10 Year	3.00	0.08	0.87	0.08
25 Year	3.50	0.14	1.05	0.15
100 Year	4.50	0.37	1.41	0.23

1. Water quality event is defined per the King County 2021 Surface Water Design Manual as the 6-month event or 72% of the 2-year rainfall.

Table -4: Orifice Data - Middle Pond

DESIGN STORM EVENT	ORIFICE SIZE AND NUMBER OF ORIFICES	ORIFICE INVERT ELEVATION	PEAK ELEVATION
Water Quality[1]	1.0" vert.	203.20	206.04
10 Year	4" vert.	207.70	207.80
25 Year	-	-	207.91
100 Year	-	-	208.06 (Pond Rim@209.00)

1. Water quality event is defined per the King County 2021 Surface Water Design Manual as the 6-month event or 72% of the 2-year rainfall.

Table -5: Pond Peak Flow Release Rates – South Pond

DESIGN STORM EVENT	DEPTH (IN)	PRE-DEVELOPED PEAK FLOW RATE (CFS)	POST-DEVELOPED PEAK FLOW RATE BEFORE FACILITY (CFS)	POST-DEVELOPED PEAK FLOW RATE AFTER FACILITY (CFS)
Water Quality[1]	1.80	0.03	0.55	0.04
10 Year	3.00	0.14	1.08	0.14
25 Year	3.50	0.23	1.29	0.17
100 Year	4.50	0.45	1.73	0.24

1. Water quality event is defined per the King County 2021 Surface Water Design Manual as the 6-month event or 72% of the 2-year rainfall.

Table -6: Orifice Data - South Pond

DESIGN STORM EVENT	ORIFICE SIZE AND NUMBER OF ORIFICES	ORIFICE INVERT ELEVATION	PEAK ELEVATION
Water Quality[1]	1.0" vert.	188.20	190.37
10 Year	2.8" vert.	191.00	191.31
25 Year	-	-	191.49
100 Year	-	-	191.97(Pond Rim@194.00)

1. Water quality event is defined per the King County 2021 Surface Water Design Manual as the 6-month event or 72% of the 2-year rainfall.

See **Appendix C:** HydroCAD Analysis

Water Quality:

Retention ponds are utilized to meet water quality design criteria for the post developed basins. The water quality event of a 1.8-inch 24-hour storm (72% of the 2-year storm), was used to calculate the water quality volumes and the water quality orifice size. Final detailing and arrangement of the pond discharge structure or riser pipe will be deferred to final engineering.

Conveyance:

Conveyance will be designed to convey the 25-year storm. Calculations deferred to Final Engineering.

Computer Modeling:

The analysis of the stormwater conditions was completed using HydroCAD 10 and the Santa Barbara Urban Hydrograph method. This program uses site conditions, such as soil types, storm characteristics, and impervious areas, to determine runoff rates and volumes for a site for different storm events.

The United States Department of Agriculture Natural Resources Conservation Service (NRCS) websoil survey was utilized to determine the hydrological soil group for the project site. The subdivision site falls within hydrological soils group C or C/D.

See **Appendix D:** NRCS Soils Report.

Summary:

The proposed development will impact how surface water moves through the project site, however, flow control and water quality facilities have been designed to mitigated these impacts to match the pre 10 year peak flow with the post 10 year peak flow. The proposed water quantity and quality facility has been shown to meet the city of St Helens stormwater standards. Three retention ponds will detain the water quality event to treat the water and then detain post-developed peak flow rates to pre-developed peak flow rates for 10, and 25-year design storms.

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MAY 9 2022
CITY OF ST. HELENS

SEE REVISED VERSION ATT. TO STAFF REPT.

EXHIBIT G – PLANNED DEVELOPMENT STANDARDS

The base standards the R7 zone, those which can deviate as a Planned Development, and those proposed:

PLANNED DEVELOPMENT STANDARDS TABLE

STANDARD	R7 ZONING DISTRICT	PD ALLOWS FLEXIBILITY?	PROPOSED
Min. lot size	7,000 s.f. for detached single-family dwellings and duplexes	Yes	4,000 s.f. for detached single-family dwellings and duplexes
Min. lot width at building line (interior lots)	60 feet for detached single-family dwellings and duplexes	Yes	40 feet for detached single-family dwellings and duplexes
Min. lot width at building line (corner lots)	85 feet for detached single-family dwellings and duplexes	Yes	40 feet for detached single-family dwellings and duplexes
Min. lot width at street (standard)	50 feet for detached single-family dwellings and duplexes	Yes	30 feet for detached single-family dwellings and duplexes
Min. lot width at street (cul-de-sac)	30 feet	Yes	30 feet
Min. lot width at street (flag lot)	Flag lots prohibited	Yes (unless flag lots prohibited)	Flag lots prohibited
Min. lot depth	85 feet	Yes	80 feet
Min. front yard (setback)	20 feet	Yes (except along perimeter of PD and for garage structures which open facing a street)	15-foot building, 12-foot porch, 20-foot garage (20 feet required along perimeter of PD and for any garage structure which opens facing a street)
Min. side yard (setback)	7 feet for interior lots and 14 feet for sides of corner lots along street for detached single-family dwellings and duplexes	Yes	5 feet for interior lots and 10 feet for sides of corner lots along street for detached single-family dwellings and duplexes
Min. rear yard (setback)	20 feet	Yes (except along perimeter of PD)	15 feet (20 feet along perimeter of PD)
Min. interior yard (building/structure separation)	7 feet	No	5 feet
Max. building height	35 feet	Yes	35 feet
Max. lot coverage	Buildings and structures shall not occupy more than 40% of the lot area for detached single-family dwellings and duplexes	No	Buildings and structures shall not occupy more than 40% of the lot area for detached single-family dwellings and duplexes
Min. landscaping	25% of the lot area	No	25% of the lot area

NOTE SHMC 17.64.050(4) RE PORCH

CAN'T CHANGE

No other code exceptions or modifications are proposed.

*Final subdivision name requires approval by the County Surveyor. This is a preliminary name and may change.

EXHIBT H - COMSTOCK SUBDIVISION DENSITY CALCULATIONS

	S.F.	Acres
Total Gross Site Area ("GSA")	**518,767**	**11.91**
R-7 Zoning	518,767	11.91

	R-7		
	S.F.	Acres	
Total GSA	518,767	11.91	
MINUS			
Public Rights-of-Way (Actual Proposed)	89,148	2.05	17.2%
Private Street	4,428	0.10	
Sensitive Lands			
100-yr Floodplain	-	-	
>25% Slopes	-	-	
Drainageways	-	-	
Wetlands & Open Space Tracts	121,968	2.80	23.5%
Sub-Total	215,544	4.95	
Net Developable Area ("NDA")	303,223	6.96	
Net Density Calculation			
Total NDA	303,223	6.96	
Zone Minimum Lot Size	7,000		
Allowable Units NDA	43.32		
PLUS			
Density Transfer Units	4.36		
Calculated Units	47.67	Max.	
Maximum Allowable Density	**47.67**		

R-7 Density Transfer	Total Area Unbuildable	Density Transfer %	Gross Area Transfer	20% R/W Dedication	Net Area	Allowable Units
Wetlands/Buffers/Open Space	121,968	25%	30,492	-	30,492	4.36
TOTALS	**121,968**		**30,492**	**-**	**30,492**	**-**

lancaster mobley

Noyes Subdivision

Transportation Impact Study

St Helens, Oregon

Date:
May 5, 2022

Prepared for:
Clark Vorm

Prepared by:
Jessica Hijar
Jennifer Danziger, PE

REGISTERED PROFESSIONAL ENGINEER
16168
Digitally signed by Jennifer Danziger
Date: 2022.05.05 13:34:25-07'00'
OREGON
SEPT. 15, 1992
JENNIFER ELISE DANZIGER

RENEWS: 12/31/2023

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Appendices

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List of Tables

Executive Summary

1. A subdivision of up to 50 lots is proposed to be located on tax lots 4N1W6D TL 604 and 4N1W6AD TL 2600 south of Pittsburgh Road in St Helens, Oregon. Roadway extensions will be constructed at Meadowview Drive, Willie Lane, Edna Barr Lane, Barr Road, and Westboro Way.
2. The trip generation calculations show that the proposed development is projected to generate 35 morning peak hour trips, 47 evening peak hour trips, and 472 new average weekday trips.
3. No significant trends or crash patterns were identified at any of the study intersections that would be affected by the proposed development. Accordingly, no safety mitigation is recommended per the crash data analysis.
4. Preliminary traffic signal warrants are not projected to be met any of the unsignalized study intersections upon full buildout of the proposed development. Accordingly, no related mitigation is necessary or recommended.
5. Left-turn lanes are not projected to be met at the applicable intersections upon full buildout of the proposed development. Accordingly, no related mitigation is necessary or recommended.
6. All study intersections are currently operating acceptably per jurisdictional standards and are projected to continue operating acceptably through the 2024 site buildout year.

Project Description

Introduction

A subdivision of up to 50 lots is proposed to be located on tax lots 4N1W6D TL 604 and 4N1W6AD TL 2600 south of Pittsburgh Road in St Helens, Oregon. Roadway extensions will be constructed at Meadowview Drive, Willie Lane, Edna Barr Lane, Barr Road, and Westboro Way.

Based on correspondence with City of St Helens, the report conducts safety and capacity/level of service analyses at the following intersections:

1. Pittsburgh Road at Meadowview Drive (site access)
2. Pittsburgh Road at Barr Road (site access)
3. Pittsburgh Road at Highway 30
4. Mountainview Drive at Sykes Road (site access)
5. Sykes Road at Barr Road (site access)
6. Sykes Road at Columbia Boulevard

The purpose of this study is to determine whether the transportation system within the vicinity of the site is capable of safely and efficiently supporting the existing and proposed uses, and to determine any mitigation that may be necessary to do so. Detailed information on traffic counts, trip generation calculations, safety analyses, and level of service calculations is included in the appendix to this report.

Location Description

The subject property is located south of Pittsburgh Road and north of Sykes Road. The proposed development includes roadway connections Willie Lane, Edna Barr Lane, and Westboro Way. Figure 1 on the following page shows the site vicinity with the subject site highlighted in blue.

Figure 1: Vicinity Map

Vicinity Streets

The proposed development is expected to impact seven roadways near the site. Table 1 provides a description of each vicinity roadway.

Table 1: Vicinity Roadway Descriptions

Street Name	Jurisdiction	Functional Classification	Cross-Section	Speed (MPH)	Curbs & Sidewalks	On-Street Parking	Bicycle Facilities
Pittsburgh Road	City of St Helens	Minor Arterial	2 lanes	35 mph posted	Partial South Side	Not Permitted	None
Meadowview Drive	City of St Helens	Local Road	2 lanes	25 mph statutory	None	Permitted	None
Barr Road	City of St Helens	Local Road	2 lanes	25 mph posted	Both sides	Permitted	None
US-30	ODOT	Statewide Highway	5 lanes	35-45 mph posted	West Side, Partial East Side	Not Permitted	Both Sides
Mountainview Drive	City of St Helens	Local Road	2 lanes	25 mph statutory	Both sides	Permitted	None
Sykes Road	City of St Helens	Minor Arterial	2 lanes	25 mph posted	Partial both sides	Partially Permitted	Partial
Columbia Boulevard	City of St Helens	Collector/ Minor Arterial	2-3 lanes	25 mph posted	Partial both sides	Partially Permitted	None

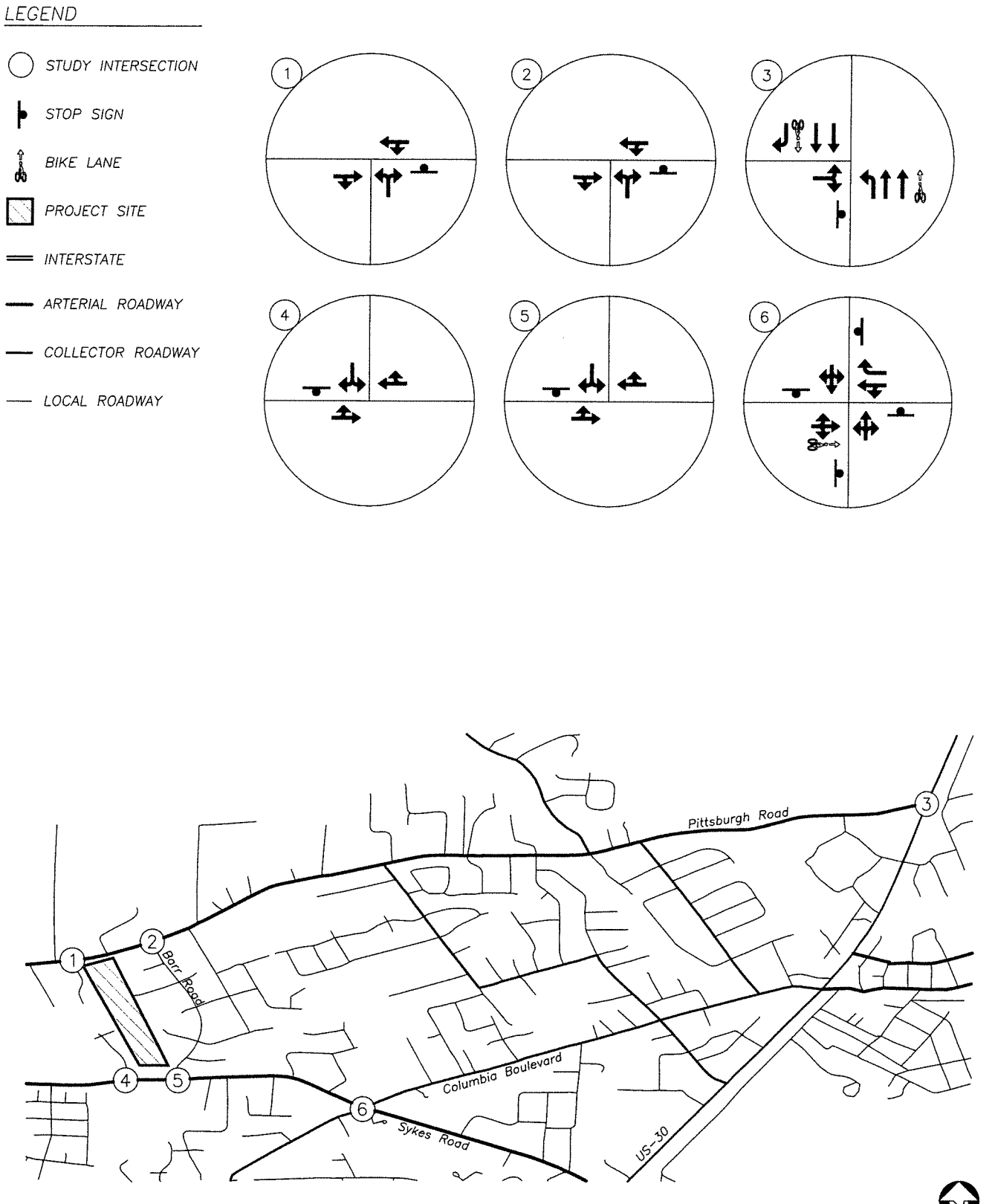
Study Intersections

Based on coordination with City of St Helens staff, six intersections were identified for analysis. A summarized description of these study intersections, under their existing lane configurations, is provided in Table 2.

Table 2: Study Intersection Configurations

	Intersection	Geometry	Traffic Control	Phasing/Stopped Approaches
1	Meadowview Drive at Pittsburgh Road	Three-Legged	Stop-Controlled	Northbound Stop-Controlled
2	Pittsburgh Road at Barr Road	Three-Legged	Stop-Controlled	Northbound Stop-Controlled
3	Pittsburgh Road at Highway 30	Three-Legged	Stop-Controlled	Eastbound Stop-Controlled
4	Mountainview Drive at Sykes Road	Three-Legged	Stop-Controlled	Southbound Stop-Controlled
5	Sykes Road at Barr Road	Three-Legged	Stop-Controlled	Southbound Stop-Controlled
6	Sykes Road at Columbia Boulevard	Four-Legged	Stop-Controlled	All-way Stop-Controlled

A vicinity map showing the project site, vicinity streets, and study intersection configurations is shown in Figure 2.



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STUDY INTERSECTION CONFIGURATIONS

Figure 2
Noyes Subdivision
5/4/2022

Site Trips

Trip Generation

To estimate the number of trips that are projected to be generated by the development, trip rates from the *Trip Generation Manual*[1] were used. Specifically, data from land use code 210, Single Family Detached Housing, was used to estimate the proposed development's trip generation based on the number of dwelling units (DU). Note the most recent site plan shows 46 lots, however this report analyzes the impact of up to 50 lots for conservative analysis.

The trip generation calculations show that the proposed development is projected to generate 35 morning peak hour trips, 47 evening peak hour trips, and 472 new average weekday trips. The trip generation estimates are summarized in Table 3. Detailed trip generation calculations are included in the technical appendix.

Table 3: Trip Generation Summary

Land Use	ITE Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday
			In	Out	Total	In	Out	Total	Total
Single Family Housing	210	50 DU	9	26	35	30	17	47	472

Trip Distribution

The directional distribution of site trips to/from the project site was estimated based on locations of likely trip destinations, locations of major transportation facilities in the site vicinity, and existing travel patterns at study intersections.

The following trip distribution is projected:

- Approximately 40 percent of trips will travel to/from the south along US-30;
- Approximately 25 percent of trips will travel to/from the north along US-30;
- Approximately 10 percent of trips will travel to/from the west along Pittsburgh Road;
- Approximately 10 percent of trips will travel to/from local destinations within St Helens, specifically in the St Helens Street/Columbia Boulevard couplet;
- Approximately 10 percent of trips will travel to/from the west along Columbia Boulevard; and
- Approximately 5 percent of trips will travel to/from the south patronizing St Helens High School.

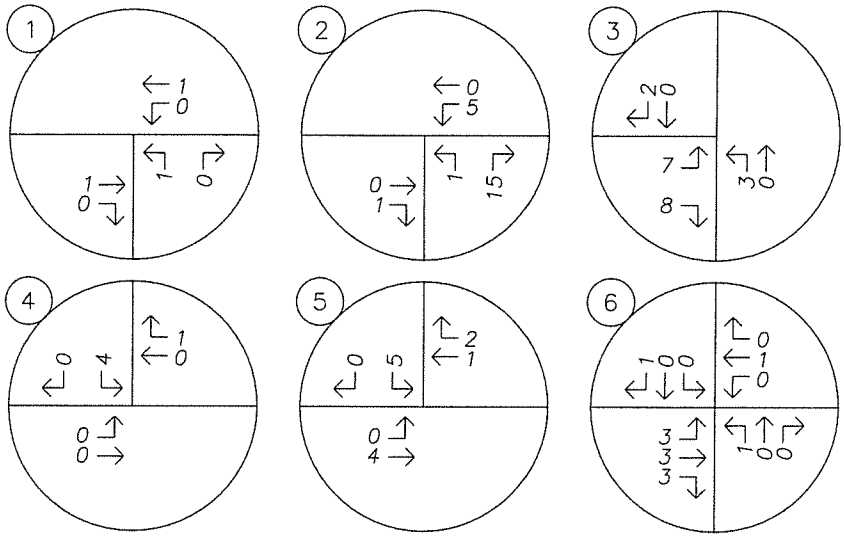
The trip distribution and assignment of site trips generated during the morning and evening peak hours is shown in Figure 3 and Figure 4, respectively.

[1] Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 11th Edition, 2021.

LEGEND

XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	9	26	35
PM	30	17	47



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SITE TRIP DISTRIBUTION

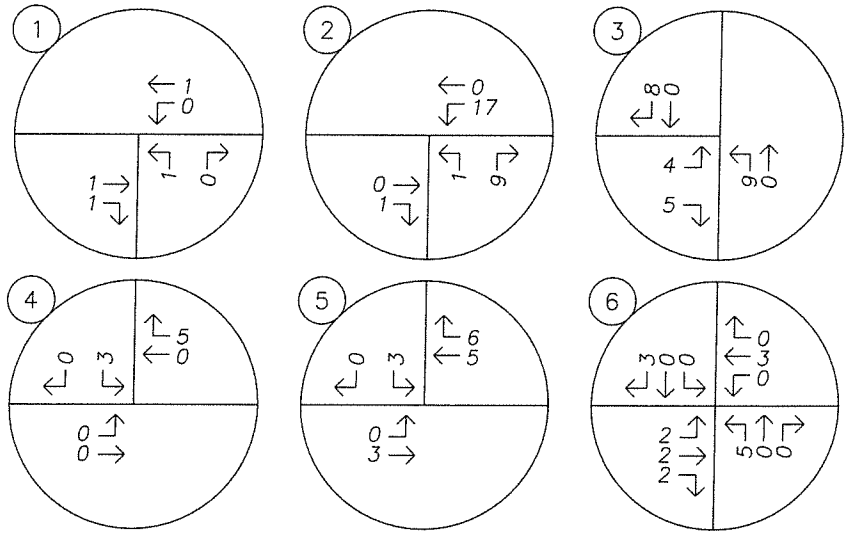
Proposed Development Plan - Site Trips
AM Peak Hour

Figure 3
Noyes Subdivision
5/4/2022

LEGEND

XX% PERCENT OF PROJECT TRIPS

TRIP GENERATION			
	IN	OUT	TOTAL
AM	9	26	35
PM	30	17	47



SITE TRIP DISTRIBUTION

Proposed Development Plan - Site Trips
PM Peak Hour

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Figure 4
Noyes Subdivision
5/4/2022

Traffic Volumes

Existing Conditions

The ongoing COVID-19 pandemic is still causing a significant decrease in traffic due to closed or limited business operations and telecommuting. Therefore, adjustments are needed to reflect more normalized traffic conditions.

Traffic counts were collected at all study intersections during the morning (between 7:00 AM and 9:00 AM) and evening (between 4:00 PM and 6:00 PM) peak hours. To approximate year 2022 existing traffic volumes under "typical" conditions, recently collected counts were compared to counts collected at the intersection of US-30 at Pittsburgh Road in 2018 before the pandemic, which were adjusted to year 2022 volumes by adding a growth rate based on local and state methodology.

Since US-30 is under ODOT jurisdiction, traffic volumes were seasonally adjusted to reflect the 30th highest hour of traffic, as per procedures described in ODOT's *Analysis Procedures Manual* (APM)[2]. Using the ODOT's Seasonal Trend Table[3], a seasonal adjustment factor of 1.09 was calculated based on a Commuter seasonal trend and applied to the year 2018 traffic volumes. The adjustment factor was applied to through volumes on US-30.

A growth rate for through traffic along US-30 was derived using ODOT's 2040 Future Volume Table in accordance with ODOT's APM. Using data corresponding to milepost 28.58 and 29.48 of ODOT highway number 92, an average linear growth rate of 0.8 percent per year for the four-year scenario. For all other turning movements at the US-30 study intersection, a compounded growth rate of two percent per year was applied to the 2018 traffic volumes to approximate year 2022 existing conditions.

Since the year 2022 traffic counts were collected on a different date than the 2018, a seasonal adjustment factor was calculated for these counts as well. A seasonal adjustment factor of 1.04 was calculated for the recently collected counts based on a Commuter seasonal trend and applied to the year 2022 through highway volumes.

When comparing the calculated 2022 volumes to the recently collected counts, a COVID adjustment factor was calculated to be 1.14 for the morning peak hour and 1.04 for the evening peak hour. The factors were applied to the recently collected counts to estimate the year 2022 traffic volumes under "typical" conditions.

The existing traffic volumes at the study intersections during the morning and evening peak hours are shown in Figure 5 and Figure 6, respectively.

Background Conditions

To provide analysis of the impact of the proposed development on the existing transportation facilities, an estimation of future traffic volumes is required. To calculate future traffic volumes for the year 2024 conditions, the linear growth rate of 0.6 percent per year calculated using ODOT's 2040 Future Volume Table was applied to through highway volumes. For all other turning movements at highway intersections and local intersection

[2] Oregon Department of Transportation, *Analysis Procedures Manual Version 2*. April 2022.
[3] ODOT Seasonal Trend Table (Updated 7/20/2021)

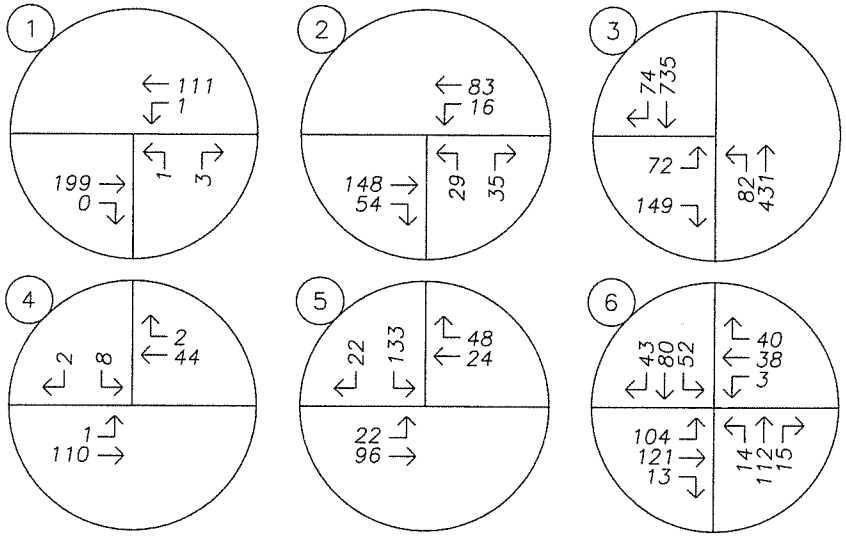
volumes, a compounded growth rate of two percent per year was applied. A build-out condition of two years was assumed.

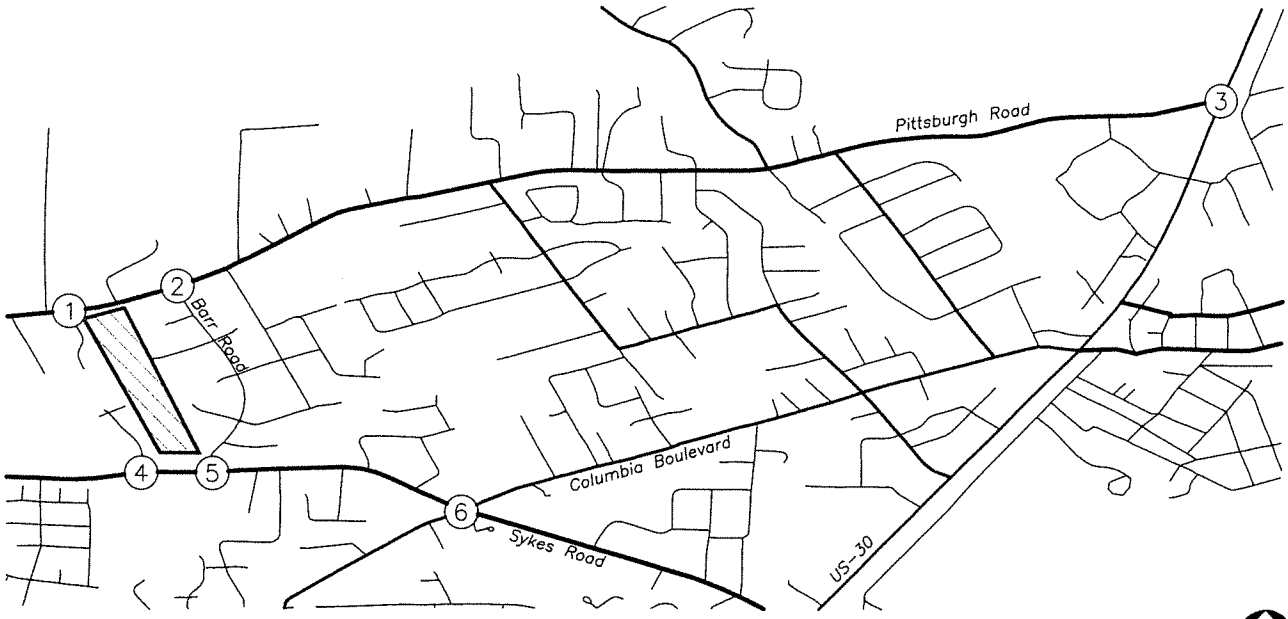
The background traffic volumes at the study intersections during the morning and evening peak hours are shown in Figure 7 and Figure 8, respectively.

Buildout Conditions

Peak hour trips calculated to be generated by the proposed development, as described earlier within the *Site Trips* section, were added to the projected year 2024 background traffic volumes to obtain the expected 2024 site buildout volumes.

The buildout traffic volumes at the study intersections during the morning and evening peak hours are shown in Figure 9 and Figure 10, respectively.





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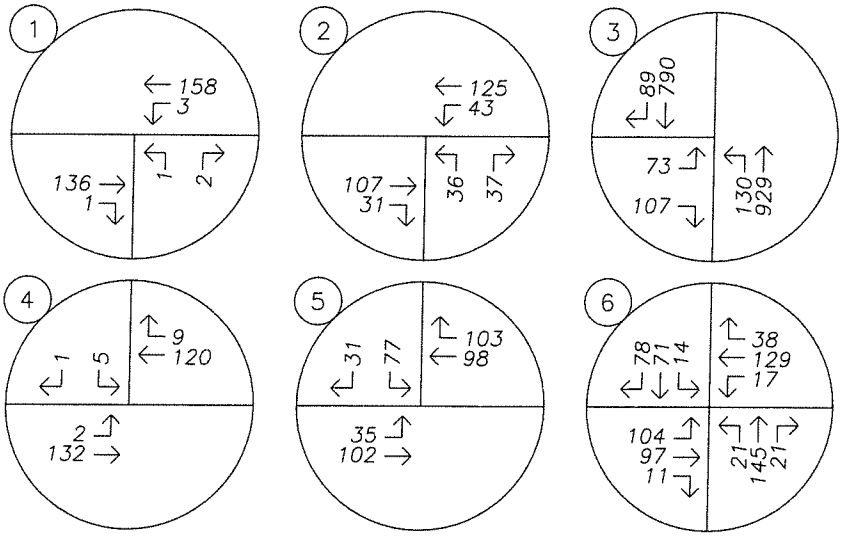
TRAFFIC VOLUMES
Year 2022 Existing Conditions
AM Peak Hour

Figure 5
Noyes Subdivision
5/4/2022



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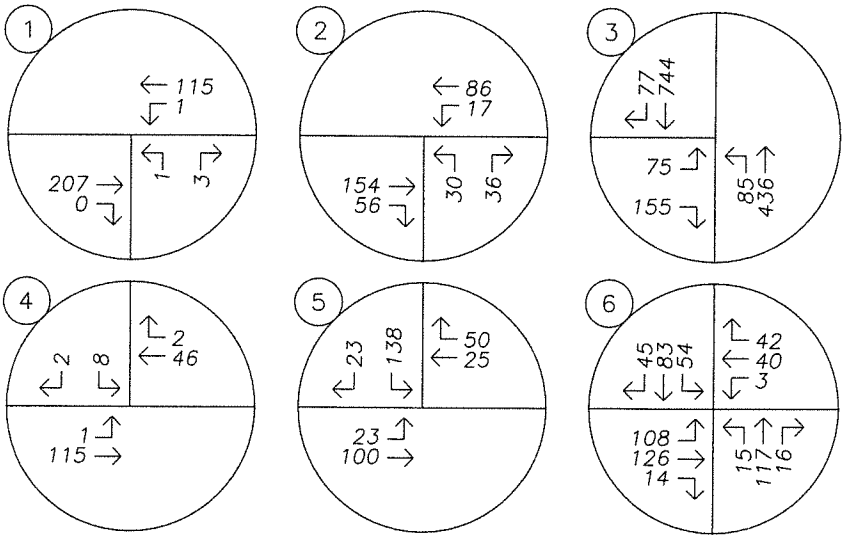
TRAFFIC VOLUMES
Year 2022 Existing Conditions
AM Peak Hour

Figure 6
Noyes Subdivision
5/4/2022



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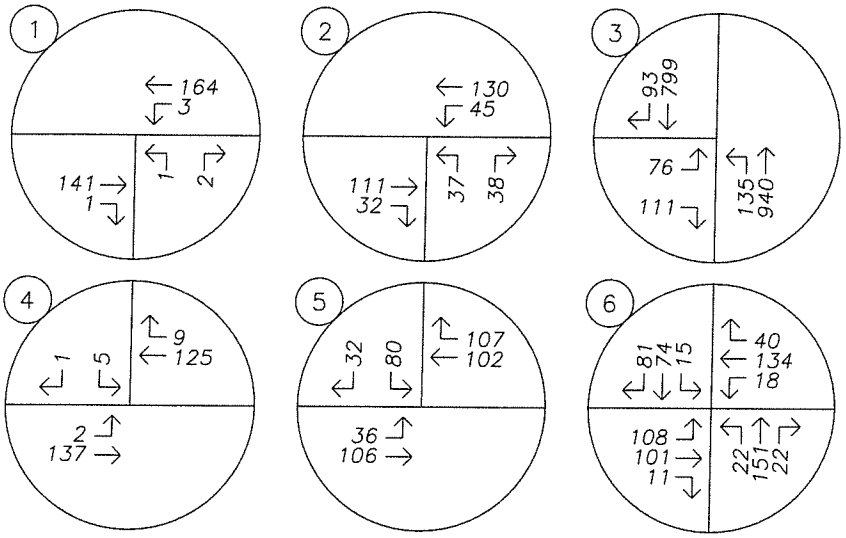
TRAFFIC VOLUMES
2024 Background Conditions
AM Peak Hour

Figure 7
Noyes Subdivision
5/4/2022



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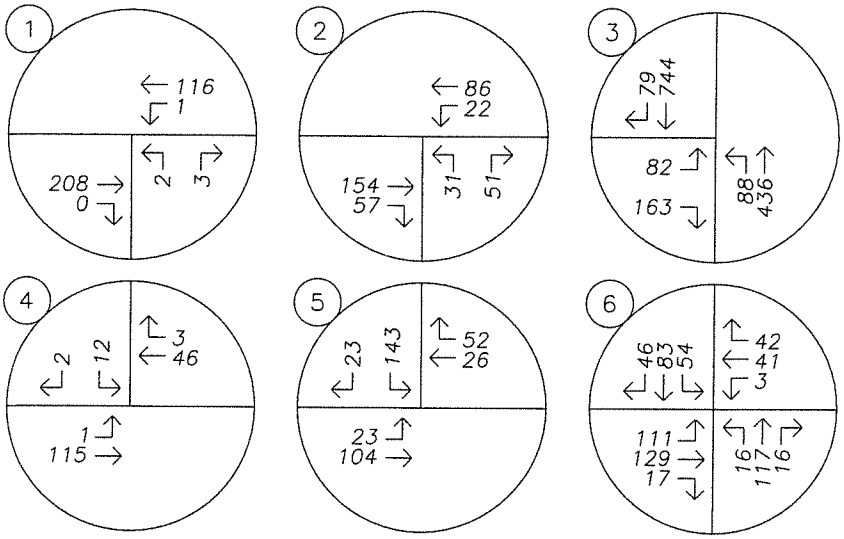
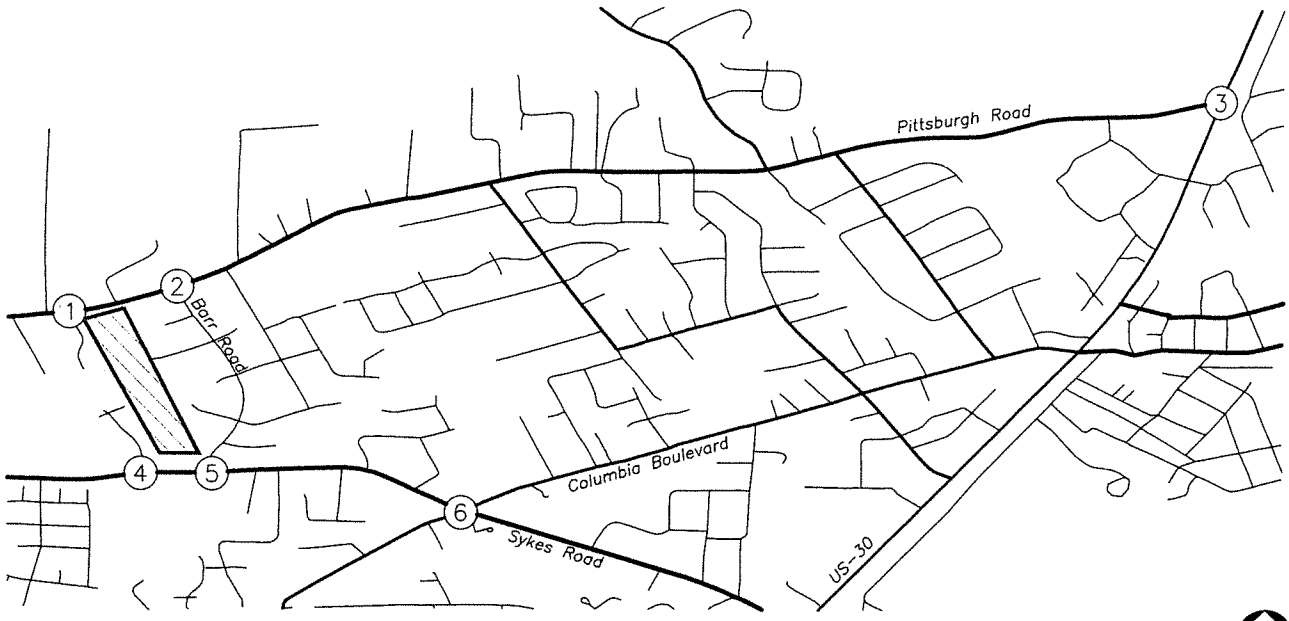
TRAFFIC VOLUMES
2024 Background Conditions
PM Peak Hour

Figure 8
Noyes Subdivision
5/4/2022





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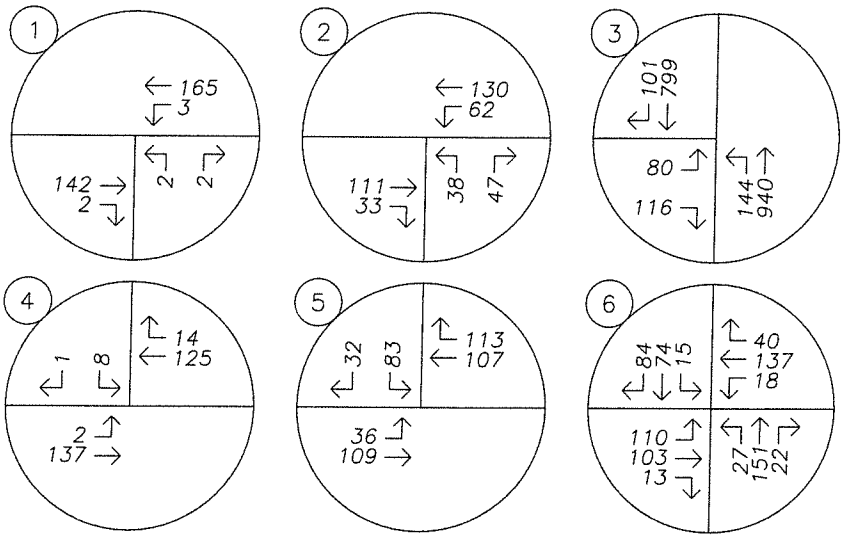
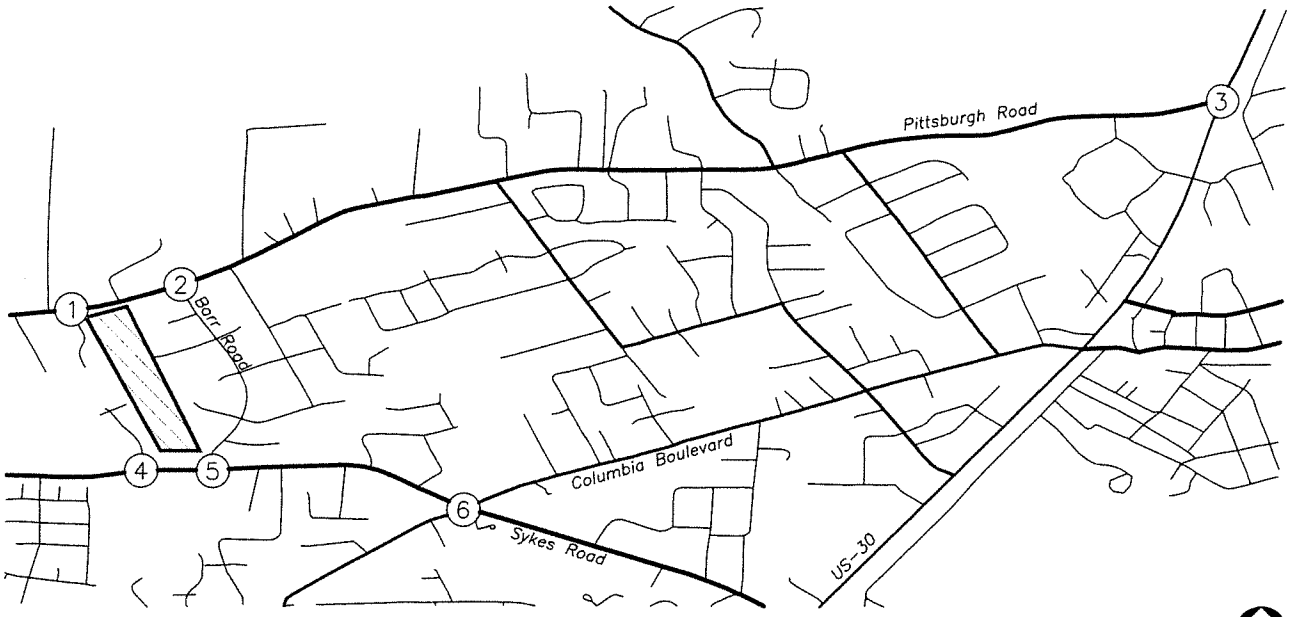
TRAFFIC VOLUMES
2024 Buildout Conditions
AM Peak Hour

Figure 9
Noyes Subdivision
5/4/2022





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TRAFFIC VOLUMES
2024 Buildout Conditions
PM Peak Hour

Figure 10
Noyes Subdivision
5/4/2022

Safety Analysis

Crash History Review

Using data obtained from ODOT's Crash Data System, a review of approximately five years of the most recent available crash history (January 2016 through December 2020) was performed at the study intersections. The crash data was evaluated based on the number of crashes, the type of collisions, and the severity of the collisions. Crash severity is based on injuries sustained by people involved in the crash, and includes five categories:

- Property Damage Only (PDO)
- Possible Injury (Injury C)
- Non-Incapacitating Injury (Injury B)
- Incapacitating Injury (Injury A)
- Fatality or Fatal Injury

Crash rates provide the ability to compare safety risks at different intersections by accounting for both the number of crashes that have occurred during the study period and the number of vehicles that typically travel through the intersection. Crash rates were calculated using the common assumption that traffic counted during the evening peak period represents approximately 10 percent of the annual average daily traffic (ADT) at the intersection.

Since the study area includes one intersection along US-30, calculated crash rates were compared with rates in ODOT's APM. According to *Exhibit 4-1: Intersection Crash Rates per MEV by Land Type and Traffic Control* of the APM, intersections which experience crash rates in excess of their respective 90th percentile crash rates should be "flagged for further analysis".

Table 4 provides a summary of crash types while Table 5 summarizes crash severities and rates for each of the study intersections. It is noted that only intersections which had reported collisions during the analysis period are shown in the tables. Detailed crash data is provided in the appendix to this report.

Table 4: Crash Type Summary

Intersection		Crash Type								Total Crashes
		Turn	Rear End	Angle	Fixed Object	Side Swipe	Ped	Bike	Other	
3	Pittsburgh Road at Highway 30	3	1	1	0	0	0	0	0	5
5	Sykes Road at Barr Road	0	0	0	1	1	0	0	0	2
6	Sykes Road at Columbia Boulevard	1	1	0	0	0	0	1	0	3

Table 5: Crash Severity and Rate Summary

	Intersection	Severity					Total Crashes	Peak Hour Volume	Crash Rate	ODOT 90th %
		PDO	C	B	A	Fatal				
3	Pittsburgh Road at Highway 30	1	1	3	0	0	5	2,118	0.13	0.293
5	Sykes Road at Barr Road	2	0	0	0	0	2	446	0.25	N/A
6	Sykes Road at Columbia Boulevard	1	1	1	0	0	3	746	0.22	N/A

The only crash involving vulnerable users was reported at the intersection of Sykes Road at Columbia Boulevard. A bicycle collision was reported which was caused by the vehicle not yielding to the right of way of the cyclist. The cyclist sustained a non-incapacitating injury (Type B).

Conclusion

Based on review of the most recent five years of available crash data, no significant trends or crash patterns were identified at any of study intersections that would be affected by the proposed development. In addition, none of the study intersections exhibit crash rates exceeding ODOT's 90th percentile rate. Accordingly, no safety mitigation is recommneded per crash data analysis.

Preliminary Traffic Signal Warrant Analysis

Traffic signal warrants were examined for all unsignalized intersections based on the methodologies in the Manual on Uniform Traffic Control Devices (MUTCD) published by the Federal Highway Administration in 2009. Volumes were used from the year 2024 buildout conditions. Warrant 1, Eight Hour Vehicular Volumes, was evaluated based on the common assumption that traffic counted during the evening peak hour represents ten percent of the ADT. Detailed information on the traffic signal warrant analysis is included in the attached appendix.

Preliminary traffic signal warrants are not projected to be met any of the unsignalized study intersections upon full buildout of the proposed development.

Left-Turn Lane Warrants

A left-turn refuge lane is primarily a safety consideration for the major-street, removing left-turning vehicles from the through traffic stream. The left-turn lane warrants were examined for all intersections in which site trips are expected to increase the major street left turn movement using methodologies provided within the National Cooperative Highway Research Program's (NCHRP) Report 457. Turn lane warrants were evaluated based on the number of advancing and opposing vehicles as well as the number of turning vehicles, the travel speed, and the number of through lanes.

Left-turn lane warrants are not projected to be met at any of the applicable study intersections under the year 2024 buildout scenario.

Operational Analysis

Intersection Capacity Analysis

A capacity and delay analysis were conducted for each of the study intersections per the unsignalized intersection analysis methodologies in the *Highway Capacity Manual* (HCM)[4]. Intersections are generally evaluated based on the average control delay experienced by vehicles and are assigned a grade according to their operation. The level of service (LOS) of an intersection can range from LOS A, which indicates very little, or no delay experienced by vehicles, to LOS F, which indicates a high degree of congestion and delay.

Performance Standards

The operating standards adopted by the City of Scappoose and ODOT are summarized below.

City of St Helens

According to the City of St Helen's Transportation System Plan (TSP), LOS "E" is considered acceptable for the poorest operating approach at two-way stop intersections. LOS "F" is allowed in situations where a traffic signal is not warranted.

ODOT

ODOT's operating mobility target for intersections along US-30 is v/c ratio no greater than 0.85 per Table 6 of the *Oregon Highway Plan*[5].

Delay & Capacity Analysis

The LOS, delay, and v/c results of the capacity analysis are shown in Table 6 for the evening peak hour. Detailed calculations as well as tables showing the relationship between delay and LOS are included in the appendix to this report.

[4] Transportation Research Board, *Highway Capacity Manual 6th Edition*, 2016.
[5] Oregon Department of Transportation, *Oregon Highway Plan*. 1999

Table 6: Capacity Analysis Summary

Intersection & Condition	AM Peak Hour			PM Peak Hour		
	LOS	Delay (s)	V/C	LOS	Delay (s)	V/C
1. Meadowview Drive at Pittsburgh Road						
Year 2022 Existing Conditions	B	10	0.01	A	10	0.01
Year 2024 Background Conditions	B	10	0.01	A	10	0.01
Year 2024 Buildout Conditions	B	11	0.01	B	10	0.01
2. Barr Road at Pittsburgh Road						
Year 2022 Existing Conditions	B	11	0.14	B	11	0.13
Year 2024 Background Conditions	B	12	0.15	B	11	0.14
Year 2024 Buildout Conditions	B	12	0.18	B	11	0.16
3. Pittsburgh Road at Highway 30						
Year 2022 Existing Conditions	C	21	0.53	E	35	0.64
Year 2024 Background Conditions	C	23	0.56	E	40	0.69
Year 2024 Buildout Conditions	C	25	0.60	E	48	0.76
4. Mountainview Drive at Sykes Road						
Year 2022 Existing Conditions	A`	9	0.01	A	10	0.01
Year 2024 Background Conditions	A	9	0.01	B	10	0.01
Year 2024 Buildout Conditions	A	9	0.02	B	10	0.01
5. Barr Road at Sykes Road						
Year 2022 Existing Conditions	B	11	0.23	B	11	0.17
Year 2024 Background Conditions	B	11	0.24	B	11	0.18
Year 2024 Buildout Conditions	B	11	0.25	B	12	0.19
6. Sykes Road at Columbia Boulevard						
Year 2022 Existing Conditions	B	12	0.47	B	11	0.36
Year 2024 Background Conditions	B	12	0.50	B	11	0.37
Year 2024 Buildout Conditions	B	12	0.52	B	11	0.39

Based on the results of the operational analysis, all study intersections are currently operating acceptably per jurisdictional standards and are projected to continue operating acceptably through the 2024 site buildout year. No operational mitigation is necessary or recommended at these intersections.

Conclusions

Key findings include:

- No significant trends or crash patterns were identified at any of the study intersections that would be affected by the proposed development. Accordingly, no safety mitigation is recommended per the crash data analysis.
- Preliminary traffic signal warrants are not projected to be met any of the unsignalized study intersections upon full buildout of the proposed development. Accordingly, no related mitigation is necessary or recommended.
- Left-turn lanes are not projected to be met at the applicable intersections upon full buildout of the proposed development. Accordingly, no related mitigation is necessary or recommended.
- All study intersections are currently operating acceptably per jurisdictional standards and are projected to continue operating acceptably through the 2024 site buildout year.