

PLANNED UNIT DEVELOPMENT APPLICATION

CITY OF HUBBARD

3720 2nd Street (P.O. Box 380)

Hubbard, OR 97032

Phone: (503) 981-9633; Fax: (503) 981-8743

<http://www.cityofhubbard.org>

To Be Filled Out by Staff:

FILE: _____

DATE: _____

FEE: _____

RECEIPT NO: _____

APPLICANT: ICON Construction and Development, LLC / Attn: Harlan Borow

PHONE: 503-713-8627 EMAIL ADDRESS: harlan@iconconstruction.net

ADDRESS: 1969 Willamette Falls Drive, Suite 260, West Linn, OR 97068

OWNER(S): Frank J. Bronec QTIP Trust and Columbia Trust Company TRE

(If different from above)

PHONE: 503-279-3164 EMAIL ADDRESS: hrobinson@columbiatrustcompany.com

ADDRESS: PO Box 1012, Salem, OR 97308

ENGINEER/SURVEYOR: Emerio Design / Attn. Pat Tortora

PHONE: 503-746-8812 EMAIL ADDRESS: ptortora@emeriodesign.com

ADDRESS: 6445 SW Fallbrook Place, Suite 100, Beaverton, OR 97008

OTHER DESIGN PROFESSIONAL: Cascadia Planning + Development Svcs. / Attn: Steve Kay

PHONE: 503-804-1089 EMAIL ADDRESS: steve@cascadiapd.com

ADDRESS: PO Box 1920, Silverton, OR 97381

GENERAL INFORMATION:

ADDRESS: 11984 Broadacres Road NE, Silverton, OR 97381

MAP PAGE AND TAX LOT NO: Tax Lot 100 of Tax Map 041W33 ZONE: R-1, 2, & 3

CURRENT USE/STRUCTURES: Single-Family TOPOGRAPHY: Flat and Steeply Sloped Areas

SURROUNDING USES: NORTH: Single-Family Residential SOUTH: Farm

EAST: Single-Family Residential WEST: Farm

SQUARE FOOTAGE OF SITE: 56.38 acres NO. OF LOTS CREATED: 204

MINIMUM LOT SIZE: 1,800 sq. ft. AVERAGE LOT SIZE: 4,000 sq. ft.

NUMBER OF DWELLING UNITS: 324 UNITS PER ACRE: 5.94

DATE: 9/19/08

ESTIMATED DATE OF CONSTRUCTION - BEGINNING: September 2022 COMPLETION: 2027
WILL THE PROJECT BE PHASED? (explain): Will be constructing 5 phases of the project over a 5 year period, depending on weather and market conditions.

SUBMITTAL REQUIREMENTS:

Please submit one (1) paper copy and one (1) electronic copy (PDF format preferred) of the following application materials:

- ☐ 1. A current title report.
- ☐ 2. A copy of the most recent deed for the property.
- ☒ 3. A legible preliminary partition plan drawn to scale on 8 ½ x 11 or 11 x 17 inch paper or eight (8) full size copies (typically 18 x 24 inches or larger) that shows the following information:
 - ☒ Name and address of the owner of the property to be divided;
 - ☒ Legal description of the property, by Township, Range, Section and Tax Lot;
 - ☒ Dimensions and size in square feet or acres of all proposed parcels;
 - ☒ Individual parcel designation, e.g., Parcel I, Parcel II;
 - ☒ Adjacent property under the same ownership;
 - ☒ North arrow and scale;
 - ☒ All adjacent roads, public or private, bikeways, and pedestrian facilities, including name and road width;
 - ☒ Location and size of all existing and proposed utilities;
 - ☒ Comprehensive plan and zoning designations for the subject property;
 - ☒ All existing structures on the property and their setbacks;
 - ☒ Slopes on the property exceeding ten (10) percent;
 - ☒ Natural drainage ways, streams, wetlands or other significant natural features of the property, such as significant vegetative areas or specimen trees;
 - ☒ Other pending applications, including building permits, on the subject property; and
 - ☒ All easements (existing or proposed).

SUPPLEMENTAL INFORMATION:

The application shall include the following supplemental information:

- ☒ Calculations justifying the proposed density of development as required by Development Code Subsection 2.302.05(C).
- ☒ Proposed uses of the property, including sites, if any, for attached dwelling units, recreational facilities, parks and playgrounds or other public or semi-public uses, with the purpose, condition and limitations of such reservations clearly indicated.
- ☒ The approximate location and dimensions of all commercial or multi-family structures proposed to be located on the site.
- ☒ Statement of improvements to be made or installed including streets, sidewalks, bikeways, trails, lighting, tree planting, landscaping, and the time such improvements are to be made or completed.
- ☒ Written statement-outlining proposals for ownership and maintenance of all open space areas, private streets and any commonly owned facilities.

Conformance with the Hubbard Development Code is required for final plat approval. Check with the staff regarding additional requirements for your project. You are encouraged to arrange a pre-application conference with staff prior to submittal.

PLANNED UNIT DEVELOPMENT INFORMATION SHEET

Planned unit developments are created when a tract of land is divided into four (4) or more lots within a calendar year and when the tract of land existed as a unit or contiguous units of land under a single ownership at the beginning of the year.

☒ PLANNED UNIT DEVELOPMENT REGULATION

Planned unit developments are regulated by State Law and by the City of Hubbard's Development Code. The City regulations mandate that the applicant provide improvements necessary to serve all the proposed lots. These improvements will generally include streets, storm water facilities and provisions for sewer and water service. Additional improvements may be required. An applicant must document that adequate facilities exist or can be provided as part of the proposal.

☒ APPLICATION PROCESSING

A pre-application conference is held with the City staff to review the proposal informally. To arrange for a pre-application conference, contact City Hall for time and information requirements. Once an application is submitted together with all pertinent filing information (e.g. preliminary plan map, site map, title report, supplementary materials, etc.), City planning staff will begin processing the application.

Following acceptance of the application, the submitted information is distributed to all City departments and to those agencies that would be affected by the application. These agencies have approximately twenty (20) days to return comments on the proposal. A staff report is prepared which reflects the agency comments and compliance with the City Development Code standards. Notice is sent to adjacent property owners, a formal public hearing before the Planning Commission is held, and a decision is issued based upon the staff report and hearing testimony. The Planning Commission decision can be appealed to the City Council.

☒ EFFECTIVE DATE OF APPROVAL

The Planning Commission decision shall be effective twelve (12) days after the date of the notice of the decision by the Planning Commission unless the decision is appealed to the City Council.

☒ WHAT TO DO AFTER PRELIMINARY PLAN APPROVAL

An approved or conditionally approved preliminary plan is valid for one year following the issuance of a preliminary approval letter. Within this year, the applicant must submit a final plat, which conforms to all the applicable provisions of State Law (ORS 92) and conditions of the tentative plan approval. The City will sign and release the plat when all the necessary City requirements have been fulfilled. The applicant must then file the approved final plat with the Marion County Recorder and return a copy of the recorded documents to the City following recordation.

☒ LOT SALES

No lots may be sold until the final map has been filed and acknowledged by the Marion County Recorder. The specific legislation governing the sale of lots is detailed in Oregon Revised Statutes 92.305--92.495.

☒ ADDITIONAL INFORMATION

For additional information on partitions, call Hubbard City Hall at (503) 981-9633.

EXHIBIT A

LAND USE FEE SCHEDULE ACKNOWLEDGMENT

as of 2/11/2020 (attachment to Resolution No. 686-2020)

Resolution No. 685-2020 requires land use applications to reimburse the City for the actual costs associated with their applications. The City requires a deposit for land use application as required in section 3.206.03 in the Hubbard Development Code. Staff collects the deposit at the time of application.

Costs and time are paid out of the deposit. If it appears the costs exceed the initial deposit, the Director of Administration/City Recorder may require an additional deposit for costs that may be incurred to complete the project. At the end of the project a final bill will be prepared, and the City will either request additional funds or issue a refund check.

The following are examples of the most common types of charges and amounts per hour that will be incurred for land use projects in the City. These rates are provided for example purposes only, and you will be charged the actual costs incurred by the City as required by Resolution 685-2020. These example rates will therefore be reviewed annually and updated as necessary. You may request a copy of the most recent example rates at any time by contacting the Director of Administration/City Recorder.

City Planner **\$85.00**
(The City Planner prepares staff reports, final actions, and makes presentations at Planning Commission and Council meetings.)

City Engineer **\$165.00**
(The City Engineer may be requested to investigate or review plans submitted by the applicant, and may make presentations at required meetings)

Director of Admin/Recorder **\$90.00**
Admin Assistant **\$45.00**
(The Planning Secretary prepares applicants files, prepares comments for other departments, prepares public hearing notices, posts and mails notices, answers applicants questions and attends all meetings)

Public Works Director/Superintendent **\$84.00**
Public Works Admin Manager **\$68.00**
Utility Worker II **\$58.00**
Utility Worker I **\$37.00**
Admin Assistant **\$20.00**
(The Public Works personnel reviews applications and comments regarding water, sewer, streets, backflow devices, and storm drain issues)

Police Chief **\$83.00**
(The Police Chief reviews plans and looks into safety concerns such as lighting and addressing issues)

City Attorney **\$235.00**
(Review of documents, negotiation of conflicts, litigation and enforcement issues)

Office Copies (Black & White 8 1/2 X 11) .25 per page
Color .35 per page
(Black & White 11X 17) .50 per page
Color .70 per page
Long Distance Phone Calls \$3.00 per call
Fax \$2.00 per fax + .50 per page

I have read this information and understand that the land use fee is a deposit and the application may cost more or less.

Applicants Signature

Date

6/15/2022
Date

6/15/2022
Date

Hunter S. Born
Applicant

B. C. C. C. C. C.
Owner

_____ Date _____ Owner _____



PO Box 1920, Silverton, OR 97381
www.cascadiapd.com / 503-804-1089

CITY OF HUBBARD APPLICATION FOR LAND USE REVIEW

BEAR CREEK PLANNED UNIT DEVELOPMENT

Location: 11984 Broadacres Road NE
T.M. 041W33, T.L. 100
Marion County, Oregon

Prepared by: Steve Kay, AICP
Mason McGonagall, PhD Arch

Prepared for: ICON Construction and Development
1969 Willamette Falls Dr., Suite 260
West Linn, OR 97068
503-657-0406

June 15, 2022

APPLICANT'S STATEMENT

PROJECT NAME:	Bear Creek Planned Unit Development
REQUEST:	Approval of Planned Unit Development Application
ASSESSOR'S DESCRIPTION:	Tax Lot 100 of Tax Map 041W33 Marion County, Oregon
APPLICANT'S REPRESENTATIVE:	Steve Kay, AICP Cascadia Planning + Development Services P.O. Box 1920 Silverton, OR 97381 503-804-1089 steve@cascadiapd.com
APPLICANT:	ICON Construction and Development, LLC Attn. Harlan Borow 1969 Willamette Falls Drive, Suite 260 West Linn, OR 97068 503-713-8627 harlan@iconconstruction.net
PROPERTY OWNER:	Frank J. Bronec QTIP Trust and Columbia Trust Company TRE PO Box 1012, Salem, OR 97308
SITE AREA:	56.38 acres
LOCATION:	11984 Broadacres Road NE Hubbard, OR 97032

I. APPLICABLE REGULATIONS

A. CITY OF HUBBARD DEVELOPMENT CODE

Chapter 2: How Land May be Used and Developed

Section 2.100: Zoning Districts

- Subsection 2.101: Low Density Residential District (R-1)**
- Subsection 2.102: Medium Density Residential District (R-2)**
- Subsection 2.103: High Density Residential District (R-3)**
- Subsection 2.110: Floodplain Overlay Zone**

Section 2.200: General Development Standards

- Subsection 2.201: General Provisions**
- Subsection 2.202: Street Standards**
- Subsection 2.203: Off-Street Parking and Loading**
- Subsection 2.204: Storm Drainage**
- Subsection 2.205: Utility Lines and Facilities**
- Subsection 2.206: Signs**
- Subsection 2.207: Site and Landscape Design**
- Subsection 2.208: Development Standards for Land Divisions**
- Subsection 2.209: Yard and Lot Standards**
- Subsection 2.210: Requirements for Riparian Corridors**
- Subsection 2.211: Requirements for Wetlands**

Section 2.300: Supplemental Development Standards for Special Uses

- Subsection 2.302: Planned Unit Developments**
- Subsection 2.307: Accessory Dwelling Units**

Section 2.400: General Provisions

- Subsection 2.401: General Standards**

Chapter 3: Application Requirements and Review Procedures

Section 3.100: Application Requirements and Review Criteria

- Subsection 3.101: Summary of Application Types and Review Procedures**
- Subsection 3.107: Subdivisions and Planned Unit Developments**

II. BACKGROUND:

The applicant, ICON Construction and Development LLC, is requesting approval of a Planned Unit Development (PUD) application. The property is identified by the Marion County Tax Assessor as Tax Lot 100 of Tax Map 041W33. The 56.38 acre site is addressed as 11984 Broadacres Road NE and is located within the city limits of Hubbard. Of this amount, 2.31 acres are zoned R-1 (Low-Density Residential), 33.68 acres are zoned R-2 (Medium Density Residential), and 20.39 acres are zoned R-3 (High Density Residential). Approximately 1.83 acres of this area within the city limits is currently dedicated as rights-of-way.

The attached Master Plan calculates that 543 dwelling units may be developed on the property based on the site's zoning and permitted densities (see Exhibit 4). The submitted preliminary plans indicate that the applicant is proposing to develop 324 dwelling units on the site. The Overall Concept Plan illustrates a mix of small and medium single-family detached lots are proposed in the central, southern, and western portions of the site. Attached single-family units and a duplex lot is proposed in the southeast and northern portions of the property. A 120-unit apartment complex, with a manager's office and recreation room, a community picnic area, and associated parking facilities in the northwest corner of the site. The attached Phasing Plan indicates that Phase I through V of Bear Creek are anticipated to be developed during a 2022-2027 buildout period.

Through the PUD process, the applicant requests to transfer density from proposed open space areas to the developed portions of the site. The submitted Master Plan indicates that a 13.05 acre park with a play structure, 3,985-ft. multi-use trail system with 8-ft. wide compacted gravel paths, benches, play field, and restrooms are proposed for public use along the west boundary of the site. This park will include two wetlands and the riparian area along Mill Creek. An additional 7.14 acre public park is proposed along the east boundary of the subject property. The eastern park will include an 8-ft. wide multi-use trail with benches that is 810-ft. long. This park incorporates wetlands and the riparian area along Little Bear Creek.

The submitted Master Plan and Landscape Plans demonstrate that applicant is providing public benefits through the provision of 20.18 acres of park land with recreational amenities. The attached Overall Concept Plan and Preliminary Architectural Plans demonstrate that enhanced community livability, greater housing diversity, and improved affordability can be achieved when modifications to Development Code standards are permitted through the Planned Unit Development process. The attached Master Plan, Preliminary Plat, and Modifications Table illustrate that the applicant is requesting modifications to lot area, lot width, and depth ratios (see Exhibits 4 and 10). Although specific building plans have not been determined for each single-family lot, modifications to maximum building lot coverage standards are also requested. In addition, the applicant is requesting setback standard modifications to permit 0-ft. or 5-ft. interior side yards, 10-ft. rear yards, and 12-ft. front and street side yards for the proposed 2-story single-family dwellings. To accommodate porches and 2 off-street parking spaces for the townhomes, the applicant will also be requesting a modification to permit the development of a 1-car garage and a driveway parking space for those dwelling units. The attached Master Plan demonstrates that these modifications will result in the protection of natural resources, more efficient development of land, and a greater diversity of affordable housing types in Hubbard.

In conformance with the Transportation System Plan, the applicant is proposing to develop a new Collector Street, Street 'A', between Broadacres Road NE and 3rd Street. The extension of 4th Street and the development of other new Local Streets will provide access to proposed single-family and multi-family units. No direct access from these dwellings to the Collector Street is proposed. In addition, the applicant is proposing to install frontage improvements along Broadacres Road NE and 3rd Street to meet City and County standards. The attached Phasing Plan illustrates which transportation improvements will be installed with the proposed phasing (see Exhibit 4). The attached Traffic Impact Analysis indicates that signal warrants or the instillation of additional turn lanes are not met at any of the study intersection under the proposed 2027 full-buildout conditions (see Exhibit 7). Therefore, off-site mitigation for traffic generated by the development is not required.

City maps indicate that public sanitary sewer and water services can be extended from the adjacent rights-of-way. The attached Sanitary Sewer Master Plan Report and civil plans indicate that the applicant is proposing to extend sanitary sewer service from 3rd Street and will upgrade an existing sanitary sewer pump station when necessary during Phase I of the project (see Exhibit 9). The submitted Water Master Plan proposes to loop a water main from the Broadacres Road and J Street intersection to 4th Street, in addition to providing domestic and fire service for the development (see Exhibit 4). The applicant's Composite Utility Plan and Preliminary Stormwater Report indicates that drainage from impervious services will be directed to proposed public detention and water quality facilities within Tracts 'A', 'D', and 'E' before stormwater is released into Mill Creek and Little Bear Creek at pre-development rates (see Exhibits 4 and 5).

The applicant is proposing to dedicate Tract's 'A', 'D', 'E' to the City of Hubbard, who will provide maintenance of the public park improvements and stormwater facilities. As required, homeowner associations and maintenance agreements will be established for Tracts 'B', 'C', 'F' and 'G' for property owners which benefit from shared improvements within those tracts. The homeowner's association for Tract 'G' will also include a provision that permits the applicant to develop the vacant portion of the tract with a detached single-family or duplex structure when the adjacent property to the east (17707 Front Street NE) is annexed, and vacation of the non-utilized south segment of 4th Street is permitted.

This Applicant's Statement addresses applicable provisions of the City of Hubbard Development Code. Copies of the signed Application Form, Property Deed, City Pre-Application Conference Notes, Preliminary Development Plans, Preliminary Stormwater Report, Geotechnical Report, Traffic Analysis, Wetland Delineation Report, Sanitary Sewer Master Plan Report, and Requested Development Code Modification Table have been attached to this narrative. The exhibits and narrative demonstrate that the submitted land use application meets the criteria for approval.

III. FINDINGS

A. CITY OF HUBBARD DEVELOPMENT CODE

Chapter 2: How Land May Be Used and Developed

Section 2.100: Zoning Districts

Subsection 2.101: Low Density Residential District (R-1)

2.101.02: Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-1 zone:

- A. Single-family dwelling unit, including a manufactured home, except that a manufactured home shall not be placed within an acknowledged historical district nor adjacent to a historic landmark.**
- D. Parks and open space uses**
- J. Residential Planned Unit Developments, subject to Section 2.302**

COMMENT:

The applicant is proposing a Residential Planned Unit Development, which is a permitted use in the R-1 district. The attached Master Plan indicates that 1.91 net acres of the 56.38 acre subject site are zoned R-1 (see Exhibit 4). Per the attached Aerial Photo/Lane Use Plan, the R-1 zoned area is located in the northeast corner of the site. The Master Plan demonstrates that the applicant proposes to develop transportation facilities and a portion of the eastern park within this Low Density Residential District. Through this Planned Unit Development application, the applicant is proposing to transfer the permitted density of 19 dwelling units to other developed portions of the site.

2.101.04: Dimensional Standards

The following minimum dimensional standards shall be required for all development in the R-1 District except for modifications permitted under Section 2.402, General Exceptions.

A. Minimum Lot Area

- 1. Single-family dwelling 7,000 sq. ft.**
- 2. Duplex (not on a corner lot) 7,000 sq. ft.**

3. Duplex on a corner lot 8,500 sq. ft.
4. Townhouse (not on a corner lot) 3,500 sq. ft.
5. Townhouse on a corner lot 5,000 sq. ft.
6. Public utility structures: Lot area shall be adequate to contain all proposed structures within required yard setbacks.
7. All other uses: 7,000 sq. ft.

COMMENT:

The submitted Master Plan and Landscape Plans demonstrate that the applicant is providing public benefits through the provision of 20.18 acres of park land with recreational amenities, and the protection of natural resources along Little Bear Creek and Mill Creek (see Exhibit 4). The proposed development will also result in more efficient development of land, enhanced community livability, greater diversity of housing when modifications to Development Code standards are permitted through the Planned Unit Development process.

The submitted Preliminary Plat demonstrates that the applicant is requesting several modifications to the minimum lot area standards. The applicant has submitted a list of specific modifications with the attached Development Code Design Alternatives Table (see Exhibit 10). The table includes a request to reduce the minimum lot area for a single-family detached dwelling to 4,000 sq. ft., reduce the standard for a duplex on a corner lot to 6,000 sq. ft., reduce the interior townhome lot standard to 1,775 sq. ft., and a reduce the standard for a townhome on a corner lot to 2,700 square feet.

B. Minimum Yard Setbacks

1. Except as specified for detached accessory structures under Section 2.101.04.B.2 and 2.101.04.B.3 below, all structures shall maintain the following minimum yard setbacks:
 - a. Front Yard 15 feet
-- Setback to garage 20 feet
 - b. Rear Yard 20 feet
 - c. Side Yard (interior) 5 feet
-- Setback for homes 1½ or 2 stories in height
-- Setback for homes 2½ or 3 stories in height
-- Setback for townhouses 8 feet
on one side of dwelling unit with zero setback (0 ft) on opposite side
 - d. Side Yard
(adjacent to street –including townhouses)

-- Setback to garage
15 feet
20 feet

COMMENT:

The attached Master Plan illustrates proposed minimum yard setbacks for the Planned Unit Development (see Exhibit 4). Through the PUD process, the applicant is requesting modifications several setback standards. Per the attached Development Code Design Alternatives Table, the applicant is requesting to reduce the front and street side yard standards to 12-ft., reduce the rear yard setback to 10-ft., allow 0-ft. setbacks for interior townhome, and permit 5-ft. side yard setbacks for 2 ½ or 3 story structures (see Exhibit 10).

2. All detached accessory structures shall maintain the following minimum side and rear yard setbacks:

- | | |
|--------------------------------|---------------|
| a. Rear Yard | 5 feet |
| b. Side Yard (interior) | 5 feet |

COMMENT:

The applicant is not requesting to modify the accessory structure setbacks with this Planned Unit Development application.

3. All detached accessory dwelling units shall maintain the following minimum side and rear yard setbacks:

COMMENT:

The applicant is not proposing detached accessory dwelling units with this development, therefore these standards do not apply.

C. Maximum Structure Height

- | | |
|-------------------------------|----------------|
| 1. Principal Structure | 35 feet |
|-------------------------------|----------------|

COMMENT:

The submitted Preliminary Architectural Plans demonstrate that primary structures will meet the 35-ft. maximum height standard (see Exhibit 4). This standard will be verified by City staff when detailed construction plans are submitted during building permit review.

D. Lot Width and Depth

The depth of a lot or parcel shall not be more than 2 1/2 times the width of the parcel, with the following exceptions:

1. Individual lots for townhouse units shall not be less than 20 feet in width. Lot depth may vary, but shall be adequate to provide a minimum of 300 square feet of semi-private outdoor living space for each unit.
2. Parcels created for public utility uses shall be exempt from width to depth ratio provisions.

COMMENT:

The submitted Master Plan and Preliminary Plat indicate that some of the proposed single-family detached lots do not conform to the above lot/width ratio (see Exhibit 4). In addition, since large public parks and open space areas are provided with the development, some of the townhomes provide less outdoor living space than the above standard. The attached Development Code Design Alternatives Table indicates that proposed depths of the single-family detached lots will not exceed 3 ½ times the lot width. In addition, the application is proposing to provide a minimum of 200 sq. ft. of outdoor living area for the proposed townhome lots (see Exhibit 10).

2.101.05: Development Standards

All development in the R-1 District shall comply with the applicable provisions of Section 2.200 of this Ordinance. In addition, the following specific standards shall apply:

- A. **Off-Street Parking:** The required number of parking spaces and shall be as specified in Section 2.203. Parking requirements for residential units, including "stick-built" and manufactured homes, require the construction of a garage.

COMMENT:

Although specific building plans have not been developed for the single-family attached and detached homes, the applicant intended to develop 2-car garages for the detached homes and 1-car garages for the townhomes. Additional off-street parking spaces are provided in the driveways for each of the lots. Conceptual building plans for the single-family units have been submitted to demonstrate the feasibility of meeting the off-street parking standards of Section 2.203 (see Exhibit 4).

- B. **Lot Coverage.** The following shall mean the maximum permitted lot coverage, maximum coverage of public and private parking areas or garages, and/or combined maximum lot and parking combined coverage allowed:

Maximum lot coverage by structures: 45%

Maximum parking area coverage: 30%

Combined maximum lot and parking area coverage: 70%

COMMENT:

As stated above, the applicant is proposing to transfer density from the park and open space areas of the site to the developed portion of the subject property. To accommodate increased density in certain portions of the site, the applicant is requesting modification to certain development standards. The attached Development Code Design Alternatives Table indicates that the applicant is requesting to increase the maximum lot coverage for townhome units to 75%, while reducing the maximum parking area coverage to 20%, to permit a combined lot coverage of 95% for the attached single-family lots (see Exhibit 10).

- C. Signs. Signs in the R-1 District shall conform to the standards of Section 2.206.**

COMMENT:

The applicant is not requesting a sign permit with this Planned Unit Development application, therefore Section 2.206 standards do not apply.

- D. Detached accessory structures shall not exceed 1,400 square feet in size, or the area covered by the main building, whichever is less. Detached accessory structures may be located within the rear or side yard area, and shall comply with maximum lot coverage standards.**

COMMENT:

Detached accessory structures are not proposed for single-family lots within the development. Therefore, these standards do not apply.

- E. All driveways shall be separated from an intersection by at least 20 feet measured from the property line.**

COMMENT:

The attached Overall Concept Plan and Preliminary Plat demonstrate that the proposed driveways are located at least 20-ft. from street intersections throughout the development (see Exhibit 4).

- F. Yards and Lots. Yards and lots shall conform to the standards of Section 2.209.**

COMMENT:

As required, the applicant has addressed the yards and lots standards of Section 2.209 in the narrative provided below.

- G. Parking for recreational vehicles, trailers, boats and**

other similar vehicles shall comply with Section 2.203.10, RV Parking Standards, and the following standards:

1. Recreational vehicles, trailers, boats and other similar vehicles may be parked in the side yard, rear yard and front yard allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard located closest to the driveway subject to the following conditions:
 - a. The additional space shall not be allowed if it creates a traffic sight obstruction.
 - b. The additional space has an all-weather surface and be drained to prevent standing water.
2. Parking for recreational vehicles, trailers, boats and other similar vehicles may be permitted in other portions of the front yard area subject to review and approval of the Planning Commission in accordance with the Variance procedures of Section 3.104.
3. Recreational vehicles, trailers, boats and other similar vehicles shall not be parked within public rights-of-way.
4. All driveways shall be designed and constructed in conformance with the most current Public Works Design Standards.

COMMENT:

The applicant is not proposing parking or storage of Recreational Vehicles (RVs) or similar vehicles with this application.

H. Accessory Dwelling Units (ADU). Accessory Dwelling Units in the R-1 District shall conform to the standards of Section 2.307

COMMENT:

The applicant is not proposing ADUs with this Planned Unit Development application. Therefore Section 2.307 standards do not apply.

Subsection 2.102: Medium Density Residential District (R-2)

2.102.02: Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-2 zone:

- A. Single family dwelling unit, including a manufactured home, except that a manufactured home shall not be placed within an acknowledged historical district nor adjacent to a historic landmark**
- B. Duplex or townhouse**
- K. Residential Planned Unit Developments, subject to the provisions of Section 2.302**

COMMENT:

The applicant is proposing a Residential Planned Unit Development, which is a permitted use in the R-2 district. The attached Master Plan indicates that 28.44 net acres of the 56.38 acre subject site are zoned R-2 (see Exhibit 4). Per the attached Aerial Photo/Lane Use Plan, the R-2 zoned area is located in the southern portion of the site. The Master Plan illustrates that the applicant proposes to develop portions of the western and eastern parks, attached single-family dwellings (townhomes), and single-family detached homes within this Medium Density Residential District. Through this Planned Unit Development application, the applicant is proposing to transfer a portion of the permitted residential density of 284 dwelling units from the proposed open space areas to the developed portions of the site.

2.102.04: Dimensional Standards

The following minimum dimensional standards shall be required for all development in the R-2 District except for modifications permitted under Section 2.402, General Exceptions.

- A. Minimum Lot Area**
 - 1. Single-family dwelling 5,000 sq. ft.**
 - 2. Duplex (not on a corner lot) 7,000 sq. ft.**
 - 3. Duplex on a corner lot 8,500 sq. ft.**
 - 4. Townhouse (not on a corner lot) 3,500 sq. ft.**
 - 5. Townhouse on a corner lot 5,000 sq. ft.**
 - 6. All other uses 5,000 sq. ft.**

COMMENT:

The submitted Master Plan and Landscape Plans demonstrate that the applicant is providing public benefits through the provision of 20.18 acres of park land with recreational amenities, and the protection of natural resources along Little Bear Creek and Mill Creek (see Exhibit 4). The proposed development will also result in more efficient development of land, enhanced community livability, greater diversity of housing when modifications to Development Code standards are permitted through the Planned Unit Development process.

The submitted Preliminary Plat demonstrates that the applicant is requesting several modifications to the minimum lot area standards. The applicant has submitted a list of specific modifications with the attached Development Code Design Alternatives Table (see Exhibit 10). The table includes a request to reduce the minimum lot area for a single-family detached dwelling to 4,000 sq. ft., reduce the standard for a duplex on a corner lot to 6,000 sq. ft., reduce the interior townhome lot standard to 1,775 sq. ft., and a reduce the standard for a townhome on a corner lot to 2,700 square feet.

B. Minimum Yard Setbacks

1. Except as specified for detached accessory structures under Section 2.101.04.B.2 and 2.101.04.B.3 below, all structures shall maintain the following minimum yard setbacks:

- | | | |
|----|------------------------------------------------|---------|
| a. | Front Yard | 15 feet |
| | -- Setback to garage | 20 feet |
| b. | Rear Yard | 15 feet |
| c. | Side Yard (interior) | 5 feet |
| | -- Setback for homes 1½ or 2 stories in height | 7 feet |
| | -- Setback for homes 2½ or 3 stories in height | 9 feet |
| | -- Setback for townhouses | 8 feet |
| | on one side of dwelling unit | |
| | with zero setback (0 ft) on | |
| | opposite side | |
| d. | Side Yard | |
| | (adjacent to street –including townhouses) | |
| | | 15 feet |
| | -- Setback to garage | 20 feet |

COMMENT:

The attached Master Plan illustrates proposed minimum yard setbacks for the Planned Unit Development (see Exhibit 4). Through the PUD process, the applicant is requesting modifications several setback standards. Per the attached Development Code Design Alternatives Table, the applicant is requesting to reduce the front and street side yard standards to 12-ft., reduce the rear yard setback to 10-ft., allow 0-ft. setbacks for interior townhome, and permit 5-ft. side yard setbacks for 2 ½ or 3 story structures (see Exhibit 10).

2. All detached accessory structures shall maintain the following minimum side and rear yard setbacks:

- | | | |
|-----------|-----------------------------------------|----------------|
| e. | Rear Yard | 5 feet |
| f. | Side Yard (interior) | 5 feet |
| | Side Yard (adjacent to a street) | 15 feet |

COMMENT:

Detached accessory structures are not proposed for single-family attached and detached lots within the Bear Creek Planned Unit Development. Therefore, these standards do not apply.

3. All detached accessory dwelling units shall maintain the following minimum side and rear yard setbacks

- | | |
|-----------------------------------------------|---------------|
| -- Setback for 1 story ADU | 5 feet |
| -- Setback for homes 1½ or 2 story ADU | 7 feet |
| -- Setback for 2 ½ or 3 story ADU | 9 feet |

COMMENT:

The applicant is not proposing accessory dwelling units with this development, therefore the above standards do not apply.

C. Maximum Structure Height

- | | | |
|-----------|----------------------------------------------------------------------------------------------|---------------------|
| 1. | Principal Structure | 35 feet |
| 2. | Accessory Structure | 20 feet, |
| | except that no accessory structure shall exceed the height of the principal structure | |
| 3. | Accessory Dwelling Unit | No accessory |
| | structure shall exceed the height of the principal dwelling | |

COMMENT:

The submitted Preliminary Architectural Plans demonstrate that primary structures will meet the 35-ft. maximum height standard (see Exhibit 4). Accessory structures and accessory dwelling units are not proposed for single-family lots with this development. This standard will be verified by City staff when detailed construction plans are submitted during building permit review.

D. Lot Width and Depth

The depth of a lot or parcel shall not be more than 2 1/2 times the width of the parcel, with the following exceptions:

- 1. Individual lots for townhouse units shall not be less than 20 feet in width. Lot depth may vary, but shall be adequate to provide a minimum of 300 square feet of semi-private outdoor living space for each unit.**
- 2. Parcels created for public utility uses shall be exempt from width to depth ratio provisions.**

COMMENT:

The submitted Master Plan and Preliminary Plat indicate that some of the proposed single-family detached lots do not conform to the above lot/width ratio (see Exhibit 4). In addition, since large public parks and open space areas are provided with the development, some of the townhomes provide less outdoor living space than the above standard. The attached Development Code Design Alternatives Table indicates that proposed depths of the single-family detached lots will not exceed 3 ½ times the lot width. In addition, the application is proposing to provide a minimum of 200 sq. ft. of outdoor living area for the proposed townhome lots (see Exhibit 10).

2.102.05: Development Standards

All development in the R-2 District shall comply with the applicable provisions of Section 2.200 of this Ordinance. In addition, the following specific standards shall apply:

- A. Off-Street Parking: The required number of parking spaces and shall be as specified in Section 2.203. Parking requirements for residential units, including "stick-built" and manufactured homes, require the construction of a garage.**

COMMENT:

As required, the attached Master Plan indicates that all townhouse units and single-family detached dwelling units in the R-2 zone can accommodate the minimum required number of off-street parking spaces (see Exhibit 3).

- B. Subdivisions and Partitions. Land divisions shall be reviewed in accordance with the provisions of Section 2.208.**

COMMENT:

The current application covers the standards associated with a PUD land division. As required, the applicant has addressed all of the Development Standards of the R-2 District as well as the PUD standards of Section 2.302 and Subdivision standards of Section 2.208 in the narrative provided below.

- C. Lot Coverage. The following shall mean the maximum permitted lot coverage, maximum coverage of public and private parking areas or garages, and/or combined maximum lot and parking combined coverage allowed:**

Maximum lot coverage by structures: 45%

Maximum parking area coverage: 30%

Combined maximum lot and parking area coverage: 70%

COMMENT:

As stated above, the applicant is proposing to transfer density from the park and open space areas of the site to the developed portion of the subject property. To accommodate increased density in certain portions of the site, the applicant is requesting modification to certain development standards. The attached Development Code Design Alternatives Table indicates that the applicant is requesting to increase the maximum lot coverage for townhome units to 75%, while reducing the maximum parking area coverage to 20%, to permit a combined lot coverage of 95% for the attached single-family lots (see Exhibit 10).

- D. Detached accessory structures shall not exceed 1,400 square feet in size, or the area covered by the main building, whichever is less. Detached accessory structures may be located within the rear or side yard area, and shall comply with maximum lot coverage standards.**

COMMENT:

The applicant is not proposing to develop detached accessory structures on the proposed single-family lots. Therefore, these standards do not apply.

- E. Signs. Signs shall conform to the requirements of Section 2.206.**

COMMENT:

The applicant is not submitting a request for a sign permit with this application, therefore Section 2.206 standards do not apply.

- F. All driveways shall be separated from an intersection by at least 20 feet measured from the property line.**

COMMENT:

The attached Master Plan and Civil Site Plan indicate that the proposed driveways are located more than 20-ft. from street intersections.

- G. Yards and Lots. Yards and lots shall conform to the standards of Section 2.209.**

COMMENT:

As required, the applicant has addressed Section 2.209 standards in the narrative provided below.

- H. Parking for recreational vehicles, trailers, boats and other similar vehicles shall comply with Section 2.203.10, RV Parking Standards, and the following standards:**
- 1. Recreational vehicles, trailers, boats and other similar vehicles may be parked in the side yard, rear yard and front yard allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard located closest to the driveway subject to the following conditions:**
 - a. The additional space shall not be allowed if it creates a traffic sight obstruction.**
 - b. The additional space has an all-weather surface and be drained to prevent standing water.**
 - 2. Parking for recreational vehicles, trailers, boats and other similar vehicles may be permitted in other portions of the front yard area subject to review and approval of the Planning Commission in accordance with the Variance procedures of Section 3.104.**
 - 3. Recreational vehicles, trailers, boats and other similar vehicles shall not be parked within public**

rights-of-way.

4. All driveways shall be designed and constructed in conformance with the most current Public Works Design Standards.

COMMENT:

The applicant is not proposing parking or storage of Recreational Vehicles (RVs) or similar vehicles with this PUD application.

- I. Accessory Dwelling Units (ADU). Accessory Dwelling Units in the R-2 District shall conform to the standards of Section 2.307.

COMMENT:

The applicant is not proposing ADU's with this Planned Unit Development application. Therefore, the above standards do not apply.

Subsection 2.103: High Density Residential District (R-3)

2.103.02: Permitted Uses

Unless otherwise subject to Conditional Use provisions or requirements of this Ordinance, the following uses are permitted in the R-3 zone:

- A. Single-family dwelling unit, including a manufactured home, except that a manufactured home shall not be placed within an acknowledged historical district nor adjacent to a historic landmark.
- B. Multi-family housing, including apartments, townhouses, and condominiums at a density no greater than 12 units per acre, subject to the Site Development Review procedures of Section 3.105
- C. Residential Planned Unit Development, subject to the provisions of Section 2.302

COMMENT:

The applicant is proposing a Residential Planned Unit Development, which is a permitted use in the R-3 district. The attached Master Plan indicates that 16.01 net acres of the 56.38 acre subject site are zoned R-3 (see Exhibit 4). Per the attached Aerial Photo/Lane Use Plan, the R-3 zoned area is located in the northern portion of the site. The Master Plan illustrates that the applicant proposes to develop portions of the western and eastern parks, attached single-family dwellings (townhomes), single-family detached homes, and an apartment complex within this High Density Residential District. Through this Planned Unit Development application, the applicant is proposing to transfer a portion of the permitted residential density of 240 dwelling units from the proposed open space areas to the developed portions of the site.

2.103.04: Dimensional Standards

The following minimum dimensional standards shall be required for all development in the R-3 District except for modifications permitted under Section 2.402, General Exceptions.

A. Minimum Lot Area and Density Standards

- | | | |
|----|---------------------------------------------|------------------------|
| 1. | Single-family dwelling | 5,000 sq. ft. |
| 2. | Duplex (not on a corner lot) | 7,000 sq. ft. |
| 3. | Multi-family dwelling (three or more units) | 3,630 sq. ft. per unit |
| 4. | Duplex on a corner lot | 8,500 sq. ft. |
| 5. | Townhouse (not on a corner lot) | 3,500 sq. ft. |
| 6. | Townhouse on a corner lot | 5,000 sq. ft. |

COMMENT:

The submitted Master Plan and Landscape Plans demonstrate that the applicant is providing public benefits through the provision of 20.18 acres of park land with recreational amenities, and the protection of natural resources along Little Bear Creek and Mill Creek (see Exhibit 4). The proposed development will also result in more efficient development of land, enhanced community livability, greater diversity of housing when modifications to Development Code standards are permitted through the Planned Unit Development process.

The submitted Preliminary Plat demonstrates that the applicant is requesting several modifications to the minimum lot area standards. The applicant has submitted a list of specific modifications with the attached Development Code Design Alternatives Table (see Exhibit 10). The table includes a request to reduce the minimum lot area for a single-family detached dwelling to 4,000 sq. ft., reduce the minimum multi-family lot area to 1,900 sq. ft. per unit, reduce the standard for a duplex on a corner lot to 6,000 sq. ft., reduce the interior townhome lot standard to 1,775 sq. ft., and a reduce the standard for a townhome on a corner lot to 2,700 square feet.

B. Minimum Yard Setback Requirements

1. Except as specified for detached accessory structures under Section 2.101.04.B.2 and 2.101.04.B.3 below, all structures shall maintain the following minimum yard setbacks:

- | | | |
|-----------|-------------------------------------------------------------------------------|----------------|
| a. | Front Yard | 15 feet |
| | -- Setback to garage | 20 feet |
| b. | Rear Yard | |
| | -- One Story | 10 feet |
| | -- More than one story | 15 feet |
| c. | Side Yard (interior) | 5 feet |
| | -- Setback for homes 1½ or 2 stories in height | 7 feet |
| | -- Setback for homes 2½ or 3 stories in height | 9 feet |
| d. | Side Yard (adjacent to street – including townhouses) | 15 feet |
| | -- Setback to garage | 20 feet |
| | -- Setback for townhouses | |
| | 8 feet on one side of dwelling unit with zero setback (0 ft) on opposite side | |

COMMENT:

The attached Master Plan illustrates proposed minimum yard setbacks for the Planned Unit Development (see Exhibit 4). Through the PUD process, the applicant is requesting modifications several setback standards. Per the attached Development Code Design Alternatives Table, the applicant is requesting to reduce the front and street side yard standards to 12-ft., reduce the rear yard setback to 10-ft., allow 0-ft. setbacks for interior townhome, and permit 5-ft. side yard setbacks for 2 ½ or 3 story structures (see Exhibit 10).

2. All detached accessory structures shall maintain the following minimum side and rear yard setbacks:

- | | | |
|----|----------------------------------------------------------------------|---------------------------------|
| a. | Rear Yard | 5 feet |
| b. | Side Yard (interior)
Side Yard (adjacent to street) | 5 feet
15 feet |

COMMENT:

The applicant is not proposing detached accessory structures for the single-family lots. The proposed accessory structure within the apartment complex provides space for a manager's office and fitness room. As demonstrated by the attached Master Plan, the above setback standards are met (see Exhibit 4).

- 3. All detached accessory dwelling units shall maintain the following minimum side and rear yard setbacks:**

- | | |
|--------------------------------------|---------------|
| Setback for 1 story ADU | 5 feet |
| Setback for 1½ to 2 story ADU | 7 feet |
| Setback for 2½ to 3 story ADU | 9 feet |

COMMENT:

The applicant is not proposing to develop accessory dwelling units with this PUD application. Therefore, the above standards do not apply.

C. Maximum Structure Height

- | | | |
|----|--------------------------------|-------------------------------------------------------------------------------------------------------|
| 1. | Principal Structure | 35 feet |
| 2. | Accessory Structure | 20 feet, except that no accessory structure shall exceed the height of the principal structure |
| 3. | Accessory Dwelling Unit | No accessory structure shall exceed the height of the principal dwelling |

COMMENT:

The submitted Preliminary Architectural Plans include proposed floor plans and elevations for buildings within the apartment complex, demonstrating that the 35-ft. height standard is met (see Exhibit 4),. The applicant has also included conceptual floor plans and elevations for the attached and detached single-family homes within the development. When detailed plans are submitted during building permit review, City staff will verify that the maximum structure height standard has been met.

D. Lot Width and Depth

The depth of a lot or parcel shall not be more than 2 1/2 times the width of the parcel, with the following

exceptions:

1. Individual lots for townhouse units shall not be less than 20 feet in width. Lot depth may vary, but shall be adequate to provide a minimum of 300 square feet of semi-private outdoor living space for each unit.
2. Parcels created for public utility uses shall be exempt from width to depth ratio provisions.

COMMENT:

The submitted Master Plan and Preliminary Plat indicate that some of the proposed single-family detached lots do not conform to the above lot/width ratio (see Exhibit 4). In addition, since large public parks and open space areas are provided with the development, some of the townhomes provide less outdoor living space than the above standard. The attached Development Code Design Alternatives Table indicates that proposed depths of the single-family detached lots will not exceed 3 ½ times the lot width. In addition, the application is proposing to provide a minimum of 200 sq. ft. of outdoor living area for the proposed townhome lots (see Exhibit 10).

2.103.05: Development Standards

All development in the R-3 District shall comply with the applicable provisions of Section 2.200 of this Ordinance. In addition, the following specific standards shall apply:

- A. **Off-Street Parking:** The required number of parking spaces and shall be as specified in Section 2.203. Parking requirements for residential units, including "stick-built" and manufactured homes, require the construction of a garage.

COMMENT:

As required, the attached Master Plan indicates that all townhouse units and single-family detached dwelling units in the R-2 zone can accommodate the minimum required number of off-street parking spaces (see Exhibit 3).

- B. **Subdivisions and Partitions.** Land divisions shall be reviewed in accordance with the provisions of Section 2.208.

COMMENT:

The current application covers the standards associated with a PUD land division. As required, the applicant has addressed all of the Development Standards of the R-2 District as well as the PUD standards of Section 2.302 and Subdivision standards of Section 2.208 in the narrative provided below.

- C. **Lot Coverage.** The following shall mean the maximum permitted lot coverage, maximum coverage of public and private parking areas or garages, and/or combined maximum lot and parking combined coverage allowed:

Maximum lot coverage by structures: 50%

Maximum parking area coverage: 30%

Combined maximum lot and parking area coverage: 70%

COMMENT:

As stated above, the applicant is proposing to transfer density from the park and open space areas of the site to the developed portion of the subject property. To accommodate increased density in certain portions of the site, the applicant is requesting modification to certain development standards. The attached Development Code Design Alternatives Table indicates that the applicant is requesting to increase the maximum lot coverage for townhome lots to 75%, while reducing the maximum parking area coverage to 20%, to permit a combined lot coverage of 95% for the proposed development (see Exhibit 10).

- D. **Multi-family residential uses (three units or more) shall comply with the following standards:**

1. **Multi-family developments shall be subject to the Site Development procedures in Section 3.105.**

COMMENT:

As required, the applicant has addressed the multi-family development standards of Section 3.105 in the narrative provided below.

2. **All multi-family residential structures within a development shall maintain a minimum horizontal separation distance of 15 feet.**

COMMENT:

The attached Master Plan demonstrates that the minimum horizontal distance between multi-family residential structures is met (see Exhibit 3).

3. **Access points to public streets shall minimize traffic congestion and avoid directing traffic onto local access streets.**

COMMENT:

As indicated in the submitted Master Plan, the applicant is proposing to provide access to the apartment complex from Street 'A', which has been designed to meet Collector Street standards. A gated secondary emergency access to the apartment complex is provided from Broadacres Road, which is designated as a Minor Arterial Street (see Exhibit 4). The attached Traffic Impact Analysis has evaluated the proposed access for the apartment complex and has concluded that it meets sight distance standards and the proposed Collector Street will have the capacity to accommodate the development (see Exhibit 7).

E. Outdoor Play Area Requirements. Multi-family dwellings with five (5) or more units shall provide a minimum of 500 square feet plus 50 square feet for each bedroom.

- 1. Play areas shall be centrally located and visible from dwelling units.**
- 2. Play areas shall be furnished with properly-maintained play equipment, benches, seat walls, picnic tables, or similar amenities, in a manner which incorporates safety into the design.**

COMMENT:

The submitted Master Plan indicates that the applicant is proposing to develop a 120-unit apartment complex in the northwest corner of the site. The attached Preliminary architectural plans indicate that the complex will contain 60 one-bedroom and 60 two-bedroom units. Based on the above standards, 9,500 sq. ft. of outdoor plan area is required for the use. The applicant's Master Plan and Landscape Plan illustrates that a 1,060 sq. ft. outdoor picnic area with benches and barbeque grills are located in the southeast corner of the apartment complex (see Exhibit 4). An additional outdoor play area is provided to the south, less than 200-ft. from the apartment complex. Recreation amenities within the public park include an 8,350 sq. ft. proposed play structure and recreation field. In addition, to the west, the 13.05 acre park includes a 3,985-ft. trail system with benches that connects to the apartment complex. As required, play area equipment and benches will be constructed to meet manufacturer specifications for safety.

- 3. A minimum 30-inch tall fence shall be installed to separate play area(s) from any parking lot, drive aisle, or street.**

COMMENT:

As indicated by the attached Landscape Plan, 30-inch tall fencing will be provided to separate the children's play structure and the play field from the adjacent parking lot and Streets 'G' and 'H' (see Exhibit 4).

- 4. Play areas shall not be located within front or side yard setbacks.**

5. **Play areas shall not be located in storm water detention areas.**
6. **Total required play area may be broken into multiple locations, if dimensions of each play area meet a minimum of 20 feet on all sides, resulting in a 400 square foot minimum area.**

COMMENT:

The submitted Master Plan demonstrates that the proposed play areas are located outside of the setback areas and are not located in stormwater detention areas. As required, the play areas exceed 20-ft. in width and each area is larger than 400 square feet.

7. **Landscaping included within or around the perimeter of a play area may be counted toward the overall minimum landscape requirement of the development.**

COMMENT:

A minimum of 20% of the 46.36 acre net site area, or 9.27 acres, is required to be dedicated as common open space area within the Planned Unit Development. The submitted Master Plan indicates that a 13.05 acre park will be established to the west and south of the apartment complex. The applicant is also proposing to dedicate a 7.14 acre park along the east boundary of the site. Therefore, 20.19 acres of open space/landscaped area will be established with the proposed development.

8. **If development accommodates no children under 16 years of age by covenant, an adult leisure area of the same size shall be provided. Subsection 3, Fencing, shall not apply to an adult leisure area.**

COMMENT:

The applicant is not proposing an age restricted residential development, therefore the above standards do not apply.

9. **Outdoor play areas shall not count toward overall lot coverage.**

COMMENT:

The applicant has not included the outdoor play area in calculated lot coverage percentages.

- F. **Signs. Signs shall conform to the requirements of Section 2.206.**

COMMENT:

The applicant is not requesting a sign permit with this application, therefore Section 2.206 standards do not apply.

- G. For single-family residences and duplexes, detached accessory structures shall not exceed 1,400 square feet in area, or the area covered by the main building, whichever is less. Detached accessory structures may be located within the side or rear yard area and shall comply with maximum lot coverage standards. For multi-family developments, detached accessory structures (not including garages or carports) shall not exceed 264 square feet per unit, may be located within the side or rear yard area and shall comply with maximum lot coverage standards.**

COMMENT:

Detached accessory structures are not being proposed. Therefore, these standards do not apply.

- H. Driveways shall be separated from an intersection by at least 20 feet measured from property lines.**

COMMENT:

As illustrated on the attached Overall Concept Plan and Civil Site Plan, all corner lot driveways near street intersections meet the minimum separation distance standard.

- I. Yards and Lots. Yards and lots shall conform to the standards of Section 2.209.**

COMMENT:

As required, the applicant has addressed Section 2.209 yard and lot standards in the narrative provided below.

- J. Parking for recreational vehicles, trailers, boats and other similar vehicles shall comply with Section 2.203.10, RV Parking Standards, and the following standards:**
 - 1. Recreational vehicles, trailers, boats and other similar vehicles may be parked in the side yard, rear yard and front yard allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard located closest to the driveway subject to the following**

conditions:

- a. The additional space shall not be allowed if it creates a traffic sight obstruction.
 - b. The additional space has an all-weather surface and be drained to prevent standing water.
2. Parking for recreational vehicles, trailers, boats and other similar vehicles may be permitted in other portions of the front yard area subject to review and approval of the Planning Commission in accordance with the Variance procedures of Section 3.104.
 3. Recreational vehicles, trailers, boats and other similar vehicles shall not be parked within public rights-of-way.
 4. All driveways shall be designed and constructed in conformance with the most current Public Works Design Standards.

COMMENT:

The applicant is not proposing parking or storage of Recreational Vehicles (RVs) or similar vehicles with this PUD application.

- K. Accessory Dwelling Units (ADU). Accessory Dwelling Units in the R-3 District shall conform to the standards of Section 2.307.

COMMENT:

The applicant is not proposing accessory dwelling units with this PUD application.

Subsection 2.110: Floodplain Overlay Zone

2.110.06: Applicability

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Hubbard.

COMMENT:

The attached Master Plan illustrates the approximate location of a 100-year floodplain along Mill Creek (see Exhibit 3). No development is proposed within the vicinity of the special flood hazard area.

2.110.12: Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 2.110.07. The permit shall be for all structures including manufactured homes, as set forth in the “Definitions,” and for all development including fill and other activities, also as set forth in the “Definitions.”

COMMENT:

As demonstrated by the attached Master Plan, no development is proposed within the special flood hazard area along Mill Creek. Per FEMA maps, the Base Flood Elevation is approximately 140.00-feet. The submitted Civil Grading Plan demonstrates that all of the proposed development is located outside of the 100-year floodplain area (see Exhibit 4). Therefore, a development permit for construction within a special flood hazard area is not required.

Section 2.200: General Development Standards

Subsection 2.201: General Provisions

2.201.02: Application of Standards

- A. The standards set forth in Section 2.200 shall apply to partitions; subdivisions; planned unit developments; commercial, industrial, and institutional projects; single family dwellings, duplexes and multi-family structures of three (3) or more dwellings.**
- B. The application of these standards to a particular development shall be modified as follows:**
 - 1. development standards which are unique to a particular use, or special use, shall be set forth within the district or in Section 2.300; and**
 - 2. those development standards which are unique to a particular district shall be set forth in the Section governing that district.**

COMMENT:

The attached Overall Concept Plan indicates that the applicant is proposing a 204-lot Residential Planned Unit Development with a diversity of housing types (see Exhibit 4). As required, the applicant has addressed applicable Section 2.200 and 2.300 standards. Requested modifications have been listed within the attached Development Code Design Alternatives Table (see Exhibit 10).

2.201.03: Application of Public Facility Standards

Standards for the provision and utilization of public facilities or services available within the City of Hubbard shall apply to all land developments in accordance with the following table of reference. No development permit shall be approved unless the following improvements are provided prior to occupancy or operation, or unless future provision is assured in accordance with Section 3.201.01. Public facility improvements shall be designed in conformance with the most current Public Works Design Standards and be installed according to City Engineer approval.

COMMENT:

Per the Public Facilities Improvement Requirements Table, all of the listed improvements are required for Planned Unit Developments. The attached Civil Site Plan, Composite Utility Plan, and other associated plan sheets indicate that all of the required public improvements will be installed with the proposed development. The attached Phasing Plan indicates that public improvements that are directly associated with each phase of the development will be installed with that portion of the project (see Exhibit 4).

Subsection 2.202: Street Standards

2.202.02: Scope

The provisions of this Section shall be applicable to:

- A. the creation, dedication or construction of all new public or private streets, pedestrian facilities, and bikeways in all subdivisions, partitions or other developments in the City of Hubbard;
- B. the extension or widening of existing public or private street rights-of-way, easements or street improvements including those which may be proposed by an individual or the City, or which may be required by the City in association with other development approvals;
- C. the construction or modification of any utilities, sidewalks, or bikeways in public rights-of-way or private street easements; and

COMMENT:

The submitted Master Plan illustrates the Planned Unit Development includes the development of streets and utility improvements (see Exhibit 3). Therefore, street standards are addressed with this narrative.

2.202.03: General Provisions

The following provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of Hubbard. These provisions are intended to provide a general overview of typical minimum design standards. All streets shall be designed in conformance of the specific requirements of the most current Public Works Standards and the Transportation System Plan Design and Construction of the City of Hubbard.

The standards sections contained in the Public Works Design and Construction Standards in the City of Hubbard and the Transportation System Plan are minimum requirements only and shall not be construed as prohibiting the City Engineer from requiring thicker sections or engineer designed pavement sections in lieu of standards sections where conditions warrant.

COMMENT:

In conformance with the Transportation System Plan, the submitted Master Plan indicates that the PUD includes the development of a new Collection Street (Street 'A'), connecting Broadacres Road to 3rd Street (see Exhibit 4). Proposed improvements also include the extension of 4th Street and the development of other new Local Streets to serve the development. In addition, improvements are proposed along the Broadacres Road and 3rd Street frontages. The attached Civil Street Sections, Grading Plans, and Street Profiles indicate that the proposed street improvements have been designed in accordance with City Public Works Design and Construction Standards.

Per the attached Civil Site Plan, small impacts to delineated wetlands will occur when Phase IV improvements within the existing 4th Street right-of-way are constructed. Where off-site improvements to 4th Street NE are installed, the applicant proposes a curb-tight sidewalk at the Little Bear Creek stream crossing to minimize wetland impacts. To prevent wetland impacts when frontage improvements are installed along Broadacres Road at the Little Bear Creek crossing, the applicant is proposing to eliminate an on-street parking lane (see Exhibit 4). As required, state and federal wetland permits will be obtained prior to the construction of the Phase IV improvements.

- A. The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.**

COMMENT:

The submitted Civil Street Sections, Grading Plans, and Street Profiles demonstrate that topographical conditions, public convenience, and safety have been considered with the design of the street. The submitted Overall Concept Plan, Master Plan, and Traffic Impact Analysis also indicate how the proposed uses will be adequately served by the proposed street system (see Exhibits 4 and 7).

- B. Development proposals shall provide for the continuation of all streets, bikeways and pedestrian facilities within the development and to existing and planned streets, bikeways, and pedestrian facilities outside the development.**

COMMENT:

As shown on the Master Plan, street continuity is provided with the extension of 4th Street through the site. The proposed western public park also includes the development of a multi-use trail along Mill Creek, consistent with the facility identified in the City Park Master Plan.

- C. Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the centerlines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, be avoided. However, when not practical, the "T" intersections shall leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.**

COMMENT:

The attached Master Plan illustrates that the alignment of the proposed streets meets the above standards (see Exhibit 4).

- D. Future Extension of Streets and Location of New Streets. Where necessary to give access to, or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of a tract being developed and the resulting dead-end streets may be approved without turn-a-rounds, upon approval by emergency service agencies. Reserve strips and street plugs may be required to preserve the objectives of street extensions. Street locations shall conform to the Hubbard Transportation System Plan and an approved street plan or subdivision plat. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:**

1. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the streets standards of this Chapter, or
2. Conform to a street plan adopted by the City if it is impractical to connect with existing street patterns because of particular topographic or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.

COMMENT:

Where topography permits the future extension of transportation facilities, street rights-of-way and trails have been stubbed to the boundaries of the site. The proposed street and trail layout, including the development of a new Collector Street through the site, conforms to the City's Transportation System Plan and Parks Master Plan.

- E. **Radius at Street Intersections.** The property line radius at street intersections that have a designated right-of-way width of 30 feet or more shall be governed by the interior angle at the intersection and will be based on the square root of the interior angle formed at the intersection of the property lines which equals the radius in feet. The distance shall be increased to the next full foot above the figure established by said formula. The minimum angle of the intersection shall be 40 degrees.

COMMENT:

As required, the attached Preliminary Plan and Civil Street Profiles demonstrate that the above standards are met (see Exhibit 4).

- F. **Existing Streets.** Whenever existing public streets adjacent to, or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision, partitioning or development.
 1. Full street improvements to all existing streets adjacent to, within or necessary to serve the property shall be required at the time of land division or development unless the applicant demonstrates to the satisfaction of the City Engineer that the condition and sections of the

existing streets meet the City standards and are in satisfactory condition to handle projected traffic loads. Storm water drainage shall be provided for on the non-curbed side of the full street improvements as required by the City Engineer. In cases where the property with a land division or development fronts both sides of an existing street, full street improvements shall be required. The party paying the costs for improvements may require buyers along the improved area to reimburse improvement costs for up to ten (10) years. Each lot should pay a proportional amount of the total improvement costs if reimbursement is pursued.

Reserve strips and street plugs shall be dedicated, deeded, and installed to preserve the objectives of the full street prior to street construction.

4. All required public utilities shall be installed as part of the street construction process.

COMMENT:

To meet Minor Arterial Street standards, the applicant proposes frontage improvements along Broadacres Rd NE which include a 6-ft. sidewalk, 6-in. curb, 6.5-ft. parking lane, 6-ft. bicycle lane, and 11-ft. travel lane along the south side of the street. The applicant is also proposing to improve the site's limited frontage on the north side of 3rd Street to meet City standards. As required, public utilities will also be installed with the frontage improvement projects.

- G. Cul-de-sacs. The use of cul-de-sacs and other dead-end streets shall be discouraged and shall only be approved upon showing by the applicant of unusual or unique circumstances justifying the use of such a street. In cases where cul-de-sacs are determined to be justified they shall only be permitted subject to the following conditions:

1. There shall be no cul-de-sacs more than 400 feet in length.

COMMENT:

As demonstrated by the attached Civil Grading Plan, due to topographical constraints, the applicant is proposing a cul-de-sac at the west terminus of Street 'B' that exceeds 400-ft. in length (see Exhibit 4). The plan illustrates that the location of Mill Creek, associated 100-year floodplain, and steep slopes prevent the extension of a street to the west boundary of the site. Therefore, the applicant is requesting an increase to the standard to permit a 550-ft. cul-de-sac length in the attached Development Code Design Alternatives Table (see Exhibit 10).

2. **All cul-de-sacs shall terminate with circular turn-arounds, except where the Planning Commission finds that a "pear" or "hammerhead" turnaround is more appropriate given the topography, natural, or built features, and expected use. Such variations shall be approved by the City Engineer and emergency services providers.**

COMMENT:

The attached Master Plan and Preliminary Plat illustrate that the proposed Street 'B' cul-de-sac terminates with a circular turnaround that meets City standards (see Exhibit 4). The plan also indicates that Street 'H' terminates at the western public park, however connectivity to Street 'G' is provided through the proposed public parking lot at the end of the roadway. This modification to the above standard is included in the attached Development Code Design Alternatives Table (see Exhibit 10).

3. **An accessway shall be provided consistent with the standards as determined by the Planning Commission to be necessary to insure safe, efficient, and convenient multi-modal access. For the purpose of this section, "unusual or unique circumstances" exist when slopes are 8 percent or more, wetlands or a body of water are present, existing development on adjacent property prevents a street connection.**

For the purpose of this section "accessway" means a walkway that provides pedestrian and/or bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and the adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or

similar devices including landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.

COMMENT:

As illustrated on the Master Plan and Civil Grading Plan, the proposed parks include a number of 8-ft. wide compacted gravel trail connections to the adjacent sidewalk system. These trail connections provides convenient access points for pedestrians and bicycle use of the trail system (see Exhibit 3). The proposed multi-use trails are fully separated from vehicle travel lanes.

- H. Street Names.** Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the Planning Commission, City staff, and emergency service agencies.

COMMENT:

As required, street names and numbers will meet City of Hubbard naming standards.

- I. Grades and Curves.** Grades shall not exceed 8 percent on public or private streets. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. On arterials there shall be a tangent of not less than 100 feet between reversed curves.

COMMENT:

The attached Civil Grading Plan and Street Profiles indicate that the proposed street grades and curves meet the above standards (see Exhibit 4).

- J. Marginal Access Streets.** If a development abuts or contains an existing or proposed arterial street or railroad right-of-way, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. Consideration shall be given for pedestrian routes.

COMMENT:

To limit access from Broadacres Road, an Arterial Street, the Master Plan indicates that the apartment complex will be provided access from Street 'A', a Collector Street (see Exhibit 4). All of the proposed single-family lots will have access from the proposed Local Streets. The submitted plans demonstrate that the proposed development is adequately buffered from traffic on Broadacres Road.

- K. Clear Vision Areas. Clear vision areas shall be maintained in accordance with Section 2.209.07 of the Code.**

COMMENT:

The attached Traffic Impact Analysis indicates that adequate vision clearance is provided for all intersections within the development (see Exhibit 7). As required, the clear vision areas will be maintained in accordance with Section 2.209.08 standards.

- L. Driveways and points of access. Approaches shall be constructed according to City standards for residential and commercial users and shall meet the minimum separations of five (5) feet between residential driveways, 22 feet between commercial, industrial, and institutional driveways, and 20 feet from an intersection for local streets. Spacing standards for private driveways onto major and minor arterial, and collector streets shall conform to the standards established in the Hubbard Transportation System Plan. The separation shall be measured between the nearest outside edges of each access lanes and the edge of the radius on the street.**

Adjoining properties are encouraged to combine accesses. For public safety purposes and wherever possible, driveways shall align with the access points to 78 properties across the Street and other street intersections. Where impractical due to lot configuration, driveways shall be as approved by the City's Public Works Superintendent.

COMMENT:

The attached Overall Concept Plan and Civil Site Plans demonstrate that the proposed driveway approaches meet the above standards (see Exhibit 4).

- M. Access onto arterial streets.**

- 2. The following uses will not be permitted direct access to major arterial streets:**

- a. Residential development;
- c. Parks.
- 4. The following uses will not be permitted direct access to minor arterial streets:
 - a. Residential development.

COMMENT:

No direct access from the proposed parks or residential development is proposed from Broadacres Road, a Minor Arterial Street.

- N. **Spacing Between Public Road Intersections.** Spacing between public road intersections for each functional class of road shall conform to standards established in the Transportation System Plan.

COMMENT:

As required, proposed spacing between intersections complies with the prescribed spacing standards of the Transportation System Plan.

- O. **Parkway Strip Landscaping.** Landscaping and plant materials used in the parkway strip is subject to the provisions of 2.207. Maintenance of parkway strips in the right-of-way is the continuing obligation of the adjacent property owner.

COMMENT:

As required, parkway strip landscaping will be installed and maintained in accordance with City standards.

2.202.04: General Right-of-Way and Improvement Widths

The following standards in the Street Design Standards Table are general criteria for all types of public streets, bikeways, parkway strips, and sidewalks in the City of Hubbard. These standards shall be the minimum requirements for all streets, bikeways, and pedestrian facilities except where modifications are permitted under Section 2.202.05.

COMMENT:

The attached Civil Street Sections and Site Plans demonstrate that the proposed public streets meet City design standards.

2.202.07: Private Streets

- A. Private streets shall only be allowed where the applicable criteria of Section 2.208.03 (C) are satisfied. Private streets shall comply with the following minimum standards, unless a greater width is required by the Uniform Fire Code:**

No. of Potential Dwellings Served:	1-3
Easement or Tract Width:	25 feet
Surface Width:	18 feet

No. of Potential Dwellings Served:	4
Easement or Tract Width:	25 feet
Surface Width:	24 feet

No. of Potential Dwellings Served:	More than 4
Easement or Tract Width:	30 feet
Surface Width:	28 feet

***Note: If narrower streets are developed as part of Section 2.202.04 of the Code, more on site parking is required.**

COMMENT:

The submitted Master Plan indicates that Tracts 'B', 'C', 'F', and 'G' include private streets which serve more than 4 dwelling units. Since these joint accessways deviate from the above width standards and are proposed through the Planned Unit Development process, the applicant has included a requested modification with the attached Development Code Design Alternatives Table (see Exhibit 10). The Overall Concept Plan and Preliminary Architectural Plans demonstrates that each lot served by the private streets will be able to accommodate 2 off-street parking spaces. Townhomes on Lots 153-195 in the northern portion of the site are also provided additional off-street parking spaces within Tract 'F'. The townhomes in the southeast corner of the site have frontage uninterrupted by driveways along Street A and 4th Street, where on-street parking along both sides of the street is permitted (see Exhibit 4)

- B. The Planning Commission may require an increased surface width if deemed necessary to provide adequate access to commercial or industrial uses. Prior to any requested private street or drive adoption, the City requires the private drive or street to meet minor street standards as put forth in Section 2.202.04 of the Code.**

COMMENT:

The proposed private streets do not serve commercial or industrial uses, therefore additional surface width is not warranted.

- C. All private streets serving more than one ownership shall be constructed to the same cross-sectional specifications required for public streets. Provision for the maintenance of the street shall be provided in the form of a maintenance agreement, home owners association or other instrument acceptable to the City Attorney.

COMMENT:

The attached Civil Street Sections indicates that the cross section will meet public street standards (see Exhibit 4). As required, a maintenance agreement will be established for property owners which benefit from the improvements.

- D. A turn-around shall be required for any private residential street in excess of 150 feet long, which has only one outlet and which serves more than three residences. Non-residential private streets serving more than one ownership shall provide a turn-around if in excess of 200 feet long and having only one outlet. Turn-arounds for private streets shall be either a circular turn-around with a minimum paved radius of 35 feet, or a "tee" turn-around with a minimum paved dimension across the "tee" of 70 feet.

COMMENT:

The attached Master Plan indicates that only Tract 'B' has one outlet. Therefore, a turnaround meeting Fire Code standards has been provided at the terminus of the private street (see Exhibit 4).

Subsection 2.203: Off-Street Parking and Loading

2.203.02: Scope

Development of off-street parking and loading areas for commercial, industrial, institutional, or multi-family development shall be subject to the Site Development Review procedures of Section 3.105 and shall be reviewed pursuant to Section 3.203. These sections are applicable to single family and duplex development, where stated. The provisions of this Section shall apply to the following types of development:

- A. any new building or structure erected after the effective date of this Ordinance;
- B. the construction or provision of additional floor area, seating capacity or other expansion of an existing

building or structure; or

- C. a change in the use of a building or structure which would require additional parking spaces or off-street loading areas under the provisions of this Section; or**
- D. the operation of an outdoor business or activities with outdoor uses.**

COMMENT:

As required, off-street parking for the proposed apartment complex will be reviewed through the Planned Unit Development process. The applicant has submitted a Civil Site Plan to demonstrate that the development conforms to Site Development Review procedures.

2.203.03: Location

Off-street parking and loading areas shall be provided on the same lot with the main building, structure or use except that:

- A. in any residential zone, automobile parking areas for dwellings and other uses permitted in a residential zone may be located on another lot if such lot is within 200 feet of the lot containing the main building, structure or use; and**

COMMENT:

The submitted Master Plan indicates that parking for the multi-family apartment complex are provided within the same lot as the primary buildings. Additional parking for townhouses on Lots 153-195 is provided within Tract 'G', which is located within 200-ft. of the lots (see Exhibit 4).

2.203.05: Off-Street Automobile Parking Requirements

Off-street parking shall be provided as required by Section 2.203.08 and approved by the Planning Commission in the amount not less than listed below.

Parking requirements for residential units, including "stick-built" and manufactured homes, require the construction of a garage. Manufactured homes located in mobile home parks are required to install either a garage or carport. Accessory dwelling units (ADU) are not required to install a garage or carport.

- A. 1, 2, and 3 family dwellings, including manufactured homes: 2 spaces per dwelling unit**

COMMENT:

The applicant is providing 2 off-street parking spaces in a garage for each of the single-family detached units. For the proposed townhomes, 1 off-street parking space will be provided in a garage, and another space will be provided in the driveway. The attached Overall Concept Plan and the Preliminary Architectural Plans demonstrate how 2 off-street parking spaces can be accommodated on each of the proposed lots (see Exhibit 4).

B. Multi-family dwellings: 2 spaces per dwelling unit

COMMENT:

The attached Master Plan indicates that the proposed 247 standard and 6 ADA parking spaces for the 120 multi-family housing unit complex comply with the above standards (see Exhibit 3).

T. Outdoor and other uses. Other uses not specially listed above shall furnish parking as required by the Planning Commission. The Commission shall use the above list as a guide for determining requirements for said other uses.

COMMENT:

The submitted Master Plan indicates that access to the recreational amenities in the western park will be provided with the provision of 18 standard and 1 ADA parking spaces between Streets H and G (see Exhibit 4).

2.203.06: Off-Street Loading Requirements

Off-street loading space shall be provided as listed below:

COMMENT:

The proposed Planned Unit Development does not include a commercial or industrial use, therefore off-street loading requirements do not apply.

2.203.07: Parking and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

A. Surfacing. All driveways, parking, maneuvering and loading areas shall have a durable, hard surface. In residential areas and for all residential uses, either a minimum of 2 1/2 inches of asphalt over a 6-inch aggregate base or 4 inches of Portland cement concrete shall be provided. In commercial, industrial, and institutional areas either a minimum of 3 inches of asphalt over a 6-inch aggregate base or 5 inches of

Portland cement concrete shall be provided.

- B. Size of Parking Spaces and Driveways. The following standards shall apply to all parking areas and driveways:**
- 1. One-way drives shall have minimum improved width of at least 12 feet, exclusive of parking spaces.**
 - 2. Two-way drives shall have a minimum improved width of at least 20 feet, exclusive of parking spaces.**
 - 3. The minimum width of any parking space shall be 8 1/2 feet, exclusive of driveways.**
 - 4. The minimum length of any parking space shall be 20 feet, exclusive of driveways.**
 - 4. All parking areas shall be designed and constructed in conformance with the most current Public Works Design Standards.**

COMMENT:

The attached Civil Site Plans indicate that the proposed paved surface of the apartment complex parking lot and the parking area for the public park meets the above standards.

- C. Screening. When any public parking or loading area is within, or adjacent to a residential zone, such parking or loading area shall be screened from all residential properties with an ornamental fence, wall or hedge of at least 4 feet in height but not more than 6 feet in height. Screening height maximums along alleyways may be required less than 6 feet due to vision clearance and other safety issues. Determination shall be made by the City during final plat or plan review.**

COMMENT:

The submitted Preliminary Landscape Plans show proposed screening for the public park and apartment complex parking lots (see Exhibit 4). City staff will verify that the above standards are met when detailed landscape plans are submitted during building permit review.

- D. Lighting. Any light used to illuminate a parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a**

glare or reflection onto moving vehicles on public rights-of-way.

COMMENT:

Lighting locations for the public park and apartment complex parking areas have not been determined yet, however the applicant intends to meet the above standards. The applicant will submit detailed lighting plans for the development with the request for building permit review.

- E. Areas used for parking and maneuvering shall be maintained adequately for all-weather use and so drained as to avoid flow of water across sidewalks.**

COMMENT:

To show compliance with the above standard, a Civil Grading Plan, Composite Utility Plan, and Preliminary Stormwater Report have been submitted to demonstrate compliance with the above standards.

- F. Except for parking to serve residential uses, parking and loading areas adjacent to residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.**

COMMENT:

As shown on the Master Plan, the proposed public park and apartment complex parking areas are located where impacts to adjacent single-family development is minimized (see Exhibit 4).

- G. Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.**

COMMENT:

As required, backing movements will occur within the aisles of the proposed public park and apartment complex parking areas (see Exhibit 4).

- H. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site.**

COMMENT:

The Master Plan and Civil Site Plan demonstrate that access drives for the public park and apartment complex parking areas are separated from pedestrian traffic and will facility safe access for all modes of travel (see Exhibit 4).

- I. **Driveways shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points 10 feet from their intersection in accordance to Section 2.209.07 of the Code.**

COMMENT:

The attached Civil Site Plan, Landscape Plan, and Traffic Impact Analysis demonstrate that the proposed access drives for the parking lots provide the required vision clearance area (see Exhibits 4 and 7).

- J. **Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail at least 4" high, located a minimum of 3 feet from the property line, to prevent a motor vehicle from extending over an adjacent property or a street.**

COMMENT:

The attached Civil Site Plan indicates that a 6-in. curb is provided around the perimeter of the proposed public park and apartment complex parking areas in conformance with the above standards.

- K. **Clear Vision Areas. Clear vision areas shall be maintained in accordance with Section 2.209.07 of the Code.**

COMMENT:

As required, clear vision areas will be maintained in accordance with Section 2.209.07 standards.

2.203.08: General Provisions Off-Street Parking and Loading

- A. **The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance. Should the owner or**

occupant of any lot or building change the use to which the lot or building is put, thereby increasing off-street parking and loading requirements, it shall be unlawful and a violation of this Ordinance to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are observed.

- B. Requirements for types of buildings and uses not specifically listed herein shall be determined by the City Recorder based upon the requirements of comparable uses listed and expectations of parking and loading need.
- C. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately, unless a reduction is approved for shared parking pursuant to Section 2.203.04 above.
- D. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
- E. Accessways through parking lots are usually physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices including landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.

COMMENT:

The submitted Master Plan and Civil Site Plan demonstrate that all of the above off-street parking standards are met (see Exhibit 3).

2.203.09: Parking of Bicycles

- A. Bicycle parking shall be provided as part of all new multi-family residential development of four or more residential units and new retail, office, and institutional development. Bicycle parking shall also be required for expansions and other remodeling that increases the required level of automobile parking.

- B. The required minimum number of parking spaces is specified in the following table.

Land Use Category:	Multi-family - general
Minimum Required Bicycle Parking Spaces:	1 space per unit
Minimum Covered Amount:	100%

- C. At a minimum bicycle parking facilities shall be consistent with the following design guidelines:

1. Bicycle parking shall be convenient and easy to find. Where necessary, a sign shall be used to direct users to the parking facility.
2. Each bicycle parking space shall be at least 2 feet by 6 feet with a vertical clearance of 6 feet.
3. An access aisle of at least 5 feet shall be provided between each row of bicycle parking.
4. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object, i.e., a "rack," upon which the bicycle can be locked. Structures that require a user-supplied lock shall accommodate both cables and U-shaped locks and shall permit the frame and both wheels to be secured, (Removing the front wheel may be necessary.) Note: Businesses may provide long-term, employee parking by allowing access to a secure room within a building, although, additional short-term customer parking may also be required.
5. The rack shall support the bicycle in stable position without damage.

COMMENT:

To meet the above standards 120 covered bicycle parking spaces are required to be provided for the 120-unit apartment complex. The submitted Master Plan indicates that 24 covered bicycle spaces will be provided in a bike shelter adjacent to the office/community building. An additional 20 covered bicycle parking spaces will be provided in the first floor breezeways of each of the 5 apartment buildings. Therefore, a total of 124 covered bicycle space will be provided for the apartment complex. As required, the 2-ft x 6-ft. parking spaces will include racks for securing bicycles, and 5-ft. wide access aisles will be provided (see Exhibit 4).

2.203.10: Recreational Vehicle Parking

Recreational vehicle spaces shall meet the following use and development standards. The term "recreational vehicle space" means the portion of a lot where a single recreational vehicle is parked and occupied or intended to be parked and occupied.

COMMENT:

The applicant is not proposing RV parking or storage with the development. Therefore, these standards do not apply.

Subsection 2.204: Storm Drainage

2.204.02: Scope

The provisions of this Section shall apply to all new residential land subdivisions, Planned Unit Developments, multi-family development, commercial development and industrial development; and to the reconstruction or expansion of such developments; unless the Public Works Superintendent determines the proposed development can adequately provide for the drainage of surface water and minimize erosion in a manner that does not degrade the city's water quality resources.

As defined by the Hubbard Development Code, "development" includes the following:

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

COMMENT:

The applicant is proposing a new Planned Unit Development application with a multi-family development. Therefore, storm drainage standards are applicable to this application.

2.204.03: Plan for Storm Drainage and Erosion Control

The purpose is to provide adequate services and facilities appropriate to the scale and type of development.

- A. No construction of any facilities in a development included in Section 2.204.02 shall be permitted until a storm drainage and erosion control plan for the

project is prepared by an engineer registered in the State of Oregon and approved by the City. This plan shall contain at a minimum:

1. the methods to be used to minimize the amount of runoff, siltation and pollution created from the development both during and after construction;
2. plans for the construction of storm sewers, open drainage channels and other facilities which depict line sizes, profiles, construction specifications and other such information as is necessary for the City to review the adequacy of the storm drainage plans; and
3. calculations used by the engineer in sizing storm drainage facilities.

COMMENT:

For stormwater management, the applicant is proposing to collect drainage from impervious surfaces, detain and treat it within Tracts 'A', 'D', and 'E' as shown on the Master Plan, and then release stormwater into Mill Creek and Little Bear Creek at pre-development rates. The attached Composite Utility Plan and Preliminary Stormwater Report demonstrate that the storm drainage design has been prepared by a registered engineer (see Exhibits 4 and 5). As required, a final report and final engineering plans, including an erosion control plan, will be submitted to the City for review when site development permits are requested.

2.204.04: General Standards

- A. All development shall be planned, designed, constructed and maintained to:
1. protect and preserve existing natural drainage channels to the maximum practicable extent;
 2. protect development from flood hazards;
 3. provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;
 4. assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeded, phasing or grading;

5. assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;
 6. provide dry wells, french drains, or similar methods, as necessary to supplement storm drainage systems; and
 7. avoid placement of surface detention or retention facilities in road rights-of-way.
- B. Where culverts cannot provide sufficient capacity without significant environmental degradation, the City may require the watercourse to be bridged or spanned.
 - C. In the event a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the City. This does not imply maintenance by the City.
 - D. Channel obstructions are not allowed except as approved for the creation of detention or retention facilities approved under the provisions of this Ordinance. Fences with swing gates may be utilized.
 - E. Prior to acceptance of a storm sewer system by the City, the storm sewers shall be flushed and inspected by the City. All costs shall be borne by the developer.
 - F. All storm drainage facilities shall be designed and constructed in conformance with the most current Public Works Design Standards.

COMMENT:

The attached Civil Grading Plan, Composite Utility Plan, and Preliminary Stormwater Report indicate that the proposed storm management system has been designed to meet the above standards (see Exhibits 4 and 5).

Subsection 2.205: Utility Lines and Facilities

2.205.02: Standards

- A. The location, design, installation and maintenance of

all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.

- B. Where applicable, utility lines and facilities shall be designed and constructed in conformance with the most current Public Works Design Standards.
- C. All development which has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the City. Installation of such facilities shall be coordinated with the extension of necessary sewer services, storm drainage facilities, and street construction.
- D. All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.
- E. All development which has a need for public/private sanitary sewers shall install the facilities and grant necessary easements pursuant to the requirements of the City. Installation of such facilities shall be coordinated with the extension of necessary water services, and storm drainage facilities, and street construction.
- F. All land divisions or other development requiring sub-surface disposal systems shall be prohibited.

COMMENT:

The attached Civil Composite Utility Plan includes water, sanitary sewer, and storm facilities that meet the above standards (see Exhibit 4). All required easements are noted on the attached Preliminary Plat (see Exhibit 4). As required, the applicant will coordinate with applicable electricity, gas, and communications service providers to install services within the proposed 10-ft. wide public utility easements.

- G. Street lights shall be required for all developments inside the City. Installation of street lights shall be pursuant to the requirements of the City and the company serving the development.

COMMENT:

As required, street lights will be installed with each phase of the Planned Unit Development in accordance with City and the service provider's requirements.

- H. Easements shall be provided along property lines as deemed necessary by the City, special districts, and utility companies. Easements for special purpose uses shall be a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivisions, and on the final plat of all major partitions.

COMMENT:

The attached Preliminary Plat indicates that 10-ft. wide public utility easements will be provided along all street frontages within the development (see Exhibit 4).

Subsection 2.206: Signs

2.206.02: General Provisions

- A. **Conflicting Standards.** Signs shall be allowed subject to the provisions of this Section, except when these provisions conflict with the specific standards for signs in the subject district.

COMMENT:

The applicant intends to comply with all provisions of the City's sign code. However, since a sign permit is not requested within this Planned Unit Development application, Subsection 2.206 standards do not apply. A separate sign permit will be requested and reviewed under a separated application process.

Subsection 2.207: Landscaping Design

2.207.02: Scope

All construction, expansion or redevelopment of structures or parking lots for commercial, multi-family, or industrial uses shall be subject to the landscaping requirements of this Section. Landscaping plans shall be submitted as required by the Site Development Review procedures of Section 3.105 and reviewed by the Planning Commission, subject to Type II review procedures set forth in Section 3.200.

The construction of new streets containing parkway strips shall also be subject to the landscaping requirements of this chapter.

COMMENT:

A Preliminary Landscape Plan for the proposed development has been submitted with this application. The applicant will provide detailed landscape plans for final engineering review for each phase of the development prior to commencement of construction.

2.207.03: Minimum Area Requirements

Landscaped areas may include landscaping: around buildings; in open spaces and outdoor recreation areas; in islands and perimeter planting areas in parking and loading areas; and in areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The following area requirements shall be the minimum areas devoted to landscaping:

- A. Multi-Family Developments: A minimum of 25 percent of the gross land area shall be devoted to landscaping in multi-family developments. Interior courtyards, atriums, solar greenhouses and roof gardens may be included with general landscaped areas in the calculation of this percentage.**

COMMENT:

The submitted Preliminary Landscape Plan demonstrates that the proposed 232,259 sq. ft. (5.33 acre) apartment complex will have a little less than 25% of the area devoted for landscaping (see Exhibit 4). However, the submitted Master Plan illustrates that the 13.05 acre public park, located directly adjacent to the multi-family development, will provide the apartment residents with recreation amenities and expansive natural open space areas. Therefore, the applicant has included a request to modify the above standard with the attached Development Code Design Alternatives Table (see Exhibit 10).

2.207.04: General Provisions

- A. For purposes of satisfying the minimum requirements of this Ordinance, a "landscaped area" must be planted in lawn, ground cover plants, shrubs, annuals, perennials or trees, or desirable native vegetation, or be used for other landscape elements as defined in this Ordinance. Landscaping in paved areas may include plants in planter boxes or other appropriate containers, provided that all other conditions of this Ordinance are met.**
- B. Landscaping shall be designed, developed and maintained to satisfy the specific functional and aesthetic objectives appropriate to the development and the district, considering the following:**

1. type, variety, scale and number of plants used;
 2. placement and spacing of plants;
 3. size and location of landscaped areas;
 4. contouring, shaping and preparation of landscaped areas; and
 5. use and placement of non-plant elements within the landscaping.
- C. The landscape design shall incorporate existing significant trees and vegetation as determined by the decision authority.

COMMENT:

The applicant has submitted a Preliminary Landscape Plan with this application (see Exhibit 4). As required, detailed landscape plans with comprehensive planting lists will be submitted during final engineering review to demonstrate full compliance with the above standards.

2.207.05: Screening and Buffering

- A. Screening shall be used to eliminate or reduce the visual impacts of the following:
1. service areas and facilities, including garbage and waste disposal containers, recycling bins and loading areas;
 2. outdoor storage and outdoor display areas;
 3. parking areas for 20 or more vehicles for multi-family developments, or 30 or more vehicles for commercial or industrial uses;
 4. at and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners; and
 5. any other area or use as required by this Ordinance.
- B. Screening may be accomplished by the use of sight-obscuring plant materials (generally evergreens), earth berms, walls, fences, building parapets, building placement or other design techniques.

- C. Buffering shall be used to mitigate adverse visual impacts, dust, noise or pollution, and to provide for compatibility between dissimilar adjoining uses. Where buffering is determined to be necessary, one of the following buffering alternatives shall be employed:**
- 1. Planting Area: Width not less than fifteen (15) feet, planted with the following materials:**
 - a. at least one row of deciduous or evergreen trees staggered and spaced not more than fifteen (15) feet apart;**
 - b. at least one row of evergreen shrubs which will grow to form a continuous hedge at least five (5) feet in height within one (1) year of planting; and**
 - c. lawn, low-growing evergreen shrubs or evergreen ground cover covering the balance of the area.**
 - 2. Berm Plus Planting Area: Width not less than ten (10) feet, developed in accordance with the following standards:**
 - a. Berm form should not slope more than forty (40) percent (1:2.5) on the side away from the area screened from view. The slope for the other side (screened area) may vary.**
 - b. A dense evergreen hedge shall be located so as to most effectively buffer the proposed use.**
 - 3. Wall Plus Planting Area: Width must not be less than five (5) feet developed in accordance with the following standards:**
 - a. a masonry wall or fence not less than five (5) feet in height; and**
 - b. lawn, low-growing evergreen shrubs, and evergreen ground cover covering the balance of the area.**

COMMENT:

The Civil Site Plan identifies the location of a waste and recycling enclosure in the interior of the apartment complex, where visual impacts to single-family uses where not occur. The site plan and Landscape Plan demonstrate that the parking lot and buildings within the apartment complex are also adequately buffered from adjacent uses. City staff will verify that the above standards are met when detailed landscape plans are submitted during final engineering review.

- D. Screening and buffering is encouraged along the railroad right-of-way to mitigate for rail-related sound and visual impacts.**

COMMENT:

The south boundary of the site is located near 3rd Street, where a railroad right-of-way is located on the opposite side of the roadway. The 3rd Street and the railroad rights-of-way angle away from the subject site on a northeast/southwest route, creating adequate separation from proposed residences. Therefore, screening or buffering is not proposed.

2.207.06: Planting and Maintenance

- A. No sight-obscuring plantings exceeding thirty (30) inches in height shall be located within any required clear-vision area as defined in Section 1.200 of this Ordinance.**
- B. Plant materials shall not cause a hazard. Landscape plant materials over walks, pedestrian paths and seating areas shall be pruned to a minimum height of eight (8) feet and to a minimum height of fifteen (15) feet over streets and vehicular traffic areas.**
- C. Landscape plant materials shall be selected which do not generally interfere with utilities above or below ground.**
- D. Landscape plant material shall be installed to current nursery industry standards.**
- E. Landscape plant materials shall be properly guyed and staked to current industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.**
- F. Except for when a developer is required to provide a performance and maintenance bond to ensure the planning of street trees during the first two years after planting, all landscape material shall be guaranteed by the developer for a period of one year from the date of**

installation. A copy of the guarantee shall be furnished to the City by the developer.

- G. Plant materials shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas which will not be irrigated should be sufficiently hardy to thrive under these conditions. Plants should have vigorous root systems, and be sound, healthy, free from defects, diseases and infections. Landscaping plans shall be submitted to the City by a licensed landscaping professional.

COMMENT:

A Preliminary Landscape Plan has been submitted with this Planned Unit Development application to illustrate the proposed planting layout for the development. At the time of final engineering review, the applicant will submit detailed construction plans so City staff can verify that no sight obstructions, hazards, or interference with pathways or utilities will occur within the development. As required, all proposed trees and plant materials will meet nursery quality standards. The attached Preliminary Landscape Plans have been prepared by a licensed landscape professional.

- H. Except for street trees, which require a minimum caliper size at planting of two (2) inches, deciduous trees should be fully branched, have a minimum caliper of one and one-quarter (1 1/4) inches, and a minimum height of eight (8) feet at the time of planting.
- I. Evergreen trees shall be a minimum of six (6) feet in height, fully branched.
- J. Shrubs should be supplied in one (1) gallon containers or eight (8) inch burlap balls with a minimum spread of twelve (12) to fifteen (15) inches.
- K. Ground cover plants shall be spaced in accordance with current nursery industry standards to achieve covering of the planting area. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum four (4) inch size container or a two and one-quarter (2 1/4) inch container or equivalent if planted eighteen (18) inches on center.

COMMENT:

As required, the installed landscape materials will meet the above standards.

L. Irrigation requirements.

- 1. All developments are required to provide appropriate methods of irrigation for the landscaping. Large landscape areas, exceeding 400 square feet, shall be irrigated with automatic sprinkler systems to insure the continued health and attractiveness of the plant materials.**
- 2. Sprinkler heads shall not cause any hazard to the public. Hose bibs and manually operated methods of irrigation may be appropriate for cumulative landscaping areas totaling under 400 square feet.**
- 3. Xeriscaping may be used as a landscaping option. All Xeriscaping plans shall be submitted to the City by a licensed landscape professional.**
- 4. Irrigation shall not be required in existing wooded areas, wetlands, floodplains or along natural drainage channels or stream banks.**

COMMENT:

As required, plans complying with the above irrigation requirements will be submitted at the time of final engineering review.

M. Appropriate methods of care and maintenance of landscaped plant material shall be provided by the owner of the property.

COMMENT:

Property owners of the individual single-family lots will be responsible for on-going care of the installed landscape materials. On-going maintenance of proposed Tracts 'B', 'C', 'G', and 'F' will be provided by homeowner's associations within the development. The applicant is proposing to dedicate Tract's 'A', 'D', 'E' to the City of Hubbard, who will provide maintenance of the public improvements.

N. Landscape plant material shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers or other suitable methods.

COMMENT:

The submitted Master Plan, Civil Site Plan, and Landscape Plan demonstrate that landscape materials will be adequately protected from pedestrian and vehicle traffic impacts.

2.207.07: Street Trees

A. Street trees shall be planted for all developments that are subject to Subdivision or Site Development Review, unless otherwise waived by the Public Works Superintendent for utility purposes. Plantings of street trees shall generally follow construction of curbs and sidewalks, however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable road authority requirements:

- 1. Caliper Size.** The minimum diameter or caliper size at planting, as measured 4 feet above grade shall be two (2) inches.
- 2. Spacing and Location.** Street trees shall be planted within the street right-of way within existing and proposed parkway strips, except when utility easements occupy these areas. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity and, at a minimum, the planting area shall contain 16 square feet, or typically, 4 feet by 4 feet. In 106 general, trees shall be spaced no more than 20 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. All street trees shall be placed outside utility easements.
- 3. Soil Preparation, Planting and Care.** The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting.
- 4. Assurances.** The City shall require the developer to provide a performance and maintenance bond in an amount determined by the City Engineer, to ensure the planting of the tree(s) and care during the first two years after planting.

B. Recommended Street Trees.

The following tree species are recommended for use as

Street and parking lot trees. Other tree species may be approved by the City based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, and exposure.

Any trees planted within the right-of-way of the Oregon Department of Transportation (ODOT) requires prior approval from ODOT.

COMMENT:

The submitted Preliminary Landscape Plans demonstrate that the applicant intends to plant street trees in accordance with the above standards (see Exhibit 4). City staff will verify that the landscaping meets these standards when detailed plans are submitted for building permit review.

Subsection 2.208: Development Standards for Land Divisions

2.208.02: Scope

The provisions of this Section shall apply to all subdivisions, and partitions within the City of Hubbard.

COMMENT:

The applicant is requesting approval of a 204-lot Planned Unit Development land division. Therefore, the provisions of this section apply.

2.208.03: Standards for Lots or Parcels

- A. Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.**

COMMENT:

The submitted Master Plan and Preliminary Landscape Plans demonstrate that the applicant is providing public benefits through the provision of 20.19 acres of park land with recreational amenities, as well as the protection of natural resources along Little Bear Creek and Mill Creek (see Exhibit 4). The proposed development will also result in more efficient development of land, enhanced community livability, and greater diversity of housing when modifications to Development Code standards are permitted through this Planned Unit Development process.

Approximately 2.31 acres of the site is zoned R-1 (Low-Density Residential), 33.68 acres are zoned R-2 (Medium Density Residential), and 20.39 acres are zoned R-3 (High Density Residential). The submitted Preliminary Plat demonstrates that the applicant is requesting several modifications to the minimum lot area standards for all the residential zones. The applicant has submitted a list of specific modifications with the attached Development Code Design Alternatives Table (see Exhibit 10). The table includes a request to reduce the minimum lot area for a single-family detached dwelling to 4,000 sq. ft., reduce the minimum multi-family lot area to 1,900 sq. ft. per unit, reduce the standard for a duplex on a corner lot to 6,000 sq. ft., reduce the interior townhome lot standard to 1,775 sq. ft., and a reduce the standard for a townhome on a corner lot to 2,700 square feet.

B. Lot width and depth. The depth of a lot or parcel shall not be more than 2 1/2 times the width of the parcel, with the following exceptions:

- 1. Individual lots for townhouse units shall not be less than 20 feet in width. Lot depth may vary, but shall be adequate to provide a minimum of 300 square feet of semi-private outdoor living space for each unit.**
- 2. Parcels created for public utility uses shall be exempt from width to depth ratio provisions.**

COMMENT:

The submitted Master Plan and Preliminary Plat indicate that some of the proposed single-family detached lots do not conform to the above lot/width ratio (see Exhibit 4). In addition, with the provision of large public parks and open space areas with the development, some of the townhomes provide less outdoor living space than the above standard. The attached Development Code Design Alternatives Table indicates that proposed depths of the single-family detached lots will not exceed 3 ½ times the lot width. In addition, the application is proposing to provide a minimum of 200 sq. ft. of outdoor living area for the proposed townhome lots (see Exhibit 10).

C. Access.

All lots or parcels created after the effective date of this Ordinance shall provide a minimum of 25 feet of frontage on an existing or proposed public street, with the following exceptions:

- 1. Residential lots or parcels, excluding townhouse developments and Planned Unit Developments, may be accessed via a private street developed in accordance with the provisions of Section 2.202 when the Planning Commission finds that public street access is:**

COMMENT:

The applicant is proposing a Planned Unit Development, therefore per the above standards, residential lots may be accessed through a private street.

2. Lots or parcels in townhouse developments or Planned Unit Developments may be accessed via public or private streets, in accordance with the following standards:
 - a. Internal local streets or drives may be private and shall be subject to the provisions of Section 2.202.
 - b. Collector and arterial streets shall be public and shall comply with the applicable provisions of Section 2.202.
 - c. Local streets which are needed to provide access to adjoining properties shall be public and shall comply with the applicable provisions of Section 2.202.

COMMENT:

As demonstrated by the attached Master Plan, private Tracts 'B', 'C', 'F', and 'G' provide driveway access to townhome units. These private tracts connect to Street 'A', Street 'E', and 4th Street, which are designated as public Local and Collector Streets (see Exhibit 4).

- D. Access for duplexes or townhouses on corner lots: Individual driveways for duplexes or townhouses on corner lots shall be installed at a rate of one driveway per unit per street frontage unless the Planning Commission allows a combined access on one street frontage based upon a conflict created by the topography of the lot, the location of a public utility, significant vegetation, or different street classification.

COMMENT:

As demonstrated on the Master Plan, proposed driveways for the corner townhouse lots and duplex on Lot 1 meet the above standards (see Exhibit 3).

- E. Flag Lots. Where authorized by the Planning Commission pursuant to the access requirements of Section 2.202.07, flag lots shall be subject to the following development standards:
 1. The property line running parallel to the access

road shall be considered the front yard line and shall be used to calculate front yard setback requirements.

2. The access strip shall be a minimum of 25 feet in width. The improved surface shall be a minimum of 12 feet in width.
3. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Ordinance.
4. If the length of the access strip exceeds 200 feet, the access strip shall be developed as a private street and shall conform to the standards of Section 2.202.07.
5. Where two flag lots abut, access shall be via a shared drive wherever possible. Shared drives shall be developed as private streets and shall conform to the standards of Section 2.202.07.

COMMENT:

Through the Planned Unit Development process, the applicant is requesting several modifications to the flag lot standards. Per the attached Development Code Design Alternatives Table, the applicant is requesting a reduction in the minimum width of a flagpole serving a single lot to 20-feet. The applicant is also requesting a minimum width of 12.50-ft. when multiple flag lots share access (see Exhibit 10). The submitted Preliminary Plat indicates that Flag Lots 84-85 and Flag Lots 88-90 share access. Single flag lot access is also proposed for Lot 126 (see Exhibit 4).

- F. **Through Lots.** Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries, adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. Screening or buffering, pursuant to the provision of Section 2.207, may be required by the Planning Commission during the review of the land division request.

COMMENT:

The applicant is not proposing to develop through lots. Therefore, these standards do not apply.

- G. **Lot Side Lines.** The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.

COMMENT:

The submitted Overall Concept Plan demonstrates that the side lines of the proposed lots are perpendicular to the fronting street to the extent practicable (see Exhibit 4).

- H. Lot Grading.** Lot grading shall conform to the following standards unless physical conditions demonstrate the propriety of other standards.
 - 1.** Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.
 - 2.** Fill slopes shall not exceed two feet horizontally to one foot vertically.
 - 3.** The character of soil for fill shall be suitable for the purpose intended.
 - 4.** The minimum elevation at which a structure may be erected, taking into consideration the topography of the lot, the surrounding area, drainage patterns and other pertinent data, shall be established by the City Building Inspector.
 - 5.** Utilities shall conform to current standards set forth in Section 2.205 of the Code.

COMMENT:

The submitted Civil Grading Plan and Composite Utility Plan illustrate that the proposed lot grading conforms to the above standards (see Exhibit 4).

- I. Utility Easements.** Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Such easements shall have a minimum total width of 12 feet (6 feet on each lot if located on a common lot line).

COMMENT:

The applicant's Preliminary Plat indicates that required utility easements meet the above standards (see Exhibit 4).

2.208.04: Standards for Blocks

- A. General.** The length, width and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control and

safety of street traffic including pedestrians and bicyclists; and recognition of limitations and opportunities of topography.

- B. **Sizes.** Blocks in residential and commercial districts shall not exceed 600 feet in length between street lines, except blocks adjacent to major arterial streets, or unless the previous adjacent development pattern or topographical conditions justify a variation. Blocks that exceed 600 feet in length shall be required to provide additional pedestrian and bikeway accesses.

COMMENT:

The submitted Master Plan demonstrates that proposed block lengths do not exceed 600-ft. in length (see Exhibit 4) As required, the blocks were designed with regard to proposed uses, access, circulation, modes of travel, and topographic constraints.

2.208.05: Improvement Requirements

- A. **Partitions.** During the review of partition proposals, the City may require as a condition of approval, the improvement of:
- B. **All improvements required under this Section shall be completed or assured through a performance bond or other instrument acceptable to the City Attorney prior to the approval of the final plat of the partition.**

COMMENT:

The applicant is proposed a 204-lot land division through the Planned Unit Development process. Therefore, the above partition standards do not apply.

- C. **Subdivisions.** The following improvements shall be required for all subdivisions in the City of Hubbard:
 - 1. **Frontage Improvements:** Full street improvements to full City standards shall be required for all public streets on which a proposed subdivision fronts. Such improvements shall be blended to match with existing improved surfaces across the center line and for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, bikeways, curbing, parkway strips, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall

determine to be reasonably necessary to serve the development or the immediate neighborhood.

2. **Project Streets:** All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.202.

COMMENT:

The attached Master Plan, Civil Site Plans, and Street Profiles illustrate how public street improvements proposed by the applicant comply with the above standards. The plans demonstrate that the proposed improvements will meet Collector Street Standards along Street 'A', and where Street 'A' and 3rd Street intersect. Other internal public streets will meet Local Street standards. In addition, the applicant proposes frontage improvements along Broadacres Road to meet Minor Arterial Street standards. The submitted Phasing Plan indicates that that associated public facilities will be installed when each phase of the project is developed (see Exhibit 4).

3. **Monuments:** Upon completion of street improvements, monuments shall be re-established and monument pins shall be placed at every street intersection and all points of curvature and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to US Geological Survey datum.

COMMENT:

As required upon street completion, intersection elevation benchmarks and monuments will be established to US Geological Survey datum, and pins will be placed at street intersections, curves, and tangents of street center lines.

4. **Surface Drainage and Storm Sewer System:** Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage-ways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

COMMENT:

The attached Composite Utility Plan and Preliminary Stormwater Report indicate that the applicant is proposing to collect drainage from impervious surfaces and detain and treat it within Tracts 'A', 'D', and 'E' before releasing it into Mill Creek and Little Bear Creek at pre-development rates (see Exhibits 4 and 5).

5. **Sanitary Sewers:** Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided. If the required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the Planning Commission may recommend to the City Council construction as an assessment project with such arrangement with the subdivider as is equitable to assure financing his share of the construction. 113 The City may require that the subdivider construct sewage lines of a size in excess of that necessary to adequately service the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the subdivider as is desirable to assure his share of the construction.

COMMENT:

The attached Composite Utility Plan and Sanitary Sewer Master Plan indicate that public sanitary sewer services can be extended from 3rd Street. The documents demonstrate that the extended main line within Street 'A', with branches to the proposed Local Streets, will have the capacity to serve the site and other underdeveloped parcels to the southwest of the subject property (see Exhibits 4 and 9).

6. **Water System:** Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed. However, the City will not expect the subdivider to pay for the extra cost of mains exceeding eight (8) inches in size.

COMMENT:

As required by the City in the attached Pre-Application Conference Notes, the applicant is proposing to loop a water main through Street 'A' from Broadacres Road to 3rd Street (see Exhibit 4). Additional water main lines are proposed to be installed within the Local Streets as needed to serve the development.

- 7. Sidewalks: Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision.**

COMMENT:

The submitted Master Plan and Civil Site Plans indicate that sidewalks will be installed in accordance with the above standards (see Exhibit 4).

8. Other:

- a. Curb cuts and driveway installations are required of the subdivider, and shall be according to the City standards.**

COMMENT:

Per the attached Overall Concept Plan and Civil Site Plans, curb cuts and driveways will be installed to meet City standards (see Exhibit 4).

- b. Street tree planting is required of the subdivider, and shall be according to City requirements and of a species compatible with the width of the planting strip.**

COMMENT:

The attached Civil Site Plans and Preliminary Landscape Plan indicate that street trees will be installed to meet City requirements. City staff will verify that the street trees meet the above standards when detailed plans are submitted during building permit review.

- 9. Street Lights: The installation of street lights is required at locations determined to be appropriate by the City, and of a type required by City standards.**

COMMENT:

As required, street lights will be installed as determined by the City.

- 10. Street Signs: The installation of street name signs**

and traffic control signs is required at locations determined to be appropriate by the City, and shall be of a type required by City standards.

All improvements required under this Section shall be completed to City standards, or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision.

COMMENT:

Street signage will be installed as determined appropriate by the City. With each phase of the development, the applicant will either complete the associated public improvements, or assure them through a performance bond.

2.208.05: Improvement Requirements

- A. Improvement work shall not commence until plans have been checked for adequacy and approved by the City. Plans shall be prepared in accordance with requirements of the City.
- B. Improvement work shall not commence until the City has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City has been notified.
- C. Improvements shall be constructed under the inspection and to the satisfaction of the City Recorder or the Superintendent of Public Works. The City may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.
- D. All underground utilities, sanitary sewers, and storm drains installed in streets by the subdivider shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.
- E. A map showing all public improvements as built shall be filed with the Superintendent of Public Works upon completion of the improvements.
- F. Upon completion of roadways and other public

facilities to City standards and specifications, there shall be a minimum of one (1) year warranty period prior to City acceptance of maintenance responsibilities. Before this acceptance, maintenance and repair of roadways and other public facilities shall be the duty of the subdivider or partitioner or of the homeowners association. A maintenance bond shall be required to repair any deficiencies found during the one (1) year warranty period. The amount of the maintenance bond shall equal 25 percent of the value of improvements.

COMMENT:

All required improvements will comply with City standards and be confirmed by the City prior to commencement of construction activities. All proposed underground utilities will be completed prior to street surfacing and will meet the above requirements, including mapping of all utility improvements and provision of a 1 year warranty, subject to Public Works inspection and City Recorder satisfaction.

Subsection 2.209: Yard and Lot Standards

2.209.01: New Buildings Shall be on a Lot

Every building erected shall be located on a lot as herein defined.

COMMENT:

As required and shown on the Overall Concept Plan, each of the proposed residential dwellings is located within the boundaries of a defined lot (see Exhibit 3).

2.209.02: Yards Apply Only to One Building

No required yard or other open space or required driveway provided around or for any building or structure for the purpose of complying with the provisions of this Ordinance shall be considered as providing a yard or open space for any other building, nor shall any yard or other required space on an adjoining lot be considered as providing a yard or open space on the lot whereon the building is to be erected.

COMMENT:

The attached Master Plan demonstrates that the proposed buildings and provided yards meet the standards of this section (see Exhibit 3).

2.209.03: Zero Side Yard Setback

Zero side yard dwelling units shall meet the following use

and development standards:

- A. **Number of Attached Units.** No more than two dwelling units, each on a lot held in separate ownership, may be attached in the R-1 zone; and no more than six dwelling units on two or more lots held in separate ownership may be attached in the R-2 zone.
- B. **Yards Adjacent to a Street.** The requirements of this Ordinance for yards adjacent to a street are not relieved by this Section.
- C. **Maintenance Easement.** As a condition of issuance of a permit for any building having an exterior wall contiguous to a property, the applicant shall furnish an easement from the owner of the property adjacent to said wall providing for ingress, egress and use of such adjacent property for the purpose of maintaining, repairing and replacing the building. Said easement shall be appurtenant to the property on which the building is located and shall be approved as to form by the City Attorney and shall be recorded with the County Clerk prior to issuance of the permit.

COMMENT:

The attached Aerial Photo/Land Use Plan indicates that the subject site is partially located in the R-1, R-2, and R-3 zone districts. Through the Planned Unit Development process, the applicant is proposing to transfer allowed density to the developed portion of the site and is proposing to construct a variety of housing types, including attached single-family dwelling units. The Master Plan demonstrates that the maximum number of attached units proposed is four, with each unit located on a separate lot. Per the attached Development Code Design Alternatives Table, the applicant is requesting to reduce the front and street side yard standards to 12-ft., reduce the rear yard setback to 10-ft., allow 0-ft. setbacks for interior townhome, and permit 5-ft. side yard setbacks for 2 ½ or 3 story structures (see Exhibit 10).

2.209.04: Front Yard Projections

Planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels and other ornamental features of not more than 24 inches from main buildings, uncovered porches, covered but unenclosed porches when not more than one story high and which do not extend more than ten (10) feet beyond the front walls of the building, but in no case shall such projection come closer than ten (10) feet from the property line and the floors of which are not more than four (4) feet above grade, are exempt from the front yard setback provisions and need not be included when determining the average setback.

COMMENT:

Although detailed plans have not been prepared for the single-family lots, the applicant intends to comply with the above front yard projection standards.

2.209.05: Side Yard Projections

- A. Cornices, eaves, gutters and fire escapes when not prohibitive by any other code or ordinance, may project into a required side yard not more than one-third of the width of the side yard, nor more than four (4) feet in any case.
- B. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels and ornamental features may project not more than one and one half (1½) feet into a required side yard, provided, however, chimneys and flues shall not exceed six (6) feet in width.
- C. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may extend to the side yard property line when they are three (3) feet or less in height from ground level.

COMMENT:

Although detailed plans have not been prepared for the single-family lots, the applicant intends to comply with the above side yard projection standards.

2.209.06: Rear Yard Projections

- A. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters and other ornamental features, may project not more than one and one half (1½) feet into a required rear yard, provided, however, chimneys and flues shall not exceed six (6) feet in width.
- B. A fire escape, balcony, outside stairway, cornice or other unenclosed, unroofed projections may project not more than five (5) feet into a required rear yard and set back at least six (6) feet from any property line.
- C. Planter boxes, steps, uncovered porches, covered but unenclosed porches including covered patios when not more than one story high and the floors, which are not more than four (4) feet above grade and which shall not come closer than 14 feet from the rear lot line, are

exempt from the minimum rear yard depth requirements.

- D. No permitted projection into a required rear yard shall extend within ten (10) feet of the center line of an alley or of a rear lot line if no alley exists.
- E. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may be extended to the rear yard property line when they are three (3) feet or less in height from ground level.

COMMENT:

Although detailed plans have not been prepared for the single-family lots, the applicant intends to comply with the above rear yard projection standards.

2.209.07: Vision Clearance

Vision Clearance shall be maintained in clear vision areas on the corners of lots located at the intersection of public streets and at the intersections of a public street with a private street, alley, or driveway. No structure, object, or planting shall be permitted within a clear vision area that would impede visibility between a height of 36 inches and 9 feet above the curb grade or the intersecting streets. Clear vision areas shall extend a set distance as follows:

- A. Vision clearance for corner lots shall be a minimum of 20 feet.
- B. Vision clearance for street-alley intersections shall be a minimum of ten (10) feet.
- C. Vision clearance for driveway approaches shall be a minimum of ten (10) feet.

Vision clearance, as defined in this ordinance, shall be provided in accordance with the following diagram:

COMMENT:

The attached Civil Site Plans, Preliminary Landscape Plan, and Traffic Impact Analysis demonstrates that the above vision clearance standards will be met (see Exhibits 4 and 7).

Subsection 2.210: Requirements for Riparian Corridors

2.210.03: Identifying Riparian Areas and Establishing the Location of the Riparian Buffer

- A. The inventory of significant riparian areas contained in the Natural Resources Element of the Hubbard Comprehensive Plan lists which streams are fish-bearing and the stream-size category. Based on the classification contained in this inventory, the following protected riparian corridors shall be established for stream segments listed as “significant”:**
- 1. Mill Creek shall have a buffer of 50 feet from the top and on either side of bank except as identified below;**

COMMENT:

Per the attached Existing Conditions Plan and Wetland Delineation Report, Mill Creek is located along the west boundary of the site (see Exhibits 4 and 8). The attached Civil Site Plan demonstrates that the proposed development is located more than 50-ft. from the top of bank of the stream (see Exhibit 4).

- 2. Little Bear Creek shall have a buffer of 50 feet from the top and on either side of bank except as identified below;**

COMMENT:

Per the attached Existing Conditions Plan and Wetland Delineation Report, Little Bear Creek is located along the east boundary of the site (see Exhibits 4 and 8). The attached Civil Site Plan demonstrates that the proposed development is located more than 50-ft. from the top of bank of the waterway (see Exhibit 4).

- 3. Where the riparian buffer includes all or portion of a significant wetland as identified in the Natural Resources Element of the Comprehensive Plan or by other means, such as a wetland delineation, the riparian buffer shall be at least 50 feet and shall include the upland edge of the wetland.**
- 4. The measurement of the riparian buffer shall be measured from the top of the bank. The measurement shall be slope distance. In areas where the top of each bank is not clearly defined, the riparian buffer shall be measured from the ordinary high water level, or the line of non-aquatic vegetation, whichever is most landward.**
- 5. The requirement to establish a riparian buffer applies to land inside city limits and to land**

outside the city limits and inside the UGB upon annexation of such land.

6. Water areas, wetlands, and significant riparian corridors identified in the Comprehensive Plan are shown on maps that may not have site-specific accuracy. Property owners who believe their properties lie outside the depicted riparian buffer can correct the map by submitting a survey, performed by a qualified surveyor (PLS), to the local governing body. The survey must show the normal high water line of the stream on a parcel base map. Where riparian corridors contain significant wetlands, the riparian buffer is measured from the upland edge of the wetland. Property owners can correct the map by submitting a wetland delineation, prepared by a qualified environmental consultant, that shows the wetland boundary. Wetland delineations must be first submitted to the Oregon Division of State Lands for review and approval. The City will review the submitted map and wetland delineation report, if required, and determine if the parcel lies within the riparian buffer.

COMMENT:

The attached Master Plan identifies the location Mill Creek and Little Bear Creek (see Exhibit 4). As stated above, the Civil Site Plan demonstrates that proposed development does not encroach into the defined riparian buffers, measured as prescribed by the above. The attached Wetland Delineation Report and DSL Concurrence Letter indicate that the Department of State Lands has reviewed and approved the wetland delineation (see Exhibit 8).

2.210.04: Protecting Riparian Resource by Managing Activities in the Riparian Buffer

- A. The permanent alteration of the riparian buffer by grading or by the placement of structures or impervious surfaces is prohibited, except for the following uses provided they are designed to avoid and minimize intrusion into the riparian area, and no other options or locations are feasible and any applicable state and/or federal permits are obtained as required in Section 2.210.06:
 1. Streets, roads, and paths;
 2. Drainage facilities, utilities, and irrigation

pumps;

3. Stormwater treatment facilities when they are located in severely degraded parts of the protected riparian corridor and designed to enhance overall function of the riparian resource (for example a grassy swale or constructed wetland with a buffer of native vegetation and that is located within previously farmed or cleared area).

COMMENT:

The attached Master Plan indicates that multi-use trails are proposed within public parks that include Mill Creek and Little Bear Creek. The proposed trails do not cross delineated wetlands or riparian resource areas. Per the attached Civil Site Plan, small impacts to the delineated wetlands will occur when Phase IV improvements within the existing 4th Street right-of-way are constructed. Where off-site improvements to 4th Street NE are installed, the applicant proposes a curb-tight sidewalk at the Little Bear Creek stream crossing to minimize wetland impacts. To prevent wetland impacts when frontage improvements are installed along Broadacres Road at the Little Bear Creek crossing, the applicant is proposing to eliminate an on-street parking lane (see Exhibit 4). As required, state and federal wetland permits will be obtained prior to the construction of the off-site 4th Street improvements. The attached Composite Utility Plan indicates that the proposed utilities, include stormwater facilities and outfalls, are located outside of the protected riparian corridors.

4. Water-related and water-dependent uses (for example boat launch, fishing dock);

COMMENT:

The applicant is not proposing water-related or water-dependent uses within the riparian areas.

5. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area;
6. Structures or other non-conforming alterations existing fully or partially within the protected riparian corridor may be expanded provided the expansion does not occur within the riparian buffer. Substantial improvement of a non-conforming structure in the riparian buffer shall require compliance with the standards of this ordinance;
7. Existing lawn and non-native plantings within the riparian buffer may be maintained, but not expanded within the protected area. Development activities on the property shall not

justify replacement of the riparian buffer area with lawn; and

COMMENT:

Existing structures or formally landscaped areas are not located within the protected riparian areas.

8. Existing shoreline stabilization and flood control structures may be maintained. Any expansion of existing structures or development of new structures shall be evaluated by the local government and appropriate natural resource agency staff, for example Oregon Department of Fish and Wildlife, Division of State Lands, Department of Environmental Quality, Water Resources Department. Such alteration of the riparian buffer shall be approved only if less-invasive or nonstructural methods will not adequately meet the stabilization or flood control needs.

COMMENT:

The applicant is not proposing shoreline stabilization, and no existing flood control structures are located in the vicinity of the protected riparian buffers.

- B. The Removal of riparian vegetation in the buffer is prohibited, except for:

COMMENT:

The applicant is not proposing to remove vegetation in the riparian buffer, therefore these standards do not apply.

2.210.05: Adjusting Riparian Buffers

- A. Permanent alteration of the riparian buffer by placement of structures or impervious surfaces within the riparian buffer, or placement of structures overhanging the riparian buffer, on existing lots or proposals to partition a lot, is allowed subject to approval of a variance granted under subsection 2.210.05.E. and subject to the mitigation requirement of subsection 2.210.05.C.:

COMMENT:

The applicant is not proposing the placement of structures within the Little Bear Creek or Mill Creek riparian buffers, therefore mitigation standards do not apply.

- B. Subdivisions and planned unit developments proposed after the adoption of this ordinance must conform to the buffer requirements but may apply for density credits to compensate for developable land that has been lost due to the buffer requirement.**
 - 1. A developer proposing a subdivision or planned unit development can get density credits when more than 5 percent of the developable land is consumed by the buffer. Credits are calculated using Table 1 in subsection 2.210.02.B.5. The density credit is accommodated at the development site by allowing 125 greater flexibility in the setbacks, frontage distances or minimum lot sizes but can be used off-site if on-site accommodation is not practical.**

COMMENT:

The riparian buffers of Mill Creek and Little Bear Creek do not consume 5% or more of the site area. However, through the Planned Unit Development process, the applicant is requesting modifications listed in the attached Development Code Design Alternatives Table (see Exhibit 10).

- C. Proposals for development activities within the riparian buffer allowed in subsection 2.210.05.A. will include proposed mitigation for unavoidable impacts and shall be reviewed by the Oregon Department of Fish and Wildlife (ODFW). The review and/or mitigation recommendation from ODFW shall be submitted with the application. For purpose of implementing Statewide Planning Goal 5, the goal is no net loss of protected resources and no net loss of habitat values.**

COMMENT:

The applicant is not proposing development activities within the Little Bear Creek and Mill Creek riparian buffers. However, per the attached Civil Site Plan, small impacts to delineated wetlands will occur when Phase IV improvements within the existing 4th Street right-of-way are constructed. As required, state and federal wetland permits will be obtained prior to the construction of the Phase IV improvements.

D. Variance

- 1. In cases where the application of the buffer is demonstrated to render an existing lot or parcel unbuildable, a property owner may request a variance to the riparian buffer. Granting of a variance requires findings that satisfy all three of**

the following criteria:

COMMENT:

The applicant is not proposing a variance to the riparian buffer protection provisions, therefore this section does not apply.

E. Variance Applications

COMMENT:

As mentioned above, the applicant has not submitted a variance request with this Planned Unit Development application.

2.210.06: Compliance With State and Federal Regulations

All activities wholly or partially within riparian corridors are subject to applicable Division of State Lands permit requirements under the Removal-Fill Law and the U.S. Army Corps of Engineers permit requirements under Section 404 of the Clean Water Act. Where there is a difference between local, state, or federal regulations, the more restrictive regulations shall apply.

COMMENT:

Per the attached Civil Site Plan, small impacts to delineated wetlands will occur when Phase IV off-site improvements within the existing 4th Street right-of-way are constructed. Where off-site improvements to 4th Street NE are installed, the applicant proposes a curb-tight sidewalk and at the Little Bear Creek stream crossing to minimize wetland impacts. To prevent wetland impacts when frontage improvements are installed along Broadacres Road at the Little Bear Creek crossing, the applicant is proposing to eliminate an on-street parking lane (see Exhibit 4). As required, state and federal wetland permits will be obtained prior to the construction of the Phase IV improvements.

Subsection 2.211: Requirements for Wetlands

2.211.03: Procedures for Identifying Significant Wetlands

The wetland regulations contained in this ordinance apply to those wetlands identified and mapped as significant in the City of Hubbard Local Wetlands Inventory, Wetland Functional Assessment, and Wetland Significance Determination. Significance determination is based on criteria contained in OAR 14 1-86-300 through 350 as adopted by the Division of State Lands.

Precise wetland boundaries may vary from those shown on the map. For any proposed development impacting a

significant wetland or within 25 feet of an identified significant wetland, the applicant shall conduct a wetland delineation. The purpose of this delineation is to determine the precise wetland boundary for application of the Removal-Fill Law, and if applicable, the nature and extent of development impacts on adjacent wetlands. The more precise boundary obtained through a wetland delineation can be identified, mapped, and used for review and development without a change in the wetland inventory mapping. All developments proposed within a designated wetland area shall be subject to the provisions of this ordinance.

COMMENT:

The attached Wetland Delineation Report and DSL Concurrence Letter indicate that the above mapping requirements have been met (see Exhibit 8).

2.211.04: Land Use and Permit Requirements

A. Permitted Uses. The following uses are permitted within wetlands identified as locally significant.

1. Passive recreation activities that require no structures, such as bird watching, canoeing, or nature walks;
5. Construction of trails, boardwalks, viewing platforms, information kiosks, and trail signs;
6. Construction of bikeways and other paved pathways;
9. Removal of non-native vegetation;
10. Removal of trees that are a hazard to life or structures;
12. Planting or replanting with native plant species;
13. Channel maintenance to maintain storm water conveyance and flood control capacity, as required by local policies, state and federal regulations, or intergovernmental agreements;
18. Construction of access roads for maintenance of channels, wetlands, and other natural resource areas; and

19. Construction of discharge outlets for treated stormwater or wastewater;

COMMENT:

The applicant is not proposing any of the above permitted uses within the delineated wetland, therefore these standards do not apply.

- B. Prohibited Uses. Within locally significant wetlands, practices that are specifically not allowed and would adversely affect wetland functions and values include, but are not limited to the following:**
- 1. New development or expansion of existing development;**
 - 2. Placement of fill material, grading, or excavation;**
 - 3. Road construction;**
 - 4. Construction of stormwater or wastewater management or treatment facilities;**
 - 8. Clearing of trees or brush with motorized equipment including, but not limited to, chain saws and bulldozers.**
- C. Compliance With State and Federal Regulations. All activities wholly or partially within wetlands are subject to Division of State Lands permit requirements under the Removal-Fill Law and U.S. Army Corps of Engineers permit requirements under Section 404 of the Clean Water Act. Where there is a difference between local, state or federal regulations, the more restrictive regulations shall apply.**

COMMENT:

As mentioned above, the applicant is proposing to construct off-site Phase IV improvements within the existing 4th Street right-of-way. As indicated by the attached Civil Site Plan, these improvements will have small impacts to wetlands that extend into the existing right-of-way. Per Section 2.210.04(A)(1) standards, the proposed improvements are permitted since no other option for improvement to the rights-of-way are available. As required, applicable state and federal permits will be obtained prior to construction of the Phase IV improvements.

- D. Division of State Lands Notification Required. The City shall provide notice to the Division of State Lands, the applicant, and the owner of record, within five working days of the acceptance of any complete**

application for the following activities that are wholly or partially within areas identified as wetlands on the Local Wetlands Inventory or within 25 feet of such areas:

5. Planned unit development approvals.

- E. The provisions of this section do not apply if a permit from the Division of State Lands has been issued for the proposed activity.**
- F. Written City approval of any activity described in this section shall include one of the following statements:**
 - 1. Issuance of a permit under ORS 196.600 to 196.905 by the Division of State Lands is required for the project before any physical alteration takes place within the wetlands;**
 - 2. Notice from the Division of State Lands that no permit is required; or**
 - 3. Notice from the Division of State Lands is required until specific proposals to remove, fill, or alter the wetlands are submitted.**

COMMENT:

As required, the City of Hubbard will notify the Department of State Lands regarding this Planned Unit Development application.

Section 2.300: Supplemental Development Standards for Special Uses

Subsection 2.302: Planned Unit Developments

2.302.02: Area of Application

- A. Planned Unit Developments may be established as a conditional use in residential districts, on parcels of land which are suitable for, and of sufficient size to be planned and developed in a manner consistent with the purposes and objectives of this Section.**

COMMENT:

The applicant is requesting approval of a Residential Planned Unit Development on a 56.38 acre site. As discussed under R-1, R-2, and R-3 zone districts standards, the PUD is a permitted use in residential districts. Therefore, the provisions of Section 2.300 apply.

2.302.03: Applicant for Planned Unit Development Projects

- A. Planned Unit Development projects may be applied for:**
- 1. by the owner of all the property involved, if under one (1) ownership; or**

COMMENT:

The submitted Application Form indicates that the property owner has provided a signature indicating approval of the submitted application (see Exhibit 1).

2.302.04: Uses Permitted

- A. Planned In a Planned Unit Development only the following uses are permitted:**
- 1. Residential Uses**
 - 2. Recreational facilities including, but not limited to, tennis courts, swimming pools and playgrounds**
 - 3. Open space uses**

COMMENT:

The attached Master Plan indicates that the applicant is requesting approval of a Planned Unit Development with 131 detached single-family units, 71 attached single-family units, 2 multi-family duplex units, a 120-unit apartment complex, and 20.19 acres of park land with recreational amenities. Therefore, the proposed uses comply with the above standards.

2.302.05: Development Requirements

Planned Unit Developments shall comply with the applicable development standards of Section 2.200.

- A. Site Adaptation. To the maximum extent possible, the plan and design of the development shall assure that natural or unique features of the land and environment are preserved.**

COMMENT:

The submitted Master Plan demonstrates that the applicant intends to preserve and protect the natural features of the site, including wetlands and riparian corridors along the Little Bear Creek and Mill Creek. The attached Civil Grading Plan also indicates that the proposed development avoids steeply sloped areas of the site. As such, the site design minimizes impacts to the land and environment.

- B. Lot Arrangement. All lots within the development shall be designed and arranged to have direct access to, or frontage on open space or recreation areas.**

COMMENT:

The submitted Overall Concept Plan illustrates that all of the proposed lots front a public sidewalk system or other pedestrian facilities that provide a direct connection to expansive public parks along the east and west boundaries of the site (see Exhibit 4).

- C. Density of Development. Permitted density of development in all PUDs shall be determined in accordance with the following procedures:**

- 1. Determine total gross site area (GSA).**

COMMENT:

Planned Unit Development calculations for each of the site's residential districts are provided on the attached Master Plan (see Exhibit 4). The subject site total gross site area is 56.38 acres. When excluding areas currently dedicated as rights-of-way, the site's remaining gross site area is 54.55 acres.

- 2. Multiply the GSA by .85 to determine the Net Site Area (NSA).**

COMMENT:

As shown on the Overall Site Plan, by removing existing dedicated right-of-way from the GSA of each district and multiplying by 0.85, the R-1 district Net Site Area (NSA) is 1.91 acres, the R-2 district NSA is 28.44 acres, and the R-3 NSA is 16.01 acres (see Exhibit 3).

- 2. Deduct from the NSA. Any acres of 20 percent or greater slope which will be developed, proposed commercial areas, and other non-residential uses to determine Net Developable Site Area (NDSA). Open space areas and hillside areas which will be in open space areas are not required to be deducted.**

COMMENT:

As demonstrated by the attached Civil Grading Plan, no portion of the site with 20% or greater slopes will be developed (see Exhibit 4). There are no commercial uses with this Planned Unit Development. As permitted under this section, the applicant has not deducted open space or undeveloped hillside areas of the site.

- 4. Determine maximum density of development in accordance with the appropriate method below:**

- a. **R-1 Zone Developments: Divide NDSA by 10 units per acre.**
- b. **R-2 Zone Developments Which Have No Multi-Family Uses: Divide NDSA by 10 units per acre.**
- c. **R-2 Zone Developments Proposing Multi-Family Units Only: Multiply NDSA by 15 units per acre.**
- d. **R-2 Zone Developments Proposing Mixed Uses of Multi-Family and Other Residential Uses: Multiply multi-family NDSA areas by 15 units per acre; divide other NDSA by 10 units per acre; add the two results together to determine maximum site density permitted.**

COMMENT:

As indicated on the Master Plan, the total calculated density for the net site area within the R-1, R-2, and R-3 zone districts is 543 dwelling units (see Exhibit 4). The applicant is proposing to develop 324 dwelling units on the subject property.

- D. **Amount of Open Space. The required amount of open space or outdoor recreational area shall be at least twenty (20) percent of the gross area. Such open space should include school access routes, bicycle trails, natural or landscaped buffer areas, covered bus stops and the like whenever practical or appropriate.**

COMMENT:

After accounting for existing rights-of-way, the subject site contains a total of 2,019,633 sq. ft., therefore 403,927 sq. ft. of open space is required. The applicant is proposing to dedicate 879,247 sq. ft. of public park land, more than double the minimum 20% open space requirement.

- E. **Community Option. The Planning Commission may request the dedication of proposed open space land which is reasonably suited for use as a City park or for recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, location and applicable Comprehensive Plan policies, when such dedication is consistent with the ability of the City to maintain such parks.**

COMMENT:

The applicant is proposing dedication of a 13.05 acre public park that includes the Mill Creek riparian corridor, and a 7.14 acre public park that includes the Little Bear Creek riparian corridor. As shown on the Master Plan, these public park spaces are well-suited for public recreation purposes and will be developed with multi-use paths, benches, and other amenities (see Exhibit 3).

- F. Structure Setback Provisions.** Yard setbacks for lots on the perimeter of the project shall be the same as that required for the subject zoning district. All detached structures shall maintain a minimum side yard setback of three (3) feet or meet the Uniform Building Code requirement for fire walls. A minimum front yard setback of twenty (20) feet shall be required for any garage structure whose opening faces onto a public street.

COMMENT:

Through the Planned Unit Development process, the applicant is requesting modifications to the setback standards. As required, perimeter yard setbacks will be consistent with R-1, R-2, and R-3 standards. The submitted Overall Concept Plan, Master Plan, and Development Code Alternate Design Table, demonstrate that a minimum 5-ft. setback and 20-ft. garage face setbacks are proposed (see Exhibits 4 and 10).

G. Circulation:

- 1. Streets within a PUD shall comply with the applicable standards of Section 2.202.**
- 2. Roads, pedestrian and bikeway paths shall be an integrated system designed to provide efficient and safe circulation to all users. Developments should be designed to minimize the length of roadway.**
- 3. Pedestrian/bikeways shall be clearly signed and have adequate crossing facilities where warranted.**

COMMENT:

As discussed above, the proposed streets have been designed to comply with the standards of Section 2.202. Through this Planned Unit Development application, and due to topographic challenges of the site, the applicant is requesting a modification to Section 2.202.03(1) standards to permit a 550-ft. length for the cul-de-sac at the terminus of Street B (4th Street extension). The submitted Master Plan demonstrates that the proposed transportation improvements provide safe and efficient circulation for all modes of travel. As required, the proposed multi-use paths will be signed to meet City standards.

- H. **Off-Street Parking.** Off-street parking requirements shall be as specified in Section 2.203. Parking may be provided on each lot or in clustered parking areas. 137 Additional off-street parking for guests and recreational vehicles may be required by the Planning Commission if warranted by reduced lot sizes, type of Street and/or traffic volumes.

COMMENT:

As discussed above, the proposed off-street parking areas comply with the standards of Section 2.203.

- I. **Utilities.** In addition to other requirements set forth herein, the following shall apply:
 - 1. All sewer and water provisions shall be approved by the City before construction of such improvements.
 - 2. All utility services shall be placed underground.
 - 3. Provisions shall be made for fire prevention, including service water lines, non-freeze hydrants and free emergency access for fire fighting equipment around buildings.
 - 4. Provision shall be made for control of site storm water drainage, as required by Section 2.204.

COMMENT:

The submitted Composite Utility Plan, Preliminary Stormwater Report, and Sanitary Sewer Master Plan indicate that the proposed utilities meet City standards (see Exhibits 4, 5, and 9). As required, utility services will be installed underground, fire prevention has been addressed with the design, and permits will be obtained prior to the installation of the facilities.

- J. **Homes Association.** A non-profit incorporated homes association, or an alternative acceptable to the City Attorney, shall be required for improving, operating and maintaining common facilities, including open space, streets, drives, service and parking areas and recreation areas. The following principles shall be observed in the formation of any homes association and shall be reviewed by the City Attorney.
 - 1. A homes association shall be set up before approval of the final plat, or any portion thereof.
 - 2. Membership shall be mandatory for each home

buyer and any successive buyer.

3. The open space restrictions shall be in perpetuity.
4. The homes association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.
5. Home owners shall pay their pro rate share of the cost or, the assessment levied by the association shall become a lien on the property.
6. The association shall be able to adjust the assessment to meet changes needed.
7. No change in open space use or dissolution of homes association shall occur without a public hearing before the Planning Commission and approval by the City Council.

COMMENT:

The applicant is proposing to dedicate Tracts 'A', 'D', 'E' to the City of Hubbard, who will provide maintenance of the public park improvements and stormwater facilities. As required, homeowner associations and maintenance agreements will be established for Tracts 'B', 'C', 'F' and 'G' for property owners which benefit from shared improvements within those tracts. The homeowner's association for Tract 'G' will also include a provision that permits the applicant to develop the vacant portion of the tract with a detached single-family or duplex structure when the adjacent property to the east (17707 Front Street NE) is annexed, and vacation of the non-utilized south segment of 4th Street is permitted.

2.302.05: Development Requirements

Planned Unit Developments shall be processed in accordance with the submittal requirements and procedures established in Section 3.107. Approval shall only be granted if the requirements of this Section and all other applicable requirements of this Ordinance are met.

COMMENT:

To meet the requirements and procedures of Section 3.107, the applicant has submitted all required materials for this Planned Unit Development application, including specific modification requests listed in the attached Development Code Design Alternatives Table (see Exhibit 10).

Subsection 2.307: Accessory Dwelling Units

2.307.03: Standards

Accessory Dwelling Units (ADUs) may be allowed as an

interior, attached, or detached structure on any property on which there is a single-family dwelling on a lot, subject to the following standards and restrictions:

COMMENT:

The applicant is not proposing to establish accessory dwelling units with this Planned Unit Development application. Therefore, these standards do not apply.

Section 2.400: General Provisions

Subsection 2.401: General Standards

2.401.07: Limitations on Buildings

In an R-1, R-2 and R-3 district there shall be only one main building on a lot, except in the case where multi-family dwelling units are built in an R-2 district; then the lot area requirements for multi-family dwellings shall apply.

COMMENT:

Through the Planned Unit Development process, allowed residential density and permitted uses are proposed to be applied to entire development area. The attached Overall Concept Plan demonstrates that only one main building is located on each single-family attached and detached lot. As permitted, the lot for the apartment complex includes 5 apartment buildings, an office/community building, and a bike shelter.

2.401.09: Fences, Walls and Hedges

Fences, walls and hedges may be located in any required yard or along the edge of any yard, subject to the maintenance of clear-vision area. Fences along a front property line or within a front yard setback shall not exceed a height of five (5) feet, when the fence is at least 50 percent open. All other fences, walls or hedges shall not exceed a height of three and one-half (3 1/2) feet along the front property line or within a front yard setback. All fences which are located within the legs of a vision clearance area at Street and alley intersections shall not exceed 3-1/2 feet in height from the adjacent curb elevation and shall be constructed of a material which is non sight-obscuring. Except for fences located in industrial districts, a fence, wall or hedge may not exceed six (6) feet in height without approval of a variance.

Fences located in industrial districts may be up to eight (8) feet in height provided the fence is located outside of the required front yard area and any vision clearance area.

Fences more than six (6) feet in height require building permit approval.

Fences shall not be constructed of or contain any material which could cause bodily harm such as barbed wire, broken glass, spikes, or any other hazardous or dangerous materials. Barbed wire fences shall not be constructed or maintained, nor shall barbed wire be allowed to remain as part of a fence along a sidewalk or public way. Barbed wire may be placed above the top of a fence not less than six (6) feet high that is not along a sidewalk or public way. No electric fences shall be constructed or maintained along a sidewalk or public way, or along the adjoining property line of another property. Electric fences may be located more than 50 feet from a property line and must be marked.

COMMENT:

As required, all fencing within the proposed Planned Unit Development will meet the above standards.

2.401.10: No Parking in Front Yard, Yards Adjacent to a Street or Landscaped Areas

No parking shall be allowed, exclusive of driveways, within the required front yard areas, except as otherwise provided by this ordinance. The side yard and rear yard areas may be used for parking of vehicles unless otherwise prohibited by this Ordinance.

COMMENT:

Other than in driveways, the applicant is not proposing off-street parking in front yard areas.

2.401.14: Addressing

All new developments and expansion of existing developments shall provide minimum six-inch high reflective address numbers at the front of the main building near the main entrance.

COMMENT:

The applicant intends to comply with all City addressing requirements.

Chapter 3: Application Requirements and Review Procedures

Section 3.100: Application Requirements and Review Criteria

Subsection 3.101: Summary of Application Types and Review

3.101.02: Type II Actions

A Type II action is a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards that allow considerable discretion. Public notice and a public hearing is provided. Section 3.202 lists the notice requirements. 157 Appeal of a Type II decision is to the City Council. The following actions are processed under a Type II procedure:

C. Planned Unit Developments

COMMENT:

The applicant is requesting preliminary approval of a Planned Unit Development application. As required, the application will follow the Type II procedure with a quasi-judicial review decision provided by the Planning Commission.

Subsection 3.107: Subdivisions and Planned Unit Developments

3.107.02: Submittal Requirements

A. The following submittal requirements shall apply to all Preliminary Plan applications for subdivisions and PUDs.

- 1. All applications shall be submitted on forms provided by the City to the City Recorder along with the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section.**

COMMENT:

As required, the applicant has submitted the proper form and appropriate fee with this application. The Planned Unit Development application packet has been submitted to City Recorder in accordance with the above standards.

- 2. In addition to the information listed in Subsection 3.106.03 of this Ordinance, applicants for subdivisions and planned unit developments shall submit the following:**

- a. the name, address and phone number of the applicant engineer, land surveyor or person preparing the application;**

- b. name of the PUD or subdivision;
- c. date the drawing was made;
- d. vicinity sketch showing location of the proposed land division;
- e. identification of each lot or parcel and block by number;
- f. gross acreage of property being subdivided;
- g. direction of drainage and approximate grade of abutting streets;
- h. streets proposed and their names, approximate grade, and radius of curves;
- i. any other legal access to the subdivision or PUD other than a public street;
- j. contour lines at two foot intervals if 10% slope or less, five foot intervals if exceeding 10% slope, and a statement of the source of contour information;
- k. all areas to be offered for public dedication; and
- l. a traffic impact analysis if requested by the City Engineer.

COMMENT:

Included with this Applicant's Statement are Preliminary Development Plans and a Traffic Impact Analysis which include all of the applicable information listed above (see Exhibits 4 and 7).

B. The following supplemental information shall be required for all PUD Preliminary Plan applications:

- 1. calculations justifying the proposed density of development as required by Subsection 2.302.05(C);

COMMENT:

The attached Master Plan includes calculations which justify the proposed Planned Unit Development density (see Exhibit 4).

2. **proposed uses of the property, including sites, if any, for attached dwelling units, recreational facilities, parks and playgrounds or other public or semi public uses, with the purpose, condition and limitations of such reservations clearly indicated;**

COMMENT:

The attached Overall Concept Plan and Master Plan identify proposed uses on the subject property, including the location of attached dwelling units, public parks, and recreational amenities that will be available to all Hubbard residents (see Exhibit 4).

3. **the approximate location and dimensions of all commercial or multi-family structures proposed to be located on the site;**

COMMENT:

The submitted Master Plan, Civil Site Plan, and Preliminary Architectural Plans provide locations and dimensions of the proposed multi-family structures (see Exhibit 4).

4. **statement of improvements to be made or installed including streets, sidewalks, bikeways, trails, lighting, tree planting, landscaping, and time such improvements are to be made or completed; and**

COMMENT:

This Applicant's Statement and the attached Preliminary Development Plans provide a detailed description of all improvements to be made. The applicant has also submitted a Phasing Plan which indicates when associated public improvements with each phase will be installed (see Exhibit 4).

5. **written statement outlining proposals for ownership and maintenance of all open space areas, private streets and any commonly owned facilities.**

COMMENT:

Ownership and on-going maintenance of proposed Tracts 'B', 'C', 'G', and 'F' will be provided by established homeowner's associations for the development. Properties which benefit from private streets or other common owned facilities will be members of those homeowner's associations. The applicant is proposing to dedicate Tract's 'A', 'D', 'E' to the City of Hubbard, who will provide maintenance of the proposed public improvements

IV. SUMMARY AND CONCLUSIONS

Based on the above findings, the applicant has demonstrated compliance with applicable sections of the City of Hubbard Development Code. Therefore, the applicant requests that the Planned Unit Development application and requested Development Code modifications be approved.

VI. EXHIBITS

- 1. Application Form**
- 2. Property Deed/Title Report**
- 3. Pre-Application Conference Notes**
- 4. Preliminary Development Plans**
 - Planning Drawings Set**
 - Sheet P-1: Cover Sheet/Vicinity Map**
 - Sheet P-2: Aerial Photo/Land Use Plan**
 - Sheet P-3: Master Plan**
 - Sheet P-4: Phasing Plan**
 - Sheet P-5: Southeast Preliminary Plat**
 - Sheet P-6: Southwest Preliminary Plat**
 - Sheet P-7: Central Preliminary Plat**
 - Sheet P-8: North Preliminary Plat**
 - Preliminary Civil Plans**
 - Preliminary Landscape Plans**
 - Preliminary Architectural Plans**
- 5. Preliminary Stormwater Report**
- 6. Geotechnical Report**
- 7. Traffic Impact Analysis**
- 8. Wetland Delineation Report and DSL Concurrence Letter**
- 9. Sanitary Sewer Master Plan Report**
- 10. Development Code Design Alternatives Table**

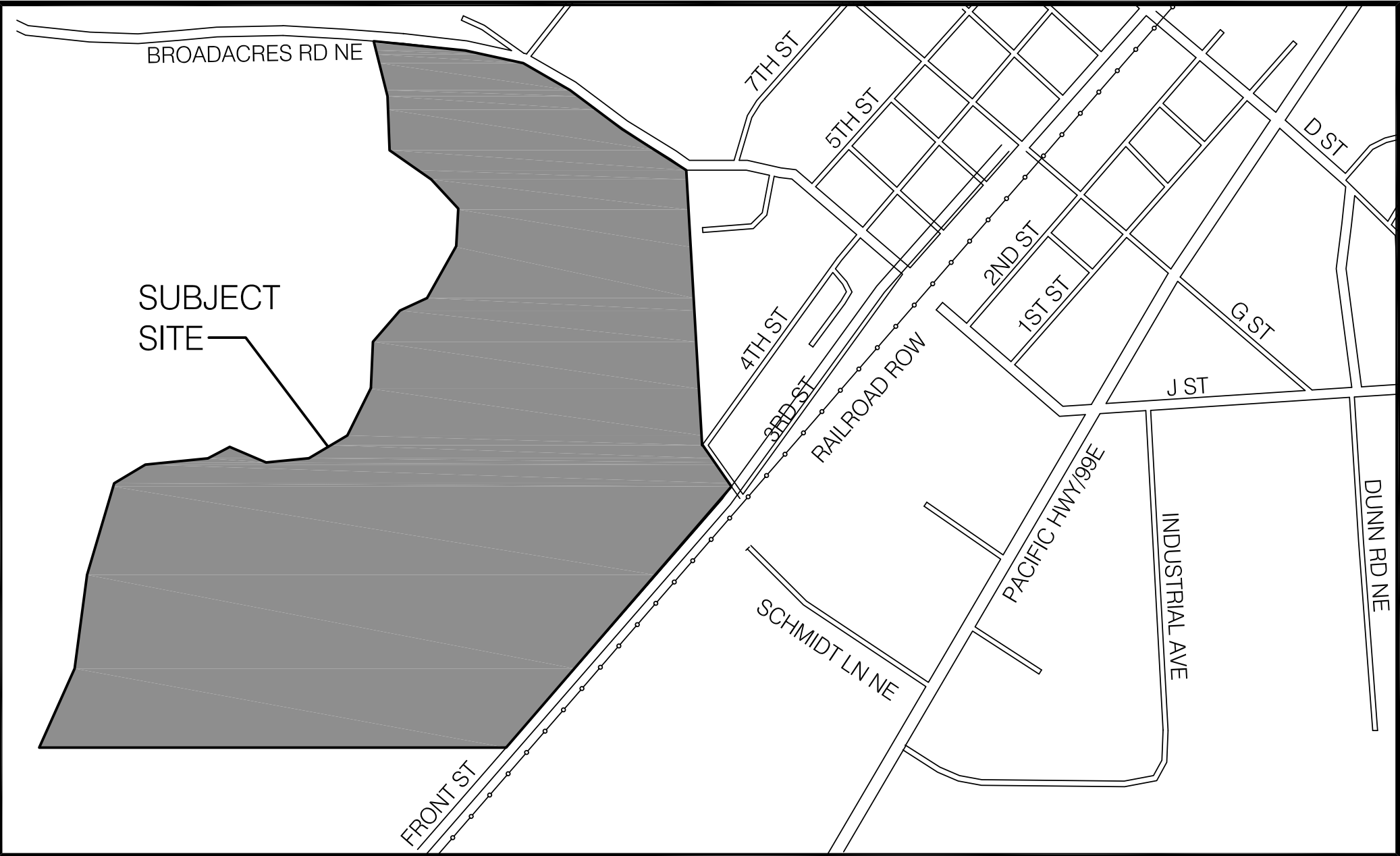
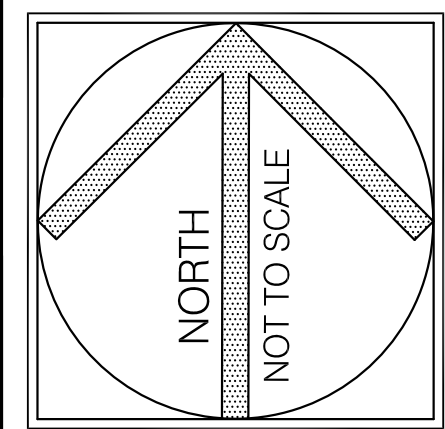
Bear Creek Planned Unit Development Requested Design Alternatives to Development Standards		
Code Section	Development Standard	Design Alternative
2.101.04: Dimensional Standards (R-1) A. Minimum Lot Area: 1. Single-family dwelling 3. Duplex on a corner lot 4. Townhouse (not on a corner lot) 5. Townhouse on a corner lot	5,000 sq. ft. 8,500 sq. ft. 3,500 sq. ft. 5,000 sq. ft.	4,000 sq. ft. 6,000 sq. ft. 1,775 sq. ft. 2,700 sq. ft.
B. Minimum Yard Setbacks 1.a. Front Yard 1.c. Side Yard (interior) --setback for townhouses 1.d. Side Yard (street)	15 ft. 8 ft. on one side with zero setback (0 ft on opposite side) 15 ft.	12 ft. (for townhouse lots only) 0 ft. on two sides for middle townhomes, 5-ft. on one side for outside townhomes 12 ft.
D. Lot Width and Depth 1. Townhouse Lots	Depth of single-family detached parcel not more than 2 ½ times the width of the parcel 300 sq. ft. semi-private outdoor space	Depth of single-family detached parcel not more than 3 ½ times the width of the parcel 200 sq. ft. semi-private outdoor space in front or rear yard
2.101.05: Development Standards (R-1) B. Lot Coverage Maximum by structure Maximum parking area Combined structure and parking	45% 30% 70%	75% for townhome lots 20% for townhome lots 95% for townhome lots
2.102.04: Dimensional Standards (R-2) A. Minimum Lot Area 1. Single-family dwelling 3. Duplex on a corner lot 4. Townhouse (not on a corner lot) 5. Townhouse on a corner lot	5,000 sq. ft. 8,500 sq. ft. 3,500 sq. ft. 5,000 sq. ft.	4,000 sq. ft. 6,000 sq. ft. 1,775 sq. ft. 2,700 sq. ft.
B. Minimum Yard Setbacks 1.a. Front Yard 1.b. Rear Yard 1.c. Side Yard (interior) --Setback for homes 1 ½ or 2 stories in height --Setback for townhouses	15 ft. 15 ft. 7 ft. 8 ft. on one side with zero setback (0 ft on opposite side)	12 ft. 10 ft. 5 ft. 0 ft. on two sides for middle townhomes, 5-ft. on one side for outside townhomes

1.d. Side Yard (street)	15 ft.	12 ft.
D. Lot Width and Depth	Depth of single-family detached parcel not more than 2 ½ times the width of the parcel	Depth of single-family detached parcel not more than 3 ½ times the width of the parcel
1. Townhouse Lots	300 sq. ft. semi-private outdoor space	200 sq. ft. semi-private outdoor space in front or rear yard
2.102.05: Development Standards (R-2)		
B. Lot Coverage		
Maximum by structure	45%	75% for townhome lots
Maximum parking area	30%	20% for townhome lots
Combined structure and parking	70%	95% for townhome lots
2.103.04: Dimensional Standards (R-3)		
A. Minimum Lot Area		
1. Single-family dwelling	5,000 sq. ft.	4,000 sq. ft.
3. Multi-family dwelling (3 or more units)	3,630 sq. ft. per unit	1,900 sq. ft. per unit
5. Townhouse (not on a corner lot)	3,500 sq. ft.	1,775 sq. ft.
6. Townhouse on a corner lot	5,000 sq. ft.	2,700 sq. ft.
B. Minimum Yard Setback Requirements		
1.a. Front Yard	15 ft.	12 ft.
1.b. Rear Yard (more than one story)	15 ft.	10 ft.
1.c. Side Yard (interior) --Setback for homes 1 ½ or 2 stories in height	7 ft.	5 ft.
1.d. Side Yard (street)	15 ft.	12 ft.
--Setback for townhouses	8 ft. on one side with zero setback (0 ft on opposite side)	0 ft. on two sides for middle townhomes, 5-ft. on one side for outside townhomes
D. Lot Width and Depth	Depth of single-family detached parcel not more than 2 ½ times the width of the parcel	Depth of single-family detached parcel not more than 3 ½ times the width of the parcel
1. Townhouse Lots	300 sq. ft. semi-private outdoor space	200 sq. ft. semi-private outdoor space in front or rear yard
2.103.05: Development Standards (R-3)		
B. Lot Coverage		
Maximum by structure	50%	75% for townhome lots
Maximum parking area	30%	20% for townhome lots
Combined structure and parking	70%	95% for townhome lots

2.202.03: General Provisions G. Cul-de-sacs. 1. No cul-de-sacs more than 400 feet in length	400 ft. maximum	550 ft. maximum (Street B)
2. Dead End Street Termination	Circular turnaround required	Street H to connect to Street G through public park
2.202.07: Private Streets A. More Than 4 Dwellings Served	30' wide tract, 28' surface width	22' tract, 20' surface width
2.207.04: Minimum Landscape Area Requirements	25% for multi-family development	20%
2.208.03 Standards for Lots or Parcels E. Flag Lots 2. Access strip minimum width	25 ft.	20 ft. for single flag lot, 12.50 ft. for multiple flag lots with shared access

BEAR CREEK PLANNED UNIT DEVELOPMENT

HUBBARD, ORE.



VICINITY MAP

INDEX OF DRAWINGS

LAND USE PLANNING PLAN SET

- P-1 COVER SHEET/OVERALL CONCEPT PLAN
- P-2 AERIAL PHOTO/LAND USE PLAN
- P-3 MASTER PLAN
- P-4 PHASING PLAN
- P-5 SOUTHEAST PRELIMINARY PLAT
- P-6 SOUTHWEST PRELIMINARY PLAT
- P-7 CENTRAL PRELIMINARY PLAT
- P-8 NORTH PRELIMINARY PLAT

CIVIL ENGINEERING PLAN SET

- C-001 TO C-049 EXISTING CONDITIONS, STREET SECTIONS, SITE PLANS, GRADING PLANS, UTILITY PLANS, AND TRANSPORTATION AND UTILITY PROFILES

LANDSCAPE DESIGN PLAN SET

- X TO X

ARCHITECTURAL DESIGN PLAN SET

- X TO X



OVERALL CONCEPT PLAN

APPLICANT

ICON CONSTRUCTION AND DEVELOPMENT, LLC
1969 WILLAMETTE FALLS DRIVE, SUITE 260
WEST LINN, OR 97068
503-657-0406
CONTACT: HARLAN BAROW

APPLICANT'S REPRESENTATIVE

CASCADIA PLANNING + DEVELOPMENT SERVICES
PO BOX 1920
SILVERTON, OR 97038
503-804-9294
CONTACT: STEVE KAY, AICP

LAND SURVEYOR

CENTERLINE CONCEPTS LAND SURVEYING, INC.
19376 MOLALLA AVENUE, SUITE 120
OREGON CITY, OR 97045
503-650-0188
CONTACT: JAMES BROWN, PLS

CIVIL ENGINEER

EMERIO DESIGN
6446 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OR 97008
503-746-8812
CONTACT: PAT TORTORA, PE

LANDSCAPE ARCHITECT

LAURUS DESIGNS, LLC
1012 PINE STREET
SILVERTON, OR 97381
503-784-6494
CONTACT: LAURA ANTONSON, ASLA

TRANSPORTATION ENGINEER

LANCASTER MOBLEY
321 SW 4TH AVENUE, SUITE 400
PORTLAND, OR 97204
503-248-0313
CONTACT: JENNIFER DANZIGER, PE

CITY OF HUBBARD LAND USE APPLICATION
BEAR CREEK PLANNED UNIT DEVELOPMENT

T.L. 100 OF T.M. 041W33
MARION COUNTY, OREGON
11984 BROADACRES ROAD NE
HUBBARD, OR 97032

COVER SHEET/
OVERALL
CONCEPT PLAN

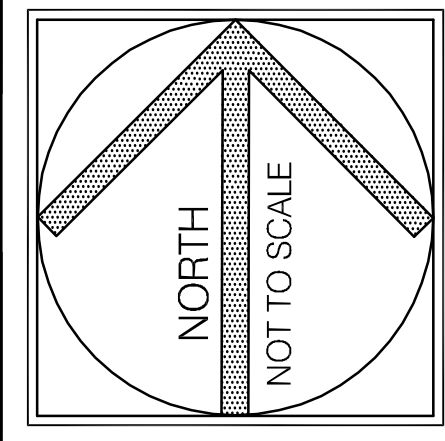
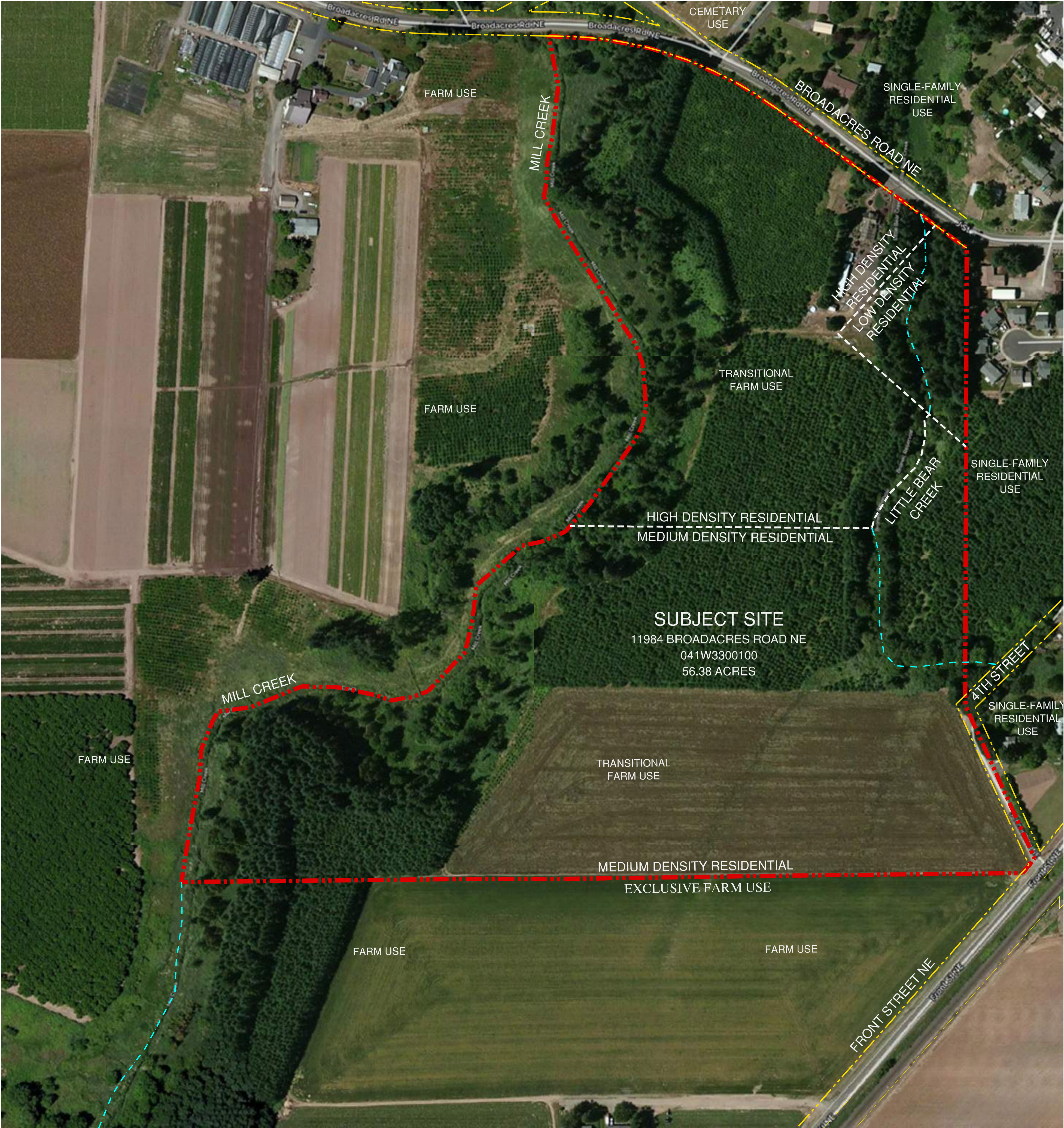
JUNE 10, 2022

REVISIONS



P-1

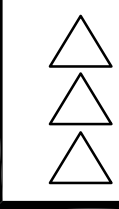
SHEET 1 OF 8



CITY OF HUBBARD LAND USE APPLICATION
BEAR CREEK PLANNED UNIT DEVELOPMENT
T.L. 100 OF T.M. 041W33
MARION COUNTY, OREGON
11984 BROADACRES ROAD NE
HUBBARD, OR 97032

AERIAL PHOTO/
LAND USE
PLAN

JUNE 10, 2022
REVISIONS



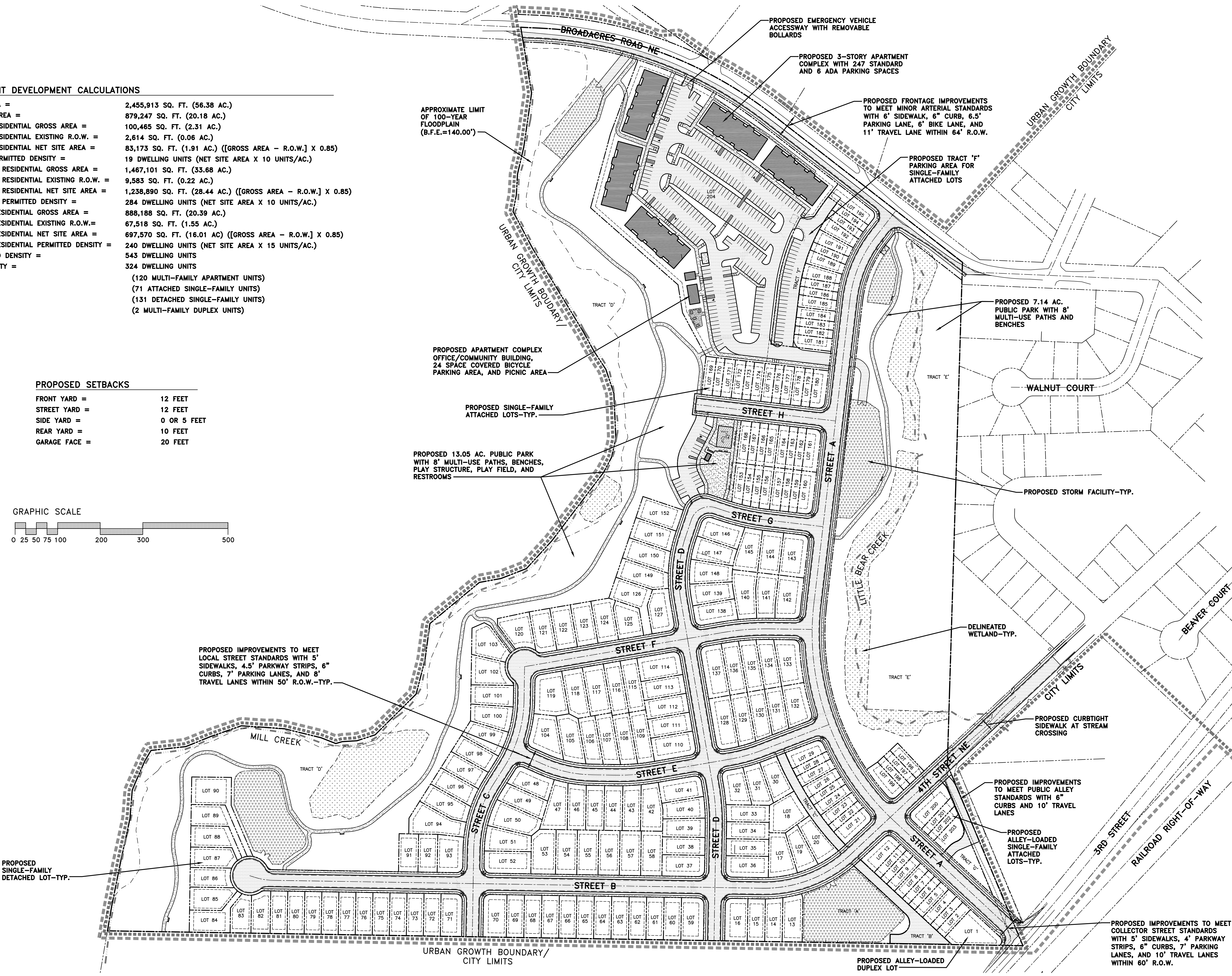
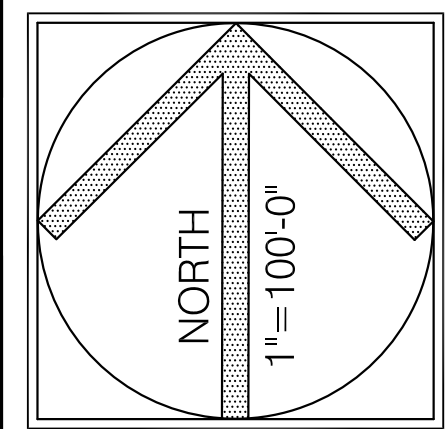
PLANNED UNIT DEVELOPMENT CALCULATIONS

TOTAL SITE AREA =	2,455,913 SQ. FT. (56.38 AC.)
PUBLIC PARKS AREA =	879,247 SQ. FT. (20.18 AC.)
LOW DENSITY RESIDENTIAL GROSS AREA =	100,465 SQ. FT. (2.31 AC.)
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	(120 MULTI-FAMILY APARTMENT UNITS)
	(71 ATTACHED SINGLE-FAMILY UNITS)
	(131 DETACHED SINGLE-FAMILY UNITS)
	(2 MULTI-FAMILY DUPLEX UNITS)

PROPOSED SETBACKS

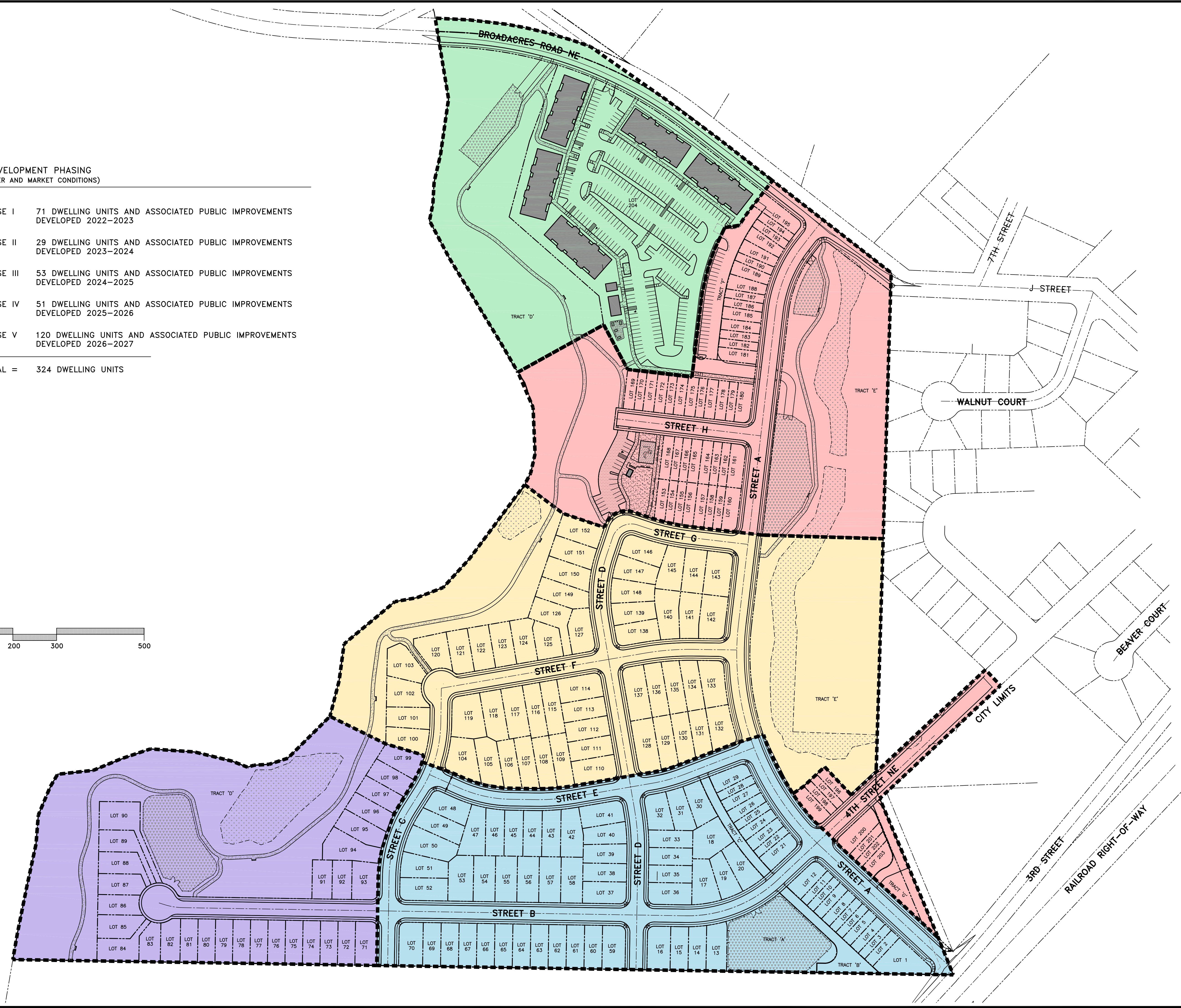
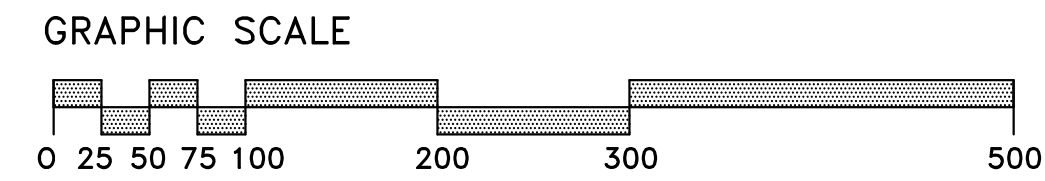
FRONT YARD =	12 FEET
STREET YARD =	12 FEET
SIDE YARD =	0 OR 5 FEET
REAR YARD =	10 FEET
GARAGE FACE =	20 FEET

GRAPHIC SCALE



PLANNED UNIT DEVELOPMENT PHASING
(DEPENDENT ON WEATHER AND MARKET CONDITIONS)

<div></div>	PHASE I	71 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2022–2023
<div></div>	PHASE II	29 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2023–2024
<div></div>	PHASE III	53 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2024–2025
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Cascadia
Planning + Development Services
PO Box 1920
Silverton, Oregon 97381
503-804-1089
steve@cascadiapd.com
www.cascadiapd.com

CITY OF HUBBARD LAND USE APPLICATION

BEAR CREEK PLANNED UNIT DEVELOPMENT

T.L. 100 OF T.M. 041W33
MARION COUNTY, OREGON

11984 BROADACRES ROAD NE
HUBBARD, OR 97032

PHASING
PLAN

JUNE 10, 2022

REVISIONS

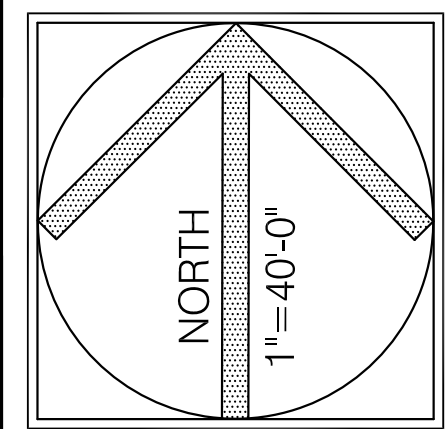
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P-4

SHEET 4 OF 8



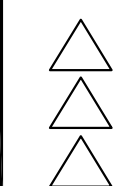
CITY OF HUBBARD LAND USE APPLICATION
BEAR CREEK PLANNED UNIT DEVELOPMENT

T.L. 100 OF T.M. 041W33
MARION COUNTY, OREGON

11984 BROADACRES ROAD NE
HUBBARD, OR 97032

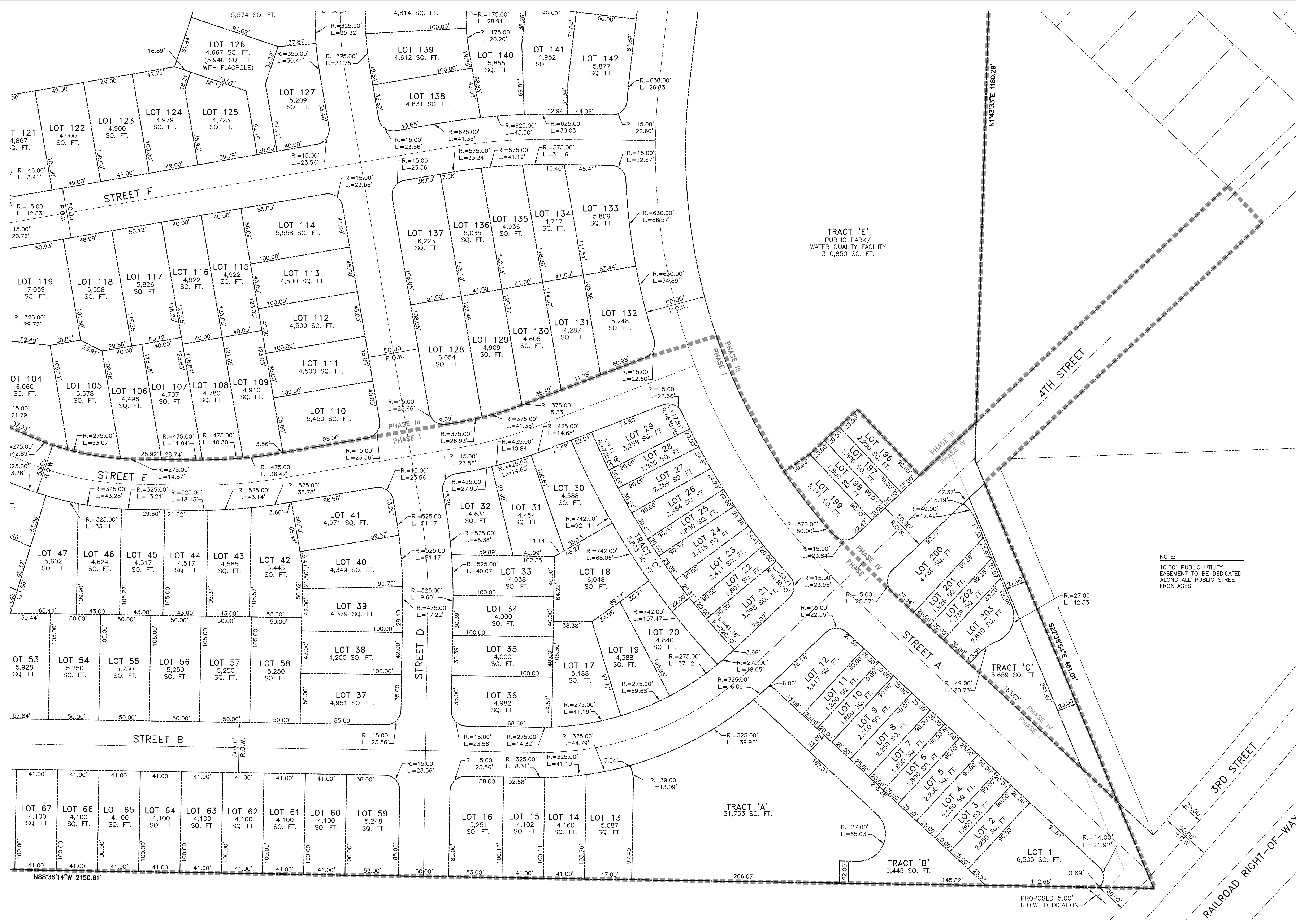
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PRELIMINARY
PLAT**

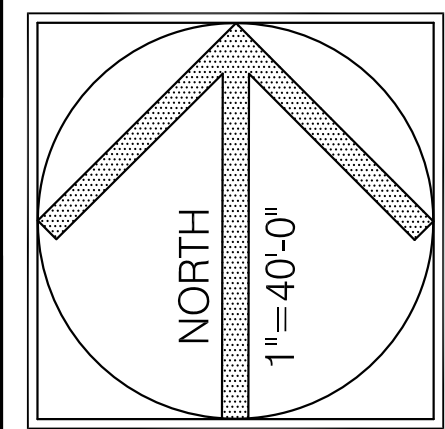
JUNE 10, 2022
REVISIONS



P-5

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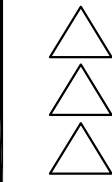




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T.L. 100 OF T.M. 041W33
MARION COUNTY, OREGON
11984 BROADACRES ROAD NE
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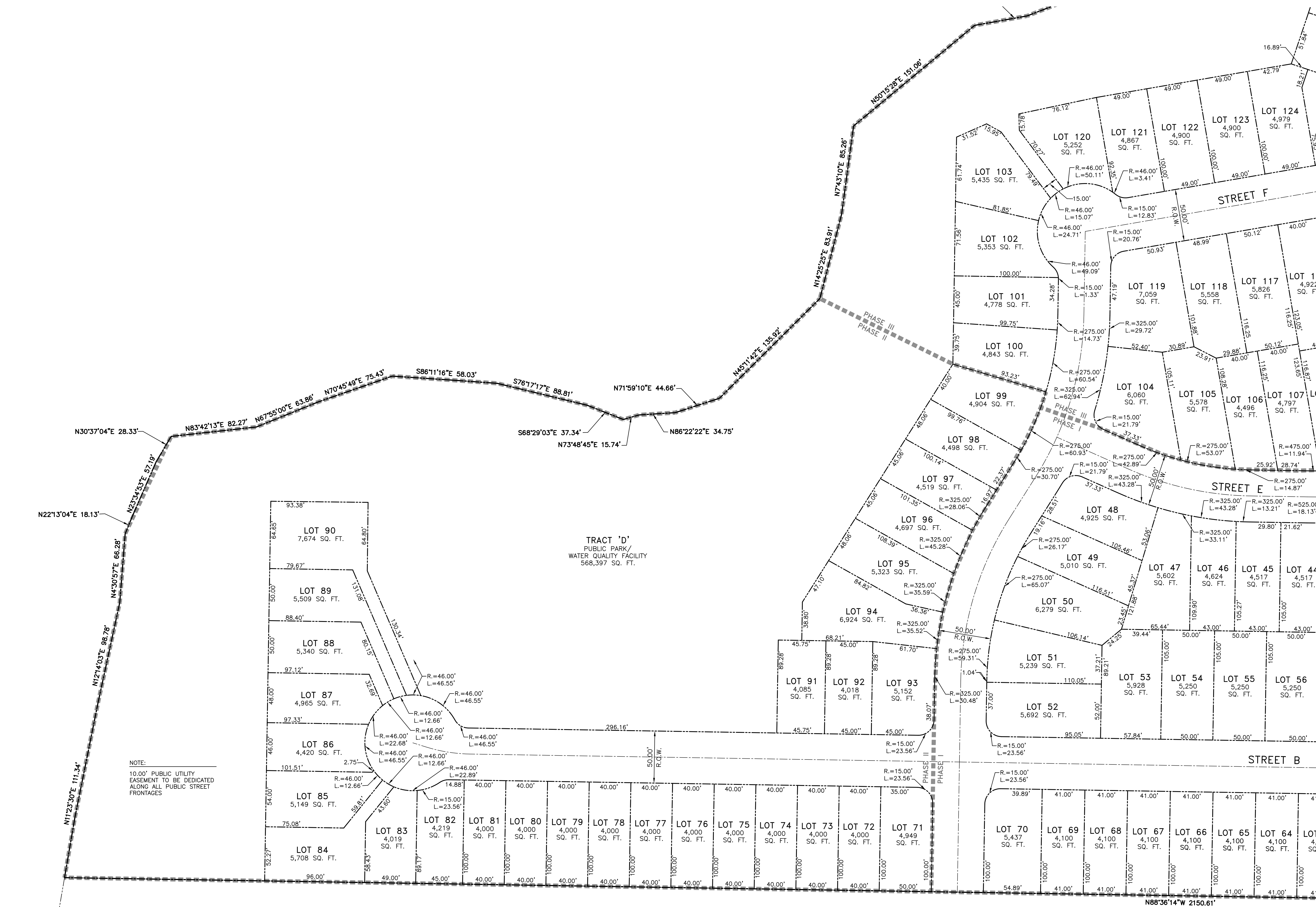
**SOUTHWEST
PRELIMINARY
PLAT**

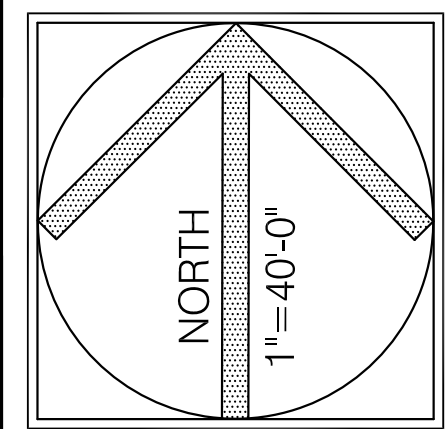
JUNE 10, 2022
REVISIONS



P-6

SHEET 6 OF 8

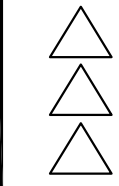




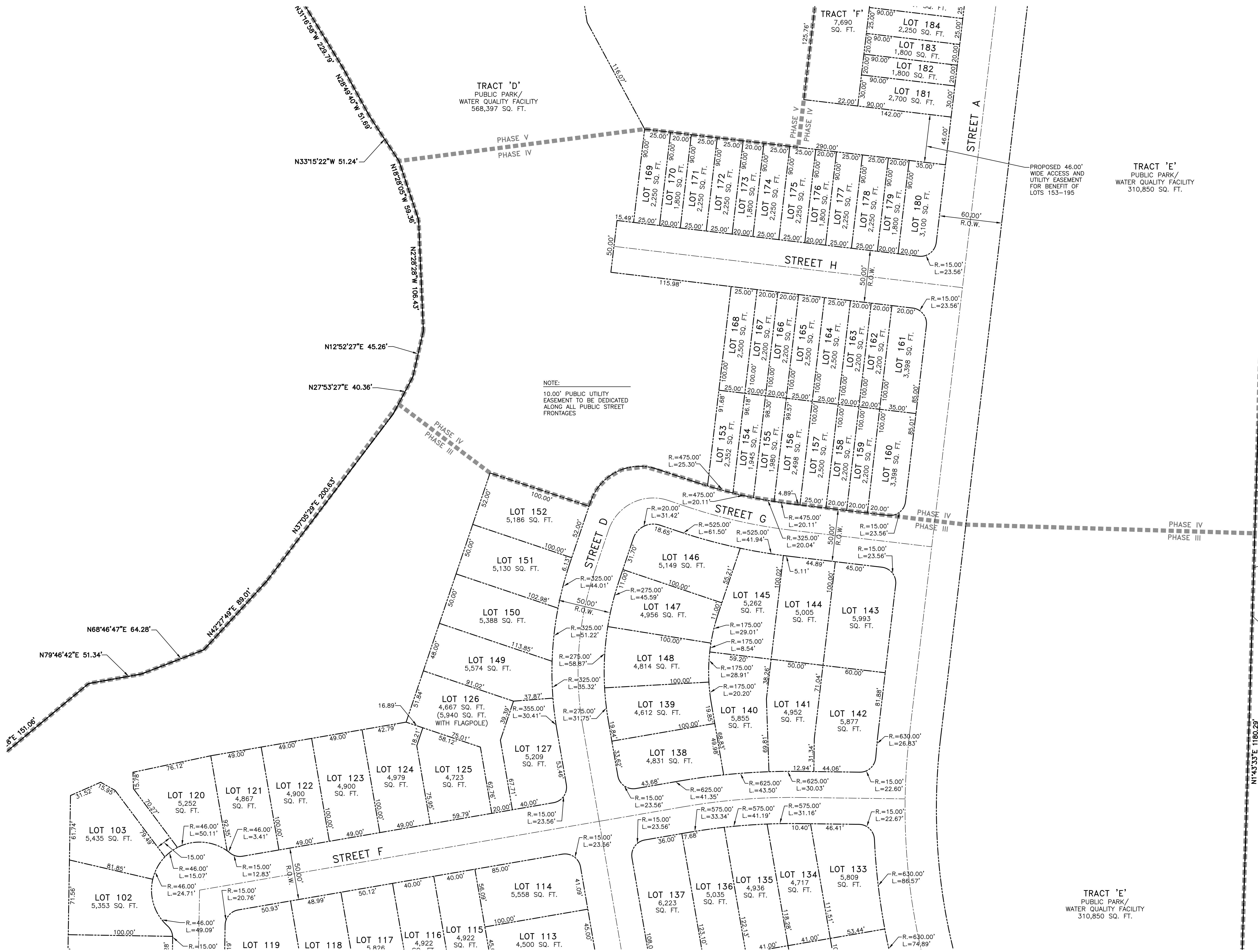
CITY OF HUBBARD LAND USE APPLICATION
BEAR CREEK PLANNED UNIT DEVELOPMENT
T.L. 100 OF T.M. 041W33
MARION COUNTY, OREGON

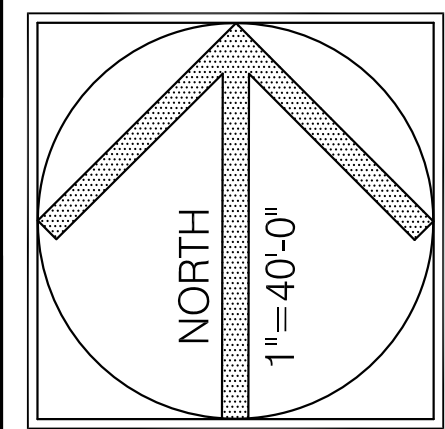
CENTRAL
PRELIMINARY
PLAT

JUNE 10, 2022
REVISIONS



P-7
SHEET 7 OF 8

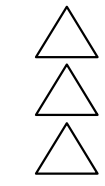




CITY OF HUBBARD LAND USE APPLICATION
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MARION COUNTY, OREGON
11984 BROADACRES ROAD NE
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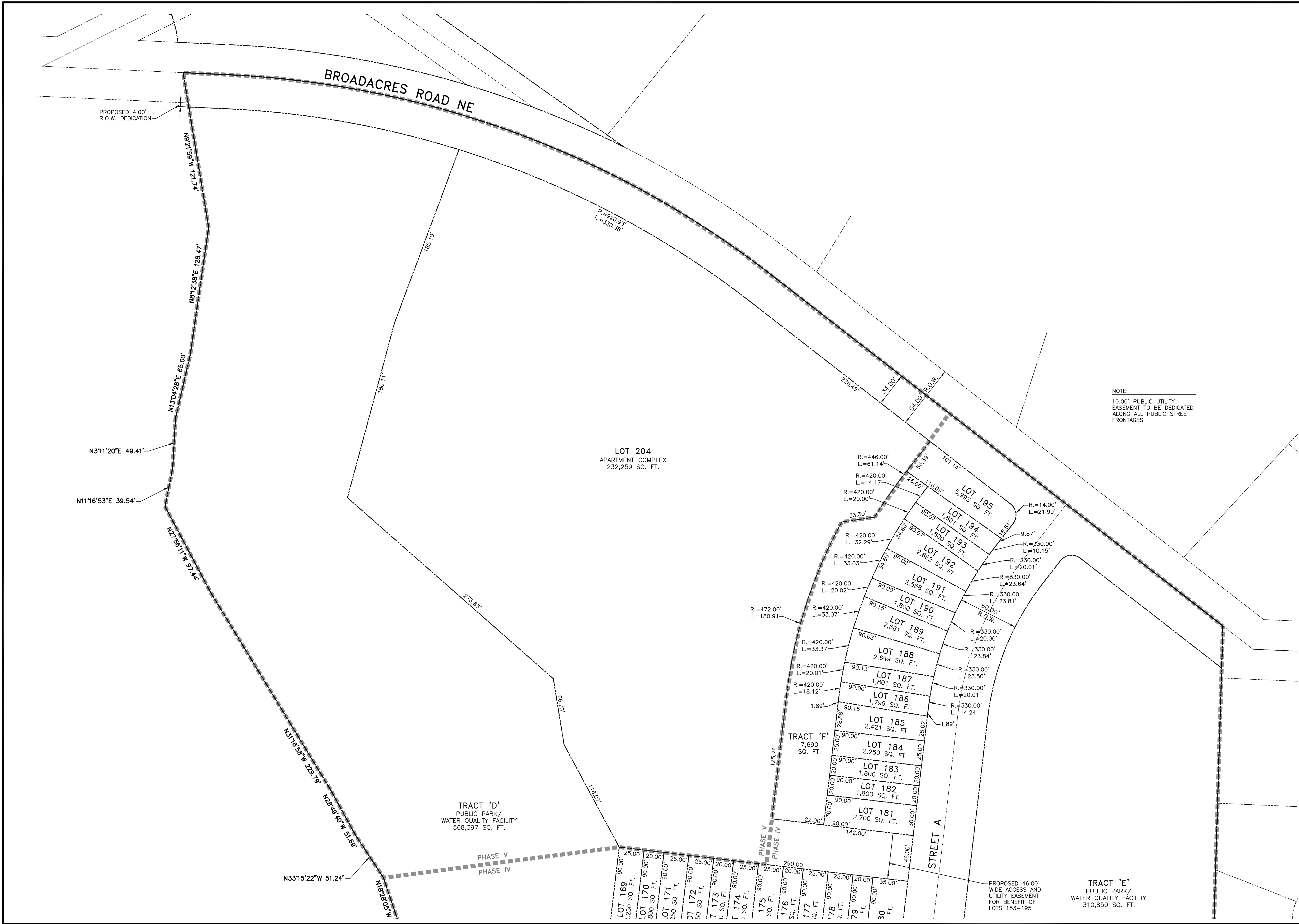
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PRELIMINARY
PLAT**

JUNE 10, 2022
REVISIONS



P-8

SHEET 8 OF 8



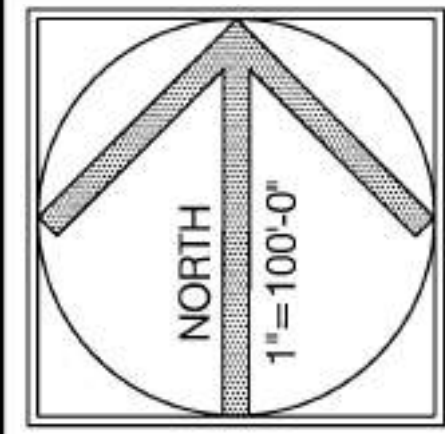
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PROPOSED SETBACKS

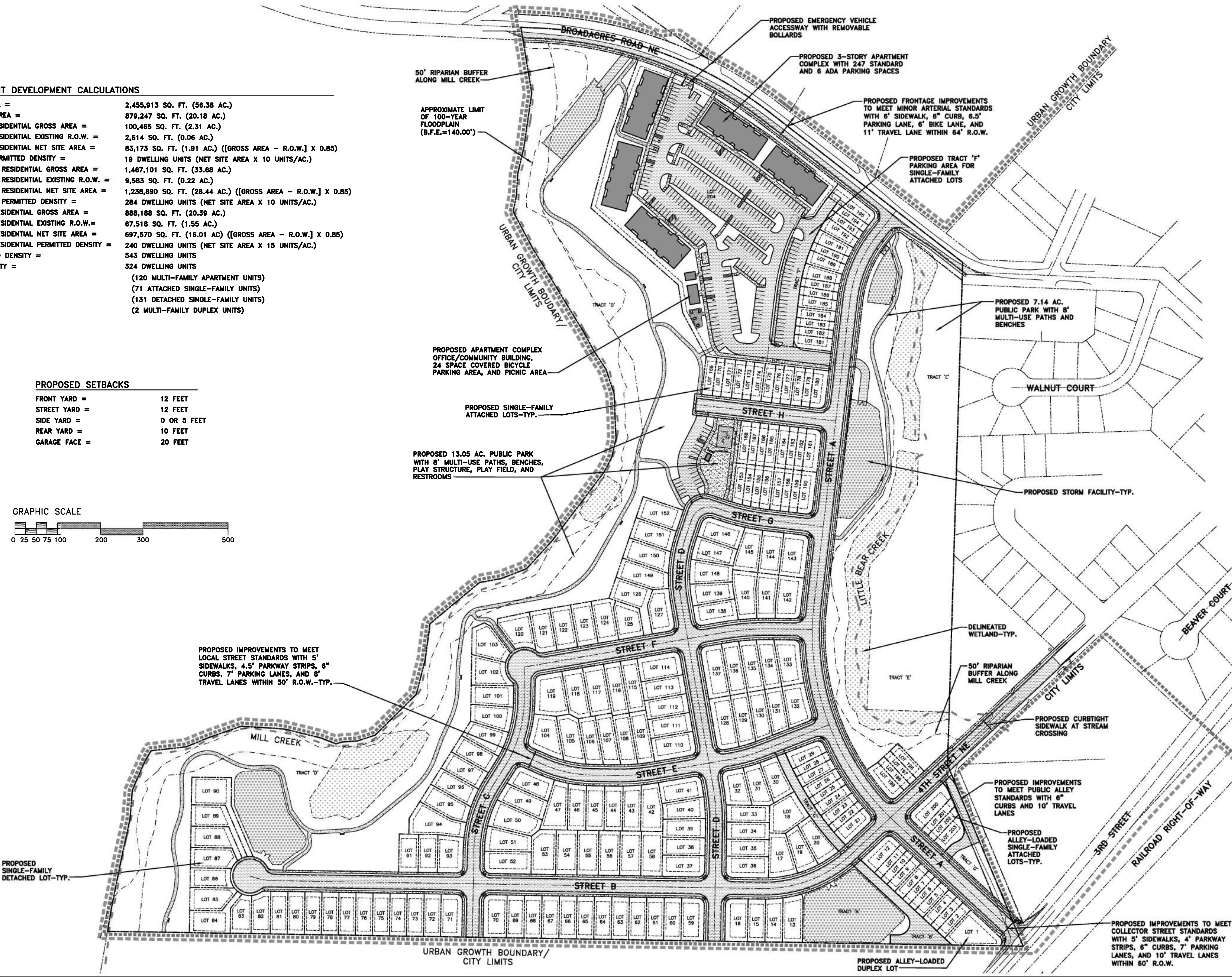
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GRAPHIC SCALE



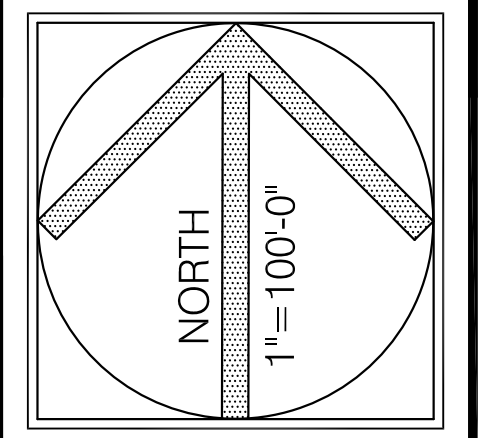
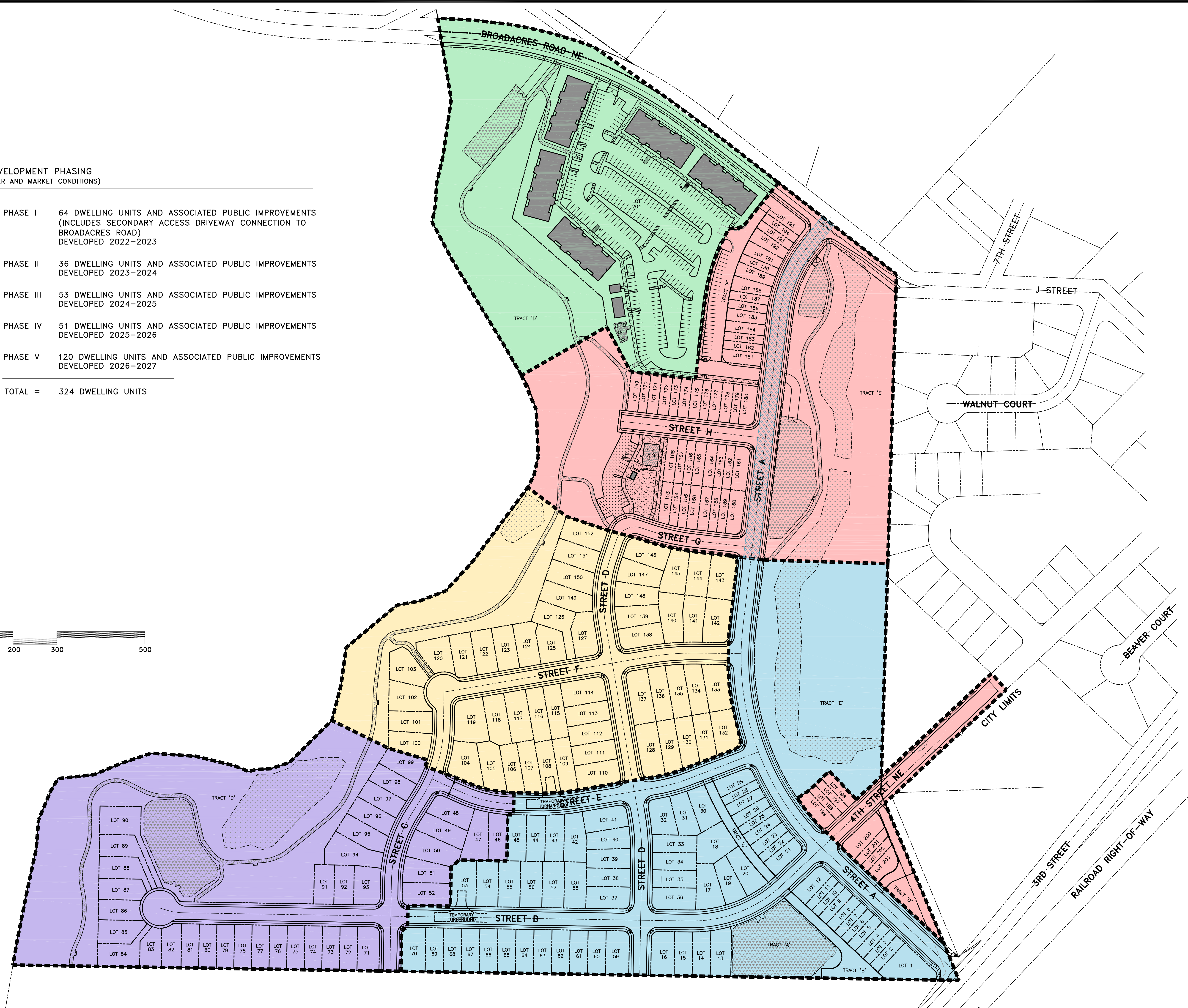
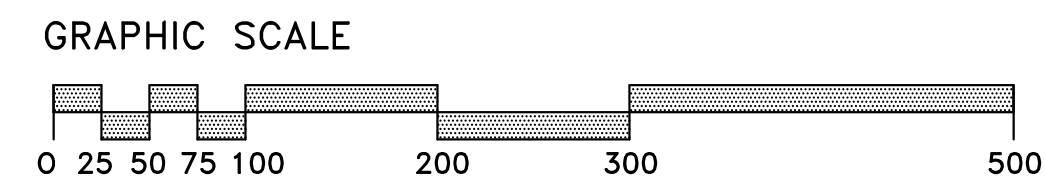
MASTER
PLAN

SEPTEMBER 12, 2022
REVISIONS



PLANNED UNIT DEVELOPMENT PHASING
(DEPENDENT ON WEATHER AND MARKET CONDITIONS)

<div><div></div><div></div></div>	PHASE I	64 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS (INCLUDES SECONDARY ACCESS DRIVEWAY CONNECTION TO BROADACRES ROAD) DEVELOPED 2022–2023
<div><div></div></div>	PHASE II	36 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2023–2024
<div><div></div></div>	PHASE III	53 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2024–2025
<div><div></div><div></div></div>	PHASE IV	51 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2025–2026
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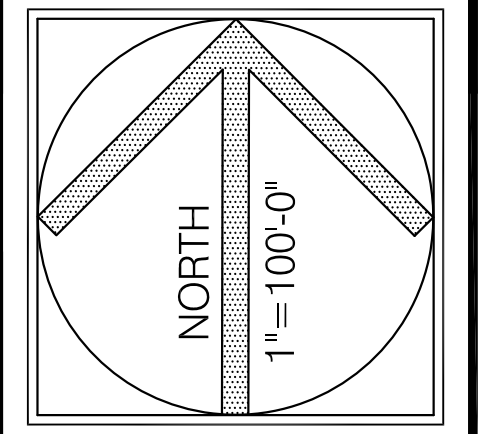
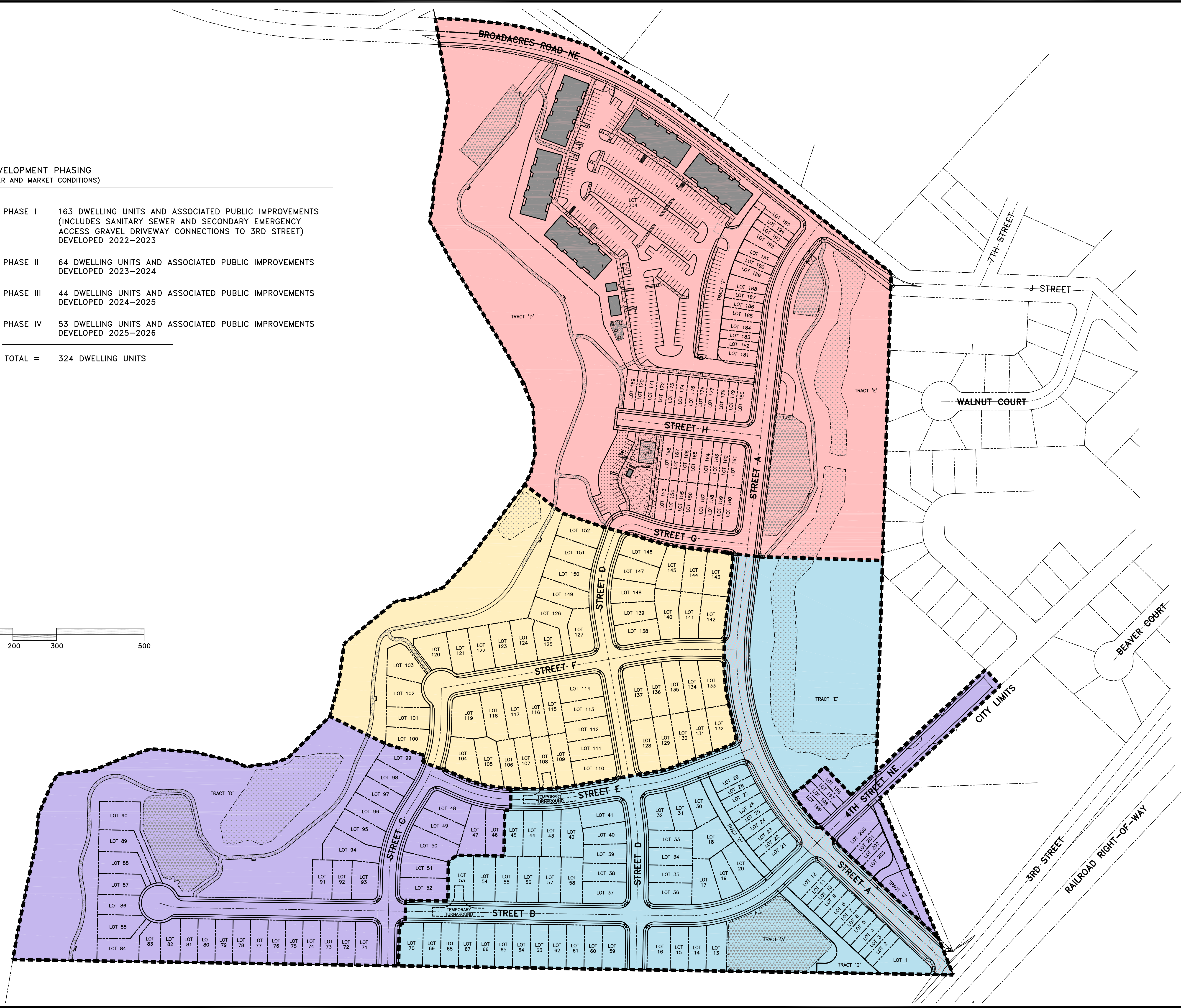
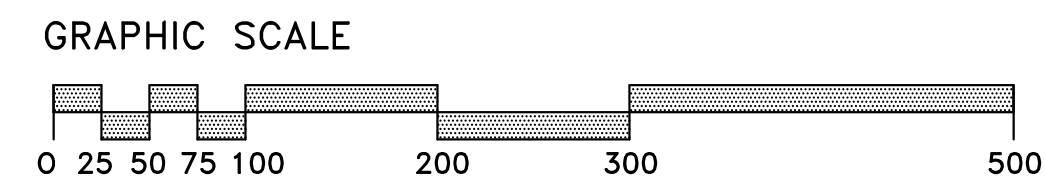
**PHASING
PLAN**

JUNE 10, 2022
REVISIONS



PLANNED UNIT DEVELOPMENT PHASING
(DEPENDENT ON WEATHER AND MARKET CONDITIONS)

<div></div>	PHASE I	163 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS (INCLUDES SANITARY SEWER AND SECONDARY EMERGENCY ACCESS GRAVEL DRIVEWAY CONNECTIONS TO 3RD STREET) DEVELOPED 2022-2023
<div></div>	PHASE II	64 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2023-2024
<div></div>	PHASE III	44 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2024-2025
<div></div>	PHASE IV	53 DWELLING UNITS AND ASSOCIATED PUBLIC IMPROVEMENTS DEVELOPED 2025-2026
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ALTERNATE
PHASING
PLAN

AUGUST 22, 2022
REVISIONS





lancaster
mobley

Bear Creek Subdivision

Transportation Impact Analysis

Salem, Oregon

Date:

June 9, 2022

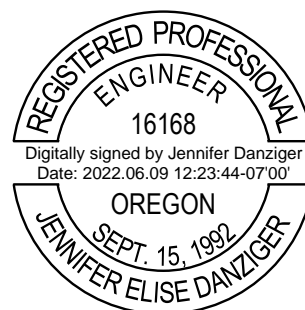
Prepared for:

Harlan Borrow, Icon Construction and Development, LLC

Prepared by:

Myla Cross

Jennifer Danziger, PE



RENEWS: 12 / 31 / 2023

Executive Summary	3
Project Description	5
Introduction	5
Location Description	5
Transit	8
Site Trips	10
Trip Generation	10
Trip Distribution	11
Trip Assignment	11
Traffic Volumes	14
Existing Conditions	14
Background Conditions	15
Buildout Conditions	15
Safety Analysis	21
Crash History Review	21
Warrant Analysis	24
Sight Distance	26
Operational Analysis	28
Intersection Capacity Analysis	28
Performance Standards	28
Delay & Capacity Analysis	29
Queuing Analysis	31
Potential Improvements	34
Conclusions	36

Appendices

- Appendix A – Site Data
- Appendix B – Traffic Data
- Appendix C – Safety
- Appendix D – Operations



List of Figures

Figure 1: Project Location	6
Figure 2: Vicinity Map	9
Figure 3: Trip Distribution & Assignment – Phases 1 through 3	12
Figure 4: Trip Distribution & Assignment – All Phases	13
Figure 5: Year 2022 Existing Conditions	16
Figure 6: Year 2025 Background Year Conditions	17
Figure 7: Year 2027 Background Year Conditions	18
Figure 8: Year 2025 Buildout Conditions – Phases 1 through 3	19
Figure 9: Year 2027 Buildout Conditions – All Phases	20

List of Tables

Table 1: Vicinity Roadway Descriptions	6
Table 2: Study Intersection Descriptions	7
Table 3: Trip Generation Summary	10
Table 4: Trip Generation by Phase	10
Table 5: Collision Type Summary	21
Table 6: Crash Severity and Rate Summary	22
Table 7: Sight Distance Comparison	27
Table 8: Capacity Analysis Summary	29
Table 9: Queuing Analysis Summary	32
Table 10: Operations & Queuing with Northbound Lane Revisions on OR 99E	34



Executive Summary

1. The proposed Bear Creek Subdivision project, encompassing approximately 68 acres, is located in the City of Hubbard south of Broadacres Road and west of Front/3rd Street on Tax Lot 041W33 00100.
2. The project will develop the subject property with 131 detached single-family units, 71 attached single-family units, 2 multifamily duplex units, and 120 multifamily apartment units for a total of 324 housing units in Hubbard, Oregon. The subdivision will be constructed in five phases with construction of all development expected to be completed by the end of year 2027.
3. The development will have three access points that connect into the existing transportation system. A proposed north-south collector street will extend between Broadacres Road/J Street and Front Street/3rd Street to provide two access points, one on each roadway. An extension of 4th Street westward into the site will provide the third access point. The apartments will also have an access on Broadacres Road, but this access will be gated and available for emergency vehicle access only. With Phases 1 through 3, all access will be taken from Front Street/3rd Street. The site access to SW Broadacres Road and the extension of 4th Street into the site will be completed with Phase 4.
4. Trip generation calculations for the Bear Creek Subdivision are estimated at 187 morning peak hour, 240 evening peak hour, and 2,634 weekday trips when all phases are completed.
5. Based on a review of the most recent five years of available crash data, no significant trends or crash patterns were identified at any of the study intersections except for the intersection of OR 99E at G Street. A future signal at this location could be considered when traffic volumes eventually meet warrants. Actions by the City and ODOT to reduce the parking and access conflicts around the intersection would also help to reduce the crash rate at this location. At all other locations, no safety mitigation is recommended.
6. The preliminary traffic signal analysis determined that signal warrants are not projected to be met at any of the applicable study intersections under year 2027 buildout conditions. These findings include OR 99E at G Street and A Street.
7. A left-turn lane is not warranted at any of the site access intersections under year 2025 or 2027 buildout conditions.
8. A right-turn lane is not warranted at any of the site access intersections under year 2025 or 2027 buildout conditions.
9. Based on the sight distance analysis, all site accesses are expected to have adequate sight lines. No mitigation pertaining to sight distance is necessary or recommended.
10. All intersections will meet the applicable agency standard under buildout conditions except for the clustered intersections of OR 99E SB/OR 551 SB at Grim Road and OR 99E NB at Scholl Road. During the morning peak hour, OR 99E NB at Scholl Road currently exceeds the target v/c ratio of 0.70. Conditions will continue to worsen as traffic demand increases with or without the proposed development. During the evening peak hour, both intersections will exceed the target v/c ratio of 0.70 under buildout conditions.
11. In general, changes in 95th percentile queuing between the year 2027 background and buildout conditions are anticipated to be small, one vehicle and occasionally two vehicles. Larger increases in queues are



anticipated at the OR 99E/OR 551 intersection with Grim Road/Scholl Road; however, these queues can be accommodated on the existing roadway segments.

12. Only one intersection, OR 99E at D Street, is expected to have projected 95th percentile queues which extend beyond available lane storage. However, given the intersection meets the ODOT v/c ratio target, the queues occur on the minor roadway, and the queues do not create a significant safety concern, no mitigation is recommended.
13. The OR 99E Woodburn to Aurora Corridor Segment Plan identified a long-term improvement for the clustered intersections OR 99E/OR 551 at Grim Road/Scholl Road, which included the reconstruction of the intersections as a single, signal-controlled intersection. No cost for this improvement was provided and the project is currently unfunded.
14. A potential interim improvement option at the OR 99E/OR 551 intersection with Grim Road/Scholl Road would be to restripe the northbound approach of OR 99E with two lanes rather than a single lane. The existing paved surface of the northbound approach appears wide enough to accommodate two travel lanes and two receiving lanes are available north of the intersection. The change in lane striping would significantly improve the operations and reduce queuing for the northbound movement on OR 99E. It would also allow for shorter cycle lengths which would reduce the delay and queues for the southbound movements on OR 99E and OR 551. If ODOT were to move forward with this improvement, any funding contributions collected from development should be based on a proportionate share allocation of costs. The proposed project is anticipated to account for 5 to 6 percent of the combined intersection volume.



Project Description

Introduction

The proposed Bear Creek Subdivision project intends to develop the subject property with 131 detached single-family units, 71 attached single-family units, 2 multifamily duplex units, and 120 multifamily apartment units for a total of 324 housing units in Hubbard, Oregon. The subdivision will be constructed in five phases with construction of all development expected to be completed by the end of year 2027.

This report examines the impacts of the proposed development on the transportation system in the vicinity of the project site. The purpose of this report is to ensure safe and efficient performance of the transportation facilities that will be impacted by the proposed development. The study area includes intersections that are under the jurisdiction of the City of Hubbard, ODOT, and Marion County, including:

- | | |
|------------------------------------------------------------------------|---------------------------------------|
| 1. Boones Ferry Road at Crosby Road | 7. 3 rd Street at J Street |
| 2. Boones Ferry Road at Broadacres Road | 8. 3 rd Street at G Street |
| 3. Site Access (Street A on Site Plan) at Broadacres Road | 9. OR 99E at G Street |
| 4. 4 th Street at J Street | 10. OR 99E at D Street |
| 5. 4 th Street at G Street | 11. OR 99E at A Street |
| 6. Site Access (Street A on Site Plan) at Front/3 rd Street | 12. OR 99E SB/OR 551 SB at Grim Road |
| | 13. OR 99E NB at Scholl Road |

All supporting data and calculations are included in the appendices to this report.

Location Description

The project is located south of Broadacres Road and west of Front/3rd Street on Tax Lot 041W33 00100, encompassing approximately 68 acres, as shown in Figure 1. A site plan is attached.

The development will have three access points that connect into the existing transportation system as shown in yellow in Figure 1. A proposed north-south collector street will extend between Broadacres Road/J Street and Front Street/3rd Street to provide two access points. An extension of 4th Street westward into the site will provide the third access point. The apartments will also have an access on Broadacres Road, but this access will be gated and available for emergency vehicle access only.

With Phases 1 through 3, all access will be taken from Front Street/3rd Street. The site access to SW Broadacres Road and the extension of 4th Street into the site will be completed with Phase 4.





Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

State Land Board

June 7, 2022

Icon Construction and Development
Attn: Harlan Borow
1969 Willamette Falls Drive, Suite 160
West Linn, Oregon 97068

Kate Brown
Governor

Re: WD # 2022-0063 **Approved**
Wetland Delineation Report for Bear Creek Residential Development
Marion County; T4S R1W S33 TL100 and 4th Street ROW (Portions)
Hubbard Local Wetlands Inventory, Wetland 3

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

Dear Harlan Borow:

The Department of State Lands has reviewed the wetland delineation report prepared by Schott & Associates for the site referenced above. Please note that the study area includes only a portion of the tax lot described above (see the attached map). Based upon the information presented in the report, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in Figure 6a through 6e of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, 3 wetlands (Wetland 1, 2 and 3, totaling approximately 2.39 acres) and one waterway (Mill Creek) were identified. They are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Marion County, Daniel Evans, PWS, at (503) 986-5271.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Ryan", with a stylized flourish at the end.

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

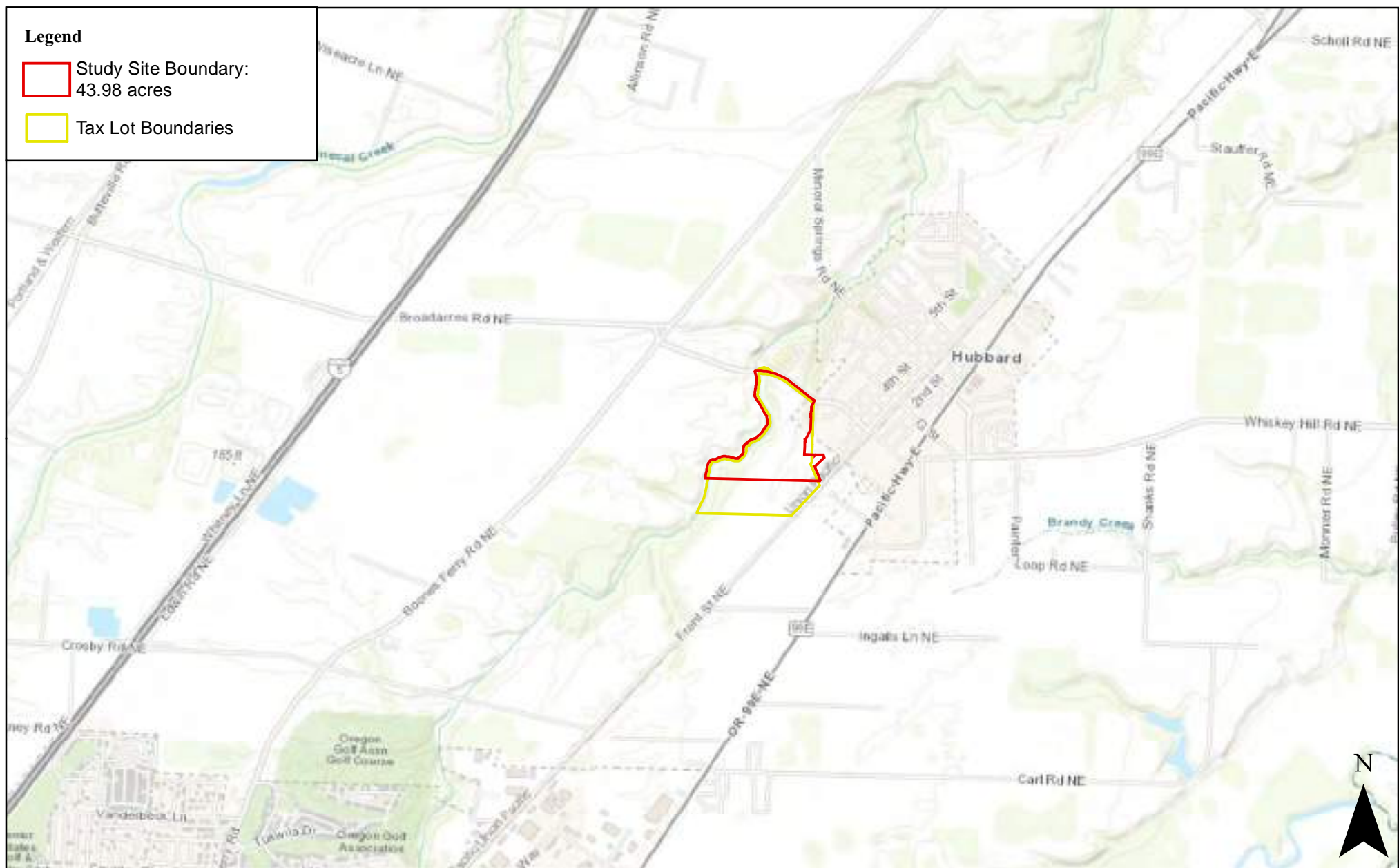
ec: Kim Biafora, Schott & Associates
Hubbard Planning Department (Maps enclosed for updating LWI)
Kinsey Friesen, Corps of Engineers
Carrie Landrum, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

Fully completed and signed report cover forms and applicable fees are required before report review timelines are initiated by the Department of State Lands. Make checks payable to the Oregon Department of State Lands. To pay fees by credit card, go online at: <https://apps.oregon.gov/DSL/EPS/program?key=4>

Attach this completed and signed form to the front of an unbound report or include a hard copy with a digital version (single PDF file of the report cover form and report, minimum 300 dpi resolution) and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279**. A single PDF of the completed cover form and report may be e-mailed to: **Wetland_Delineation@dsl.state.or.us**. For submittal of PDF files larger than 10 MB, e-mail DSL instructions on how to access the file from your ftp or other file sharing website.

Contact and Authorization Information	
<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Harlan Borow, Icon Construction and Development 1969 Willamette Falls Drive, Suite 160 West Linn, Oregon 97068	Business phone # (503) 657-0406 Mobile phone # (optional) E-mail: harlan@iconconstruction.net
<input type="checkbox"/> Authorized Legal Agent, Name and Address (if different):	Business phone # Mobile phone # (optional) E-mail:
I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.	
Typed/Printed Name: <u>Harlan Borow</u> Signature: <u>Harlan Borow</u> Date: <u>1/28/2022</u> Special instructions regarding site access: _____	
Project and Site Information	
Project Name: Bear Creek	Latitude: 45.176789° Longitude: -122.814579° decimal degree - centroid of site or start & end points of linear project
Proposed Use: Residential development	Tax Map # 041W33 Tax Lot(s) 100, ROW Tax Map # Tax Lot(s)
Project Street Address (or other descriptive location): South of Broadacres Road NE, northwest of Front Street NE	Township 4S Range 1W Section 33 QQ NW/SE Use separate sheet for additional tax and location information
City: Hubbard County: Marion	Waterway: Mill Creek River Mile: 9
Wetland Delineation Information	
Wetland Consultant Name, Firm and Address: Kim Biafora, Schott & Associates 21018 NE Hwy 99E Aurora, OR 97002	Phone # (503) 678-6007 Mobile phone # (if applicable) E-mail: kim@schottandassociates.com
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge. Consultant Signature: <u>Kim Biafora</u> Date: <u>1/31/2022</u>	
Primary Contact for report review and site access is <input type="checkbox"/> Consultant <input checked="" type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent	
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Study Area size: 43.98 Total Wetland Acreage: 2.39
Check Applicable Boxes Below	
<input type="checkbox"/> R-F permit application submitted <input type="checkbox"/> Mitigation bank site <input type="checkbox"/> Industrial Land Certification Program Site <input type="checkbox"/> Wetland restoration/enhancement project (not mitigation) <input type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # _____	<input type="checkbox"/> Fee payment submitted \$ _____ <input type="checkbox"/> Fee (\$100) for resubmittal of rejected report <input type="checkbox"/> Request for Reissuance. See eligibility criteria. (no fee) DSL # _____ Expiration date _____ <input checked="" type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code <u>3</u>
For Office Use Only	
DSL Reviewer: <u>DE</u> Fee Paid Date: <u>2</u> / <u>9</u> / <u>22</u>	DSL WD # <u>2022-0063</u>
Date Delineation Received: <u>1</u> / <u>31</u> / <u>22</u> Scanned: <input type="checkbox"/> Electronic: <input checked="" type="checkbox"/>	DSL App.# _____



Date: 4/26/2022

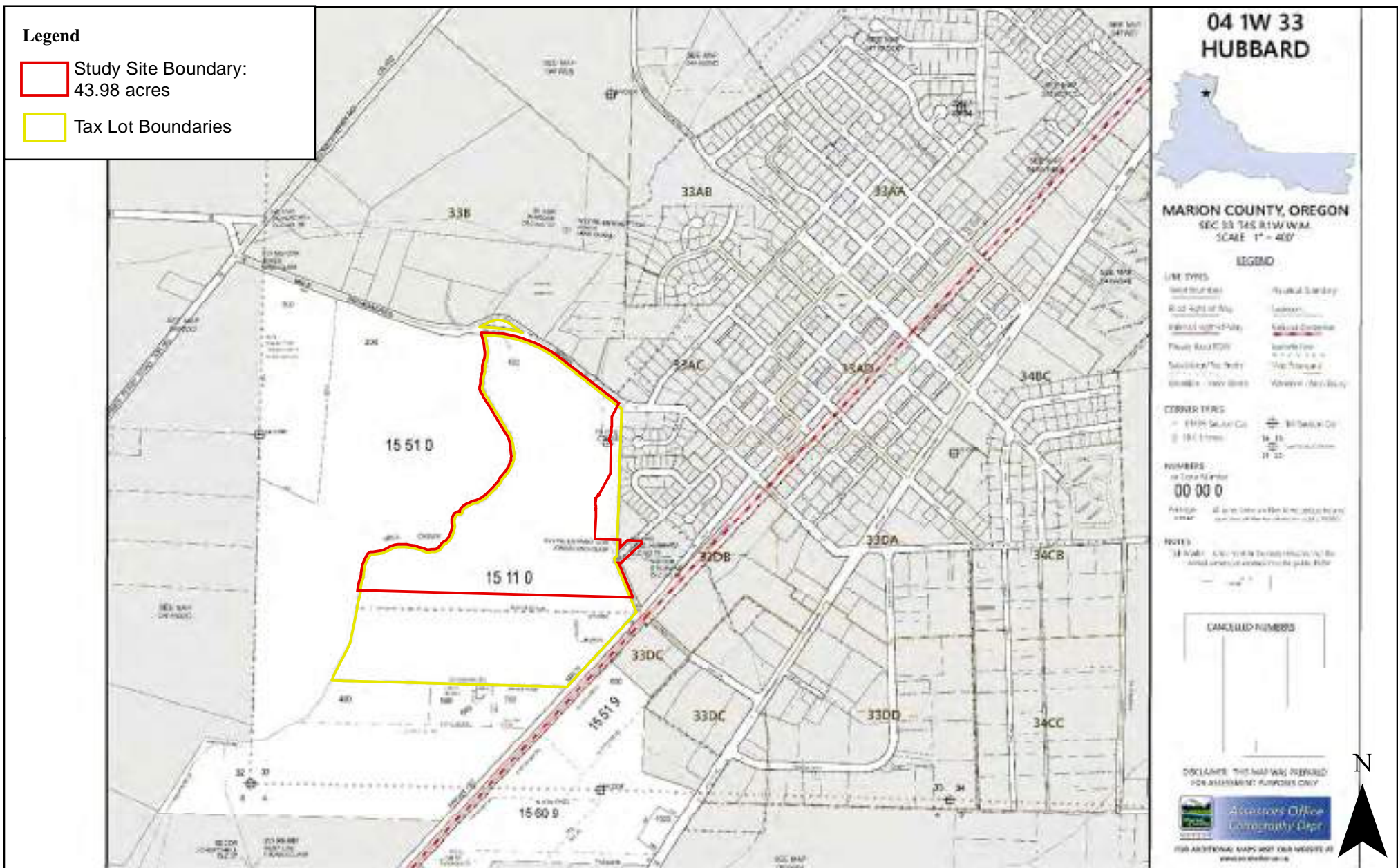
Data Source: ESRI, 2022; Marion County GIS Dept., 2022

Figure 1. Location Map

Bear Creek Project Site: S&A #2893

A horizontal number line is shown with tick marks at 0, 1,000, 2,000, and 4,000. The label "Feet" is at the right end. The segment between 2,000 and 4,000 is shaded gray.



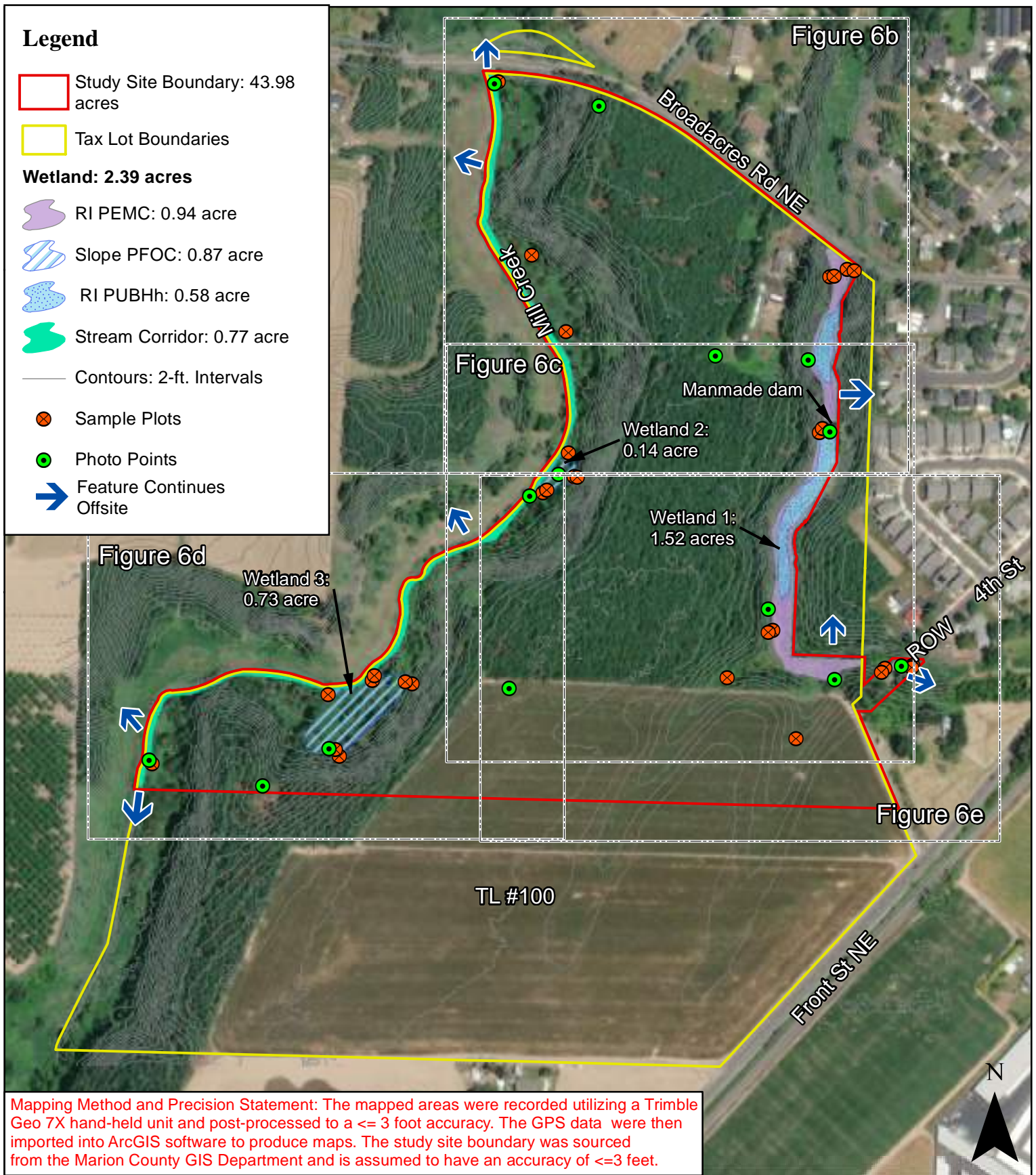


Date: 4/26/2022

Data Source: ESRI, 2022; Marion County GIS Dept., 2022

Figure 2. Marion County Tax Map - 041W33

Bear Creek Project Site: S&A #2893



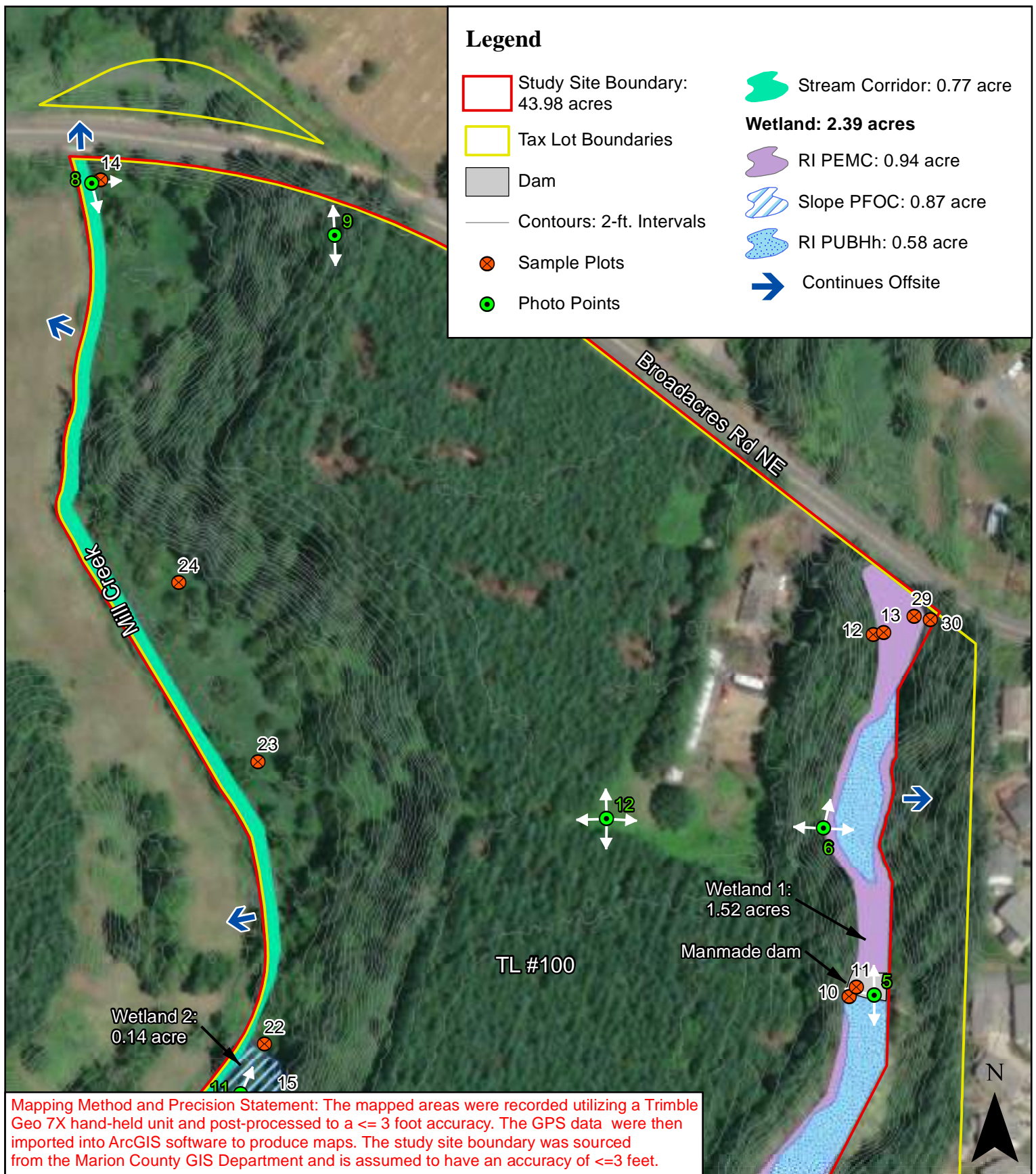
Date: 6/6/2022

Data Source: ESRI, 2022; Marion County GIS Dept, 2022; DOGAMI, 2009

DSL WD # 2022-0063
Approval Issued 6/7/2022
Approval Expires 6/7/2027

Figure 6a. Wetland Delineation Map - Overview

Bear Creek Project Site: S&A # 2893



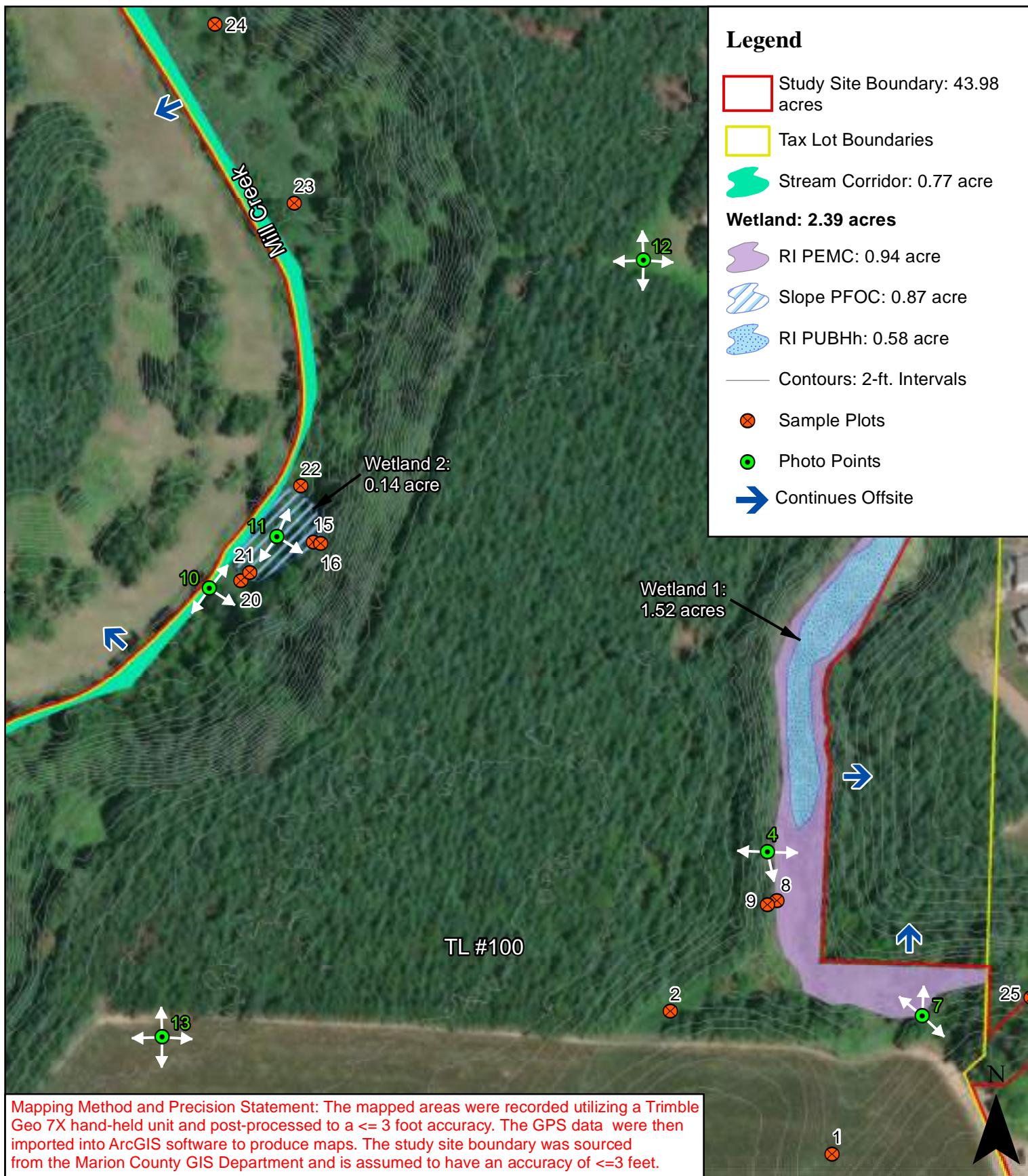
Date: 6/6/2022

Data Source: ESRI, 2022; Marion County GIS Dept, 2022; DOGAMI, 2009

DSL WD # [2022-0063](#)
Approval Issued [6/7/2022](#)
Approval Expires [6/7/2027](#)

Figure 6b. Wetland Delineation Map - North

Bear Creek Project Site: S&A # 2893



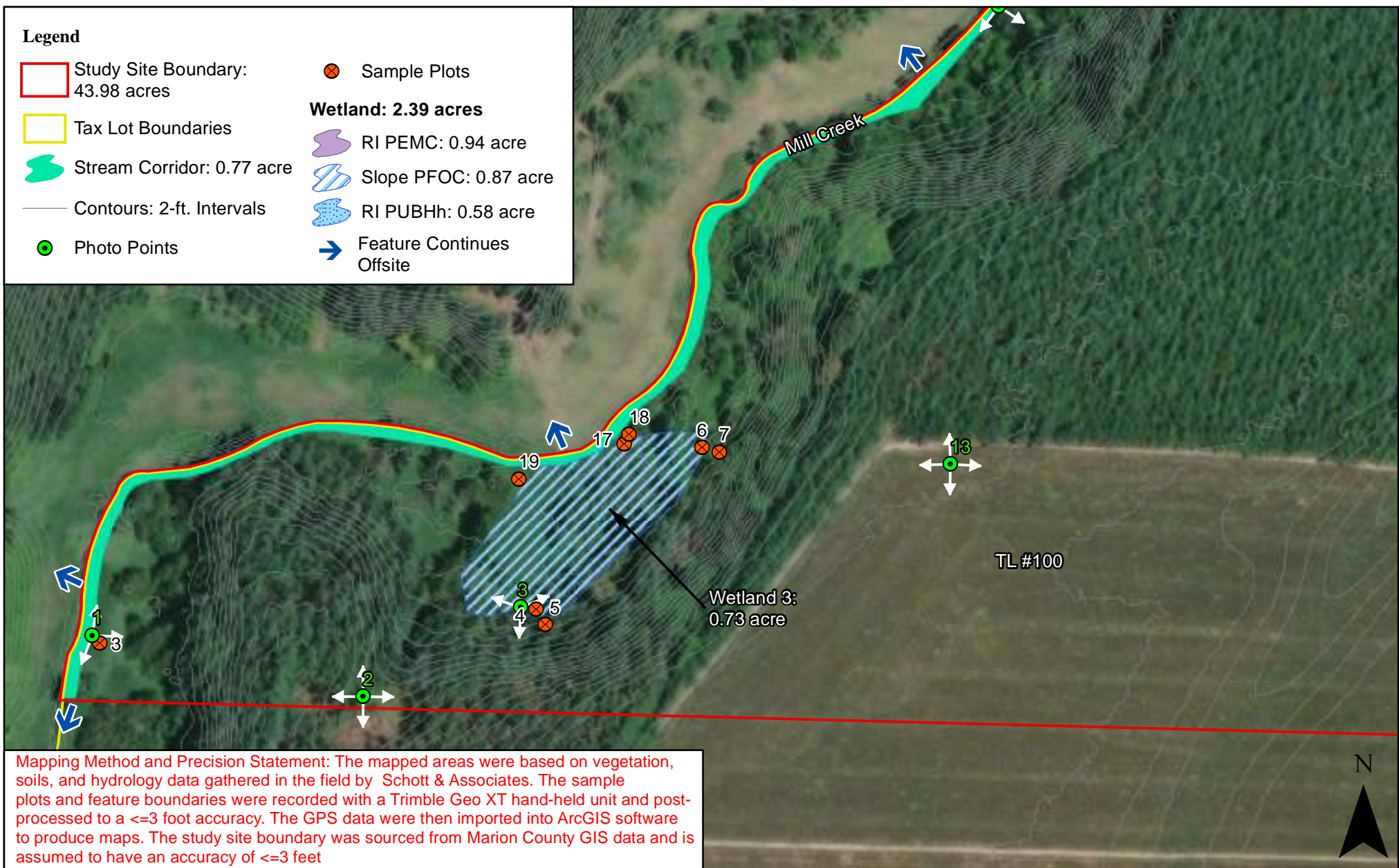
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Data Source: ESRI, 2022; Marion County GIS Dept, 2022; DOGAMI, 2009

DSL WD # [2022-0063](#)
Approval Issued [6/7/2022](#)
Approval Expires [6/7/2027](#)

Figure 6c. Wetland Delineation Map - Central

Bear Creek Project Site: S&A # 2893



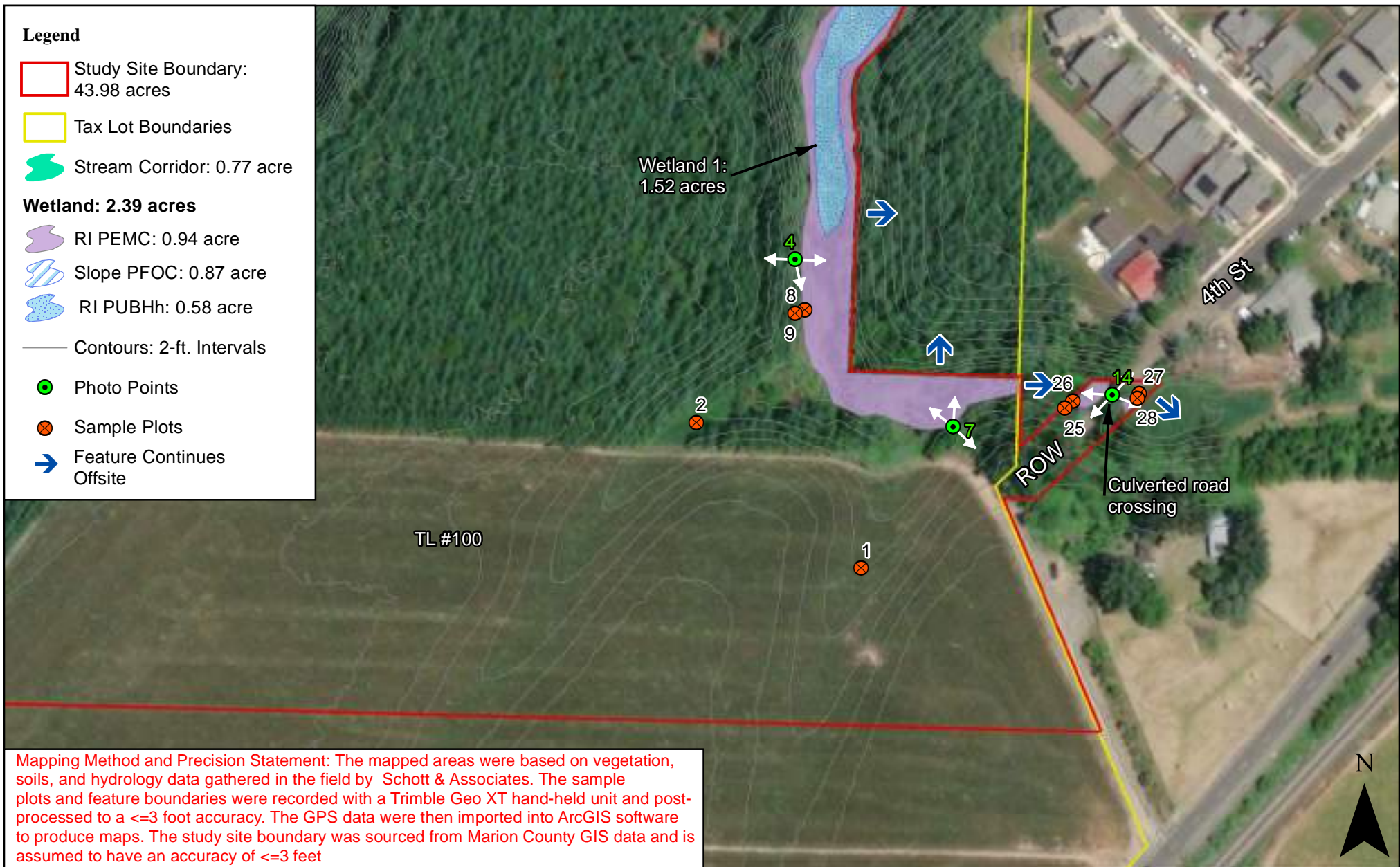
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Data Source: ESRI, 2022; Marion
County GIS Dept., 2022; DOGAMI, 2009

DSL WD # 2022-0063
Approval Issued 6/7/2022
Approval Expires 6/7/2027

Figure 6d. Wetland Delineation
Map - Southwest Section

Bear Creek Project Site: S&A #2893



Date: 6/6/2022

Data Source: ESRI, 2022; Marion County GIS Dept., 2022; DOGAMI, 2009

DSL WD # 2022-0063
Approval Issued 6/7/2022
Approval Expires 6/7/2027

Figure 6e. Wetland Delineation
Map - Southeast

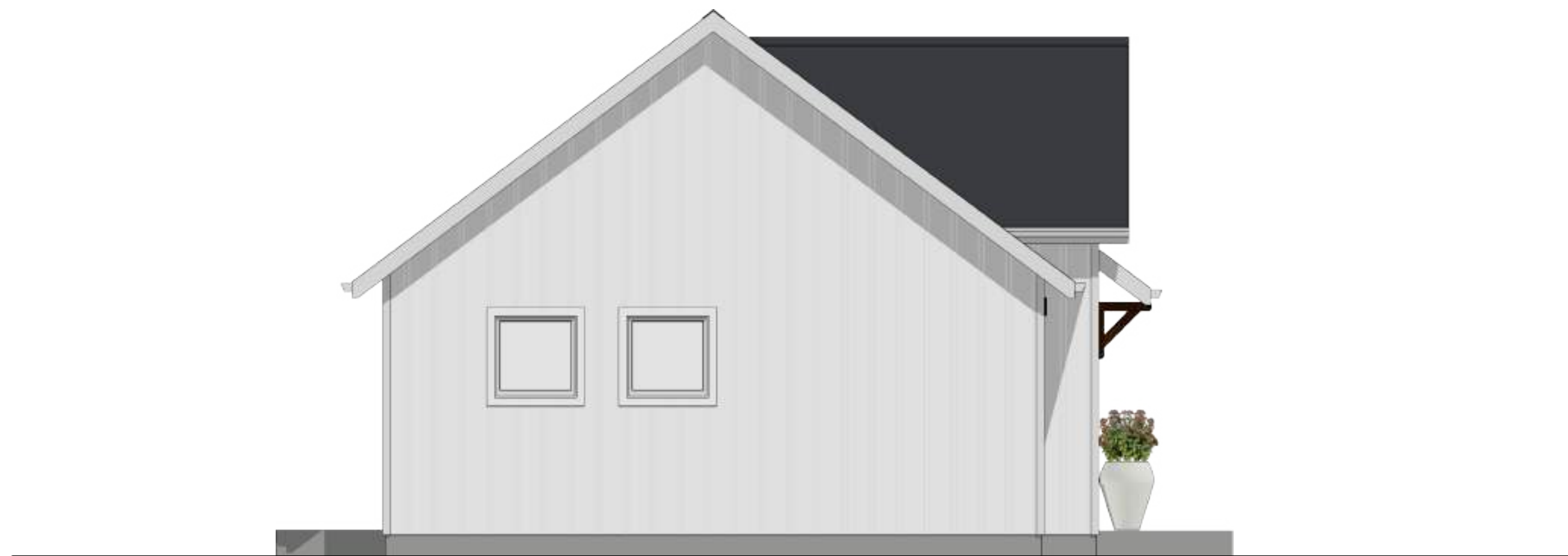
Bear Creek Project Site: S&A #2893



RIGHT ELEVATION
SCALE 1/4" = 1'0"



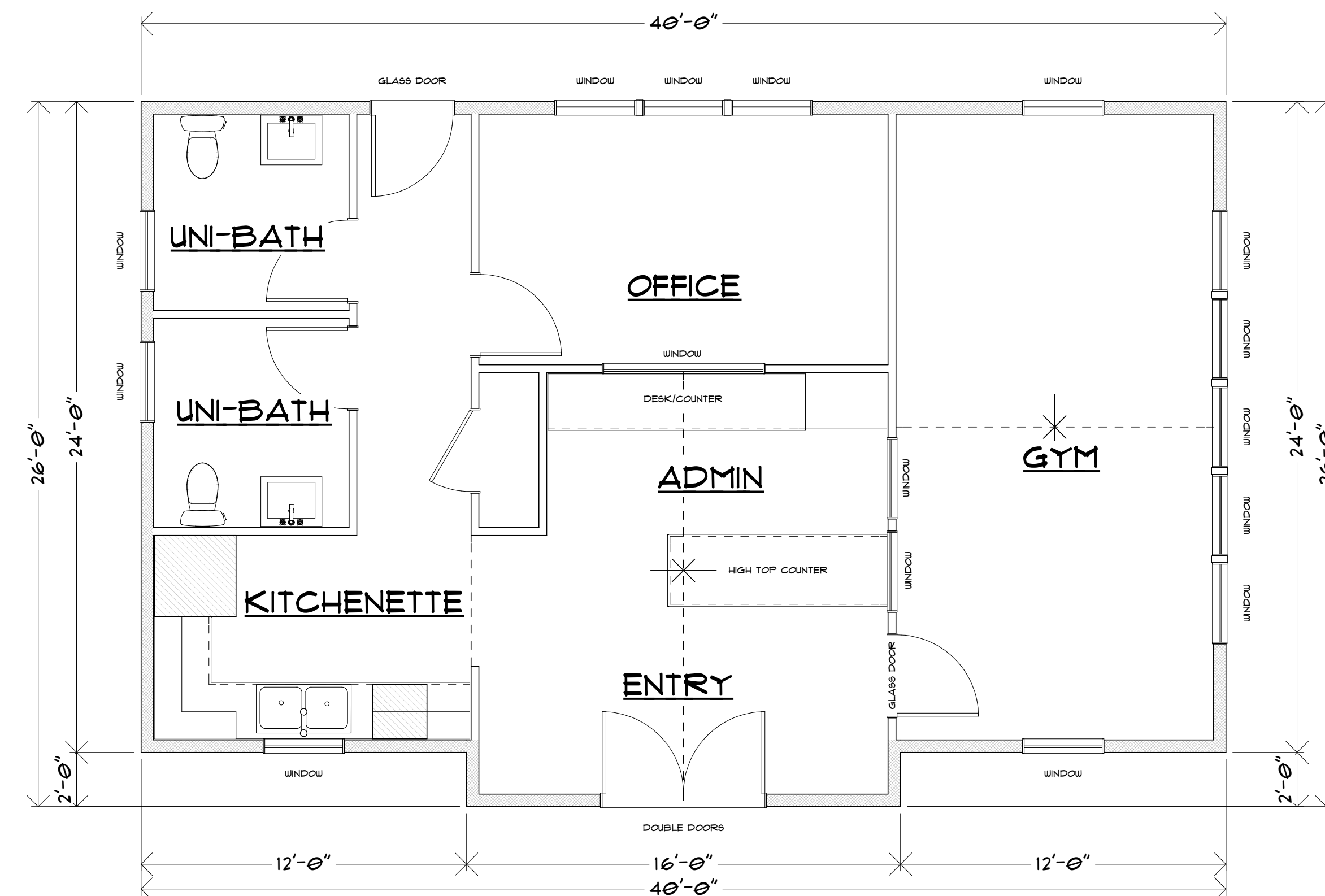
FRONT ELEVATION
SCALE 1/4" = 1'0"



LEFT ELEVATION
SCALE 1/4" = 1'0"



REAR ELEVATION
SCALE 1/4" = 1'0"



CLUB HOUSE
SCALE 1/4" = 1'0"

BODY COLOR:
WHITE DOVE BY BENJAMIN MOORE (OR SIMILAR)

TRIM COLOR:
WHITE DOVE BY BENJAMIN MOORE (OR SIMILAR)

BEAR CREEK PUD
ICON CONSTRUCTION, CLUBHOUSE
HUBBARD, OREGON

111 S. FIRST STREET
SILVERTON, OR
WAVRADESIGNCO@GMAIL.COM
WAVRADESIGNCO.COM
PH. 503-932-4134

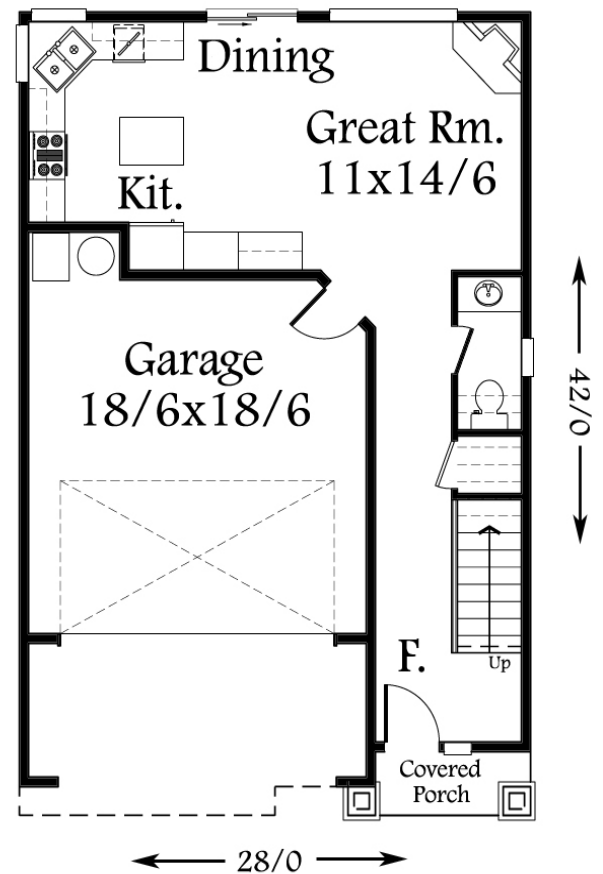
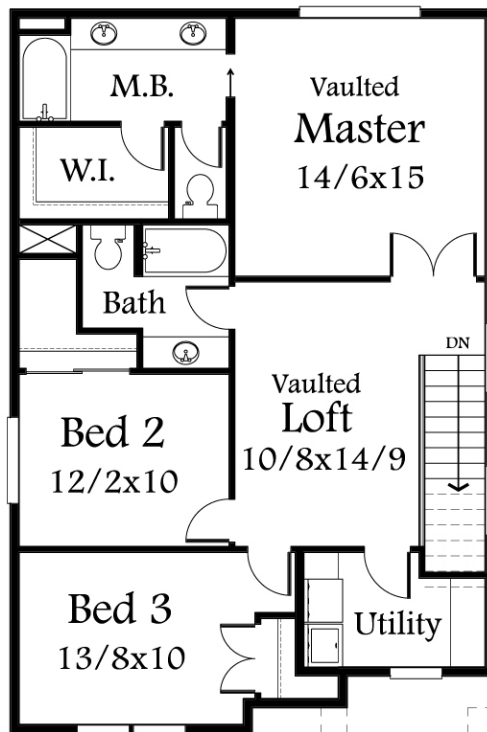
THESE PLANS HAVE BEEN LICENSED TO THE CUSTOMER FOR USE IN CONSTRUCTION OF ONE BUILDING ONLY AND ARE SUBJECT TO THE CONDITIONS OF LICENSE ACCEPTED BY THE CUSTOMER. ANY USE OF THESE PLANS FOR ANY OTHER PURPOSE IS STRICTLY PROHIBITED. THE PLANS MAY NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION FROM WAVRA DESIGN CO. LLC. WAVRA DESIGN CO. RETAINS COPYRIGHT RIGHTS TO AND OWNERSHIP OF THESE PLANS. WAVRA DESIGN CO. PREPARED ITS PLANS CAREFULLY FOR USE BY ITS CUSTOMERS. HOWEVER, ADAPTATION OF THE PLANS TO MEET SPECIFIC STATE AND LOCAL BUILDING CODES, REGULATIONS AND SPECIFIC SITE CONDITIONS IS THE RESPONSIBILITY OF THE CONTRACTOR/USER. IN ADDITION, WAVRA DESIGN CO. WILL NOT BE RESPONSIBLE FOR ANY DAMAGES RELATING TO THE ACCURACY AND OVERALL INTEGRITY OF THE PLANS IN EXCESS OF THE LICENSE FEE PAID FOR THEIR USE. THE CONTRACTOR THEREFORE MUST CAREFULLY INSPECT ALL DIMENSIONS AND DETAILS IN THE PLANS FOR ERRORS AND/OR OMISSIONS. UNAUTHORIZED USE OR COPYING OF THESE PLANS FOR THE DESIGN THEY DEPICT INFRINGES RIGHTS UNDER THE COPYRIGHT ACT.

JUNE 2022

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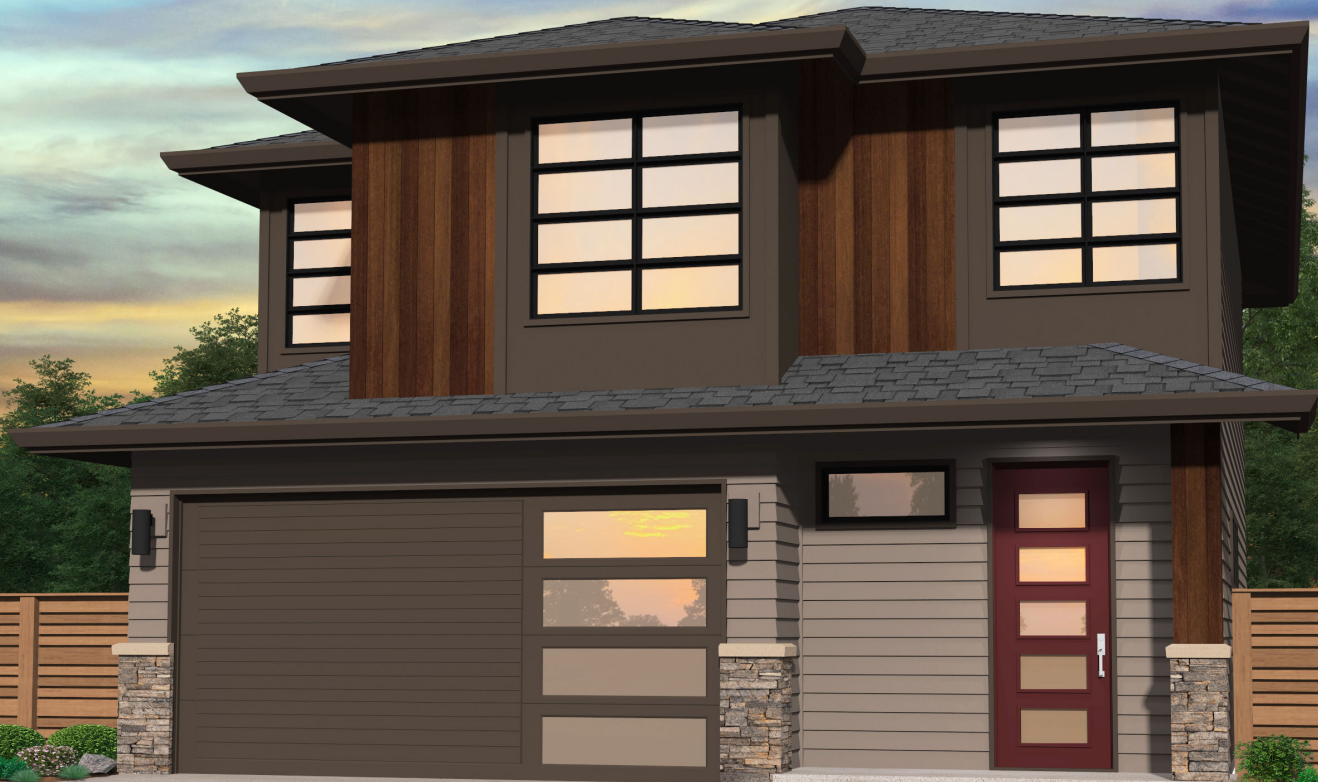
M-1756C
28/0 X 42/0

Main floor 604 Sq. Ft.

Upper floor 1,152 Sq. Ft.

Total=1,756 Sq. Ft.

"Point B"
MM-1871-B



Main Floor 1068 sq. ft.
Upper Floor 803 sq. ft.
Total 1871 sq. ft.

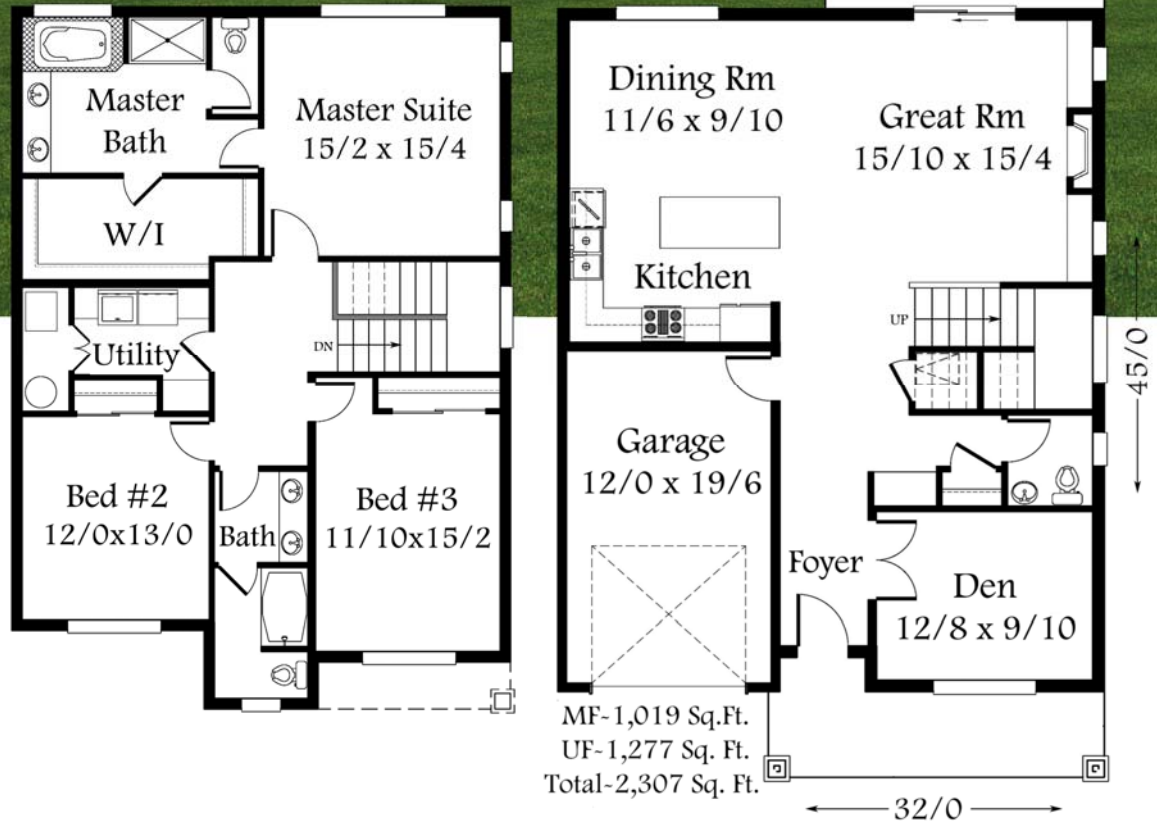




MARK STEWART
HOME DESIGN

Mark Stewart

"Glenview 5" Performance Homes



Main Floor 1019 sq. ft.

Upper Floor 1277 sq. ft.

Total 2307 sq. ft.

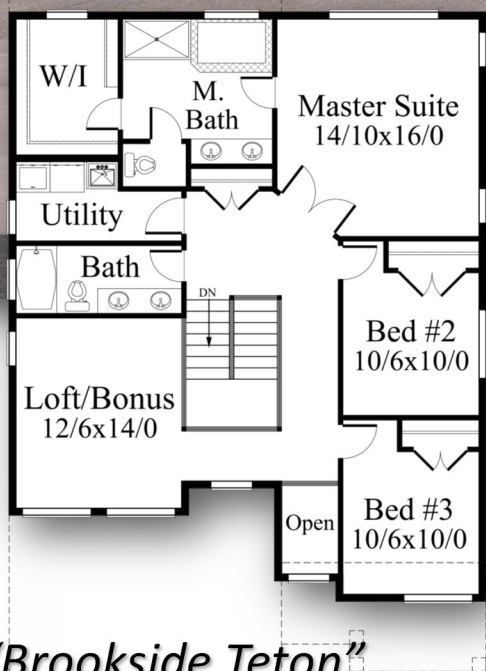
Width 32/0 Depth 45/0

Mark Stewart Home Design

503.701.4888

markstewart.com

22582 Main Street Suite 309 Sherwood, OR 97140



"Brookside Teton"

MM-2512-B

Main Floor 1232 sq. ft.

Upper Floor 1269 sq. ft.

Total 2512 sq. ft.

35/0-Width 62/6-Depth



35/0

Main Floor- 1,232 Sq. Ft.
Upper Floor- 1,269 Sq. Ft.
Total- 2,512 Sq. Ft.
Garage- 425 Sq. Ft.



ENERGY CODE SELECTION:

PER N1101.1 & TABLE N1101.1(2) - 1

HIGH EFFICIENCY HVAC SYSTEM
A. GAS FIRED FURNACE OR BOILER AFUE 94%

2 LEFT ELEVATION
A1 SCALE: 1/8" = 1'-0"

3 REAR ELEVATION
A1 SCALE: 1/8" = 1'-0"

4 RIGHT ELEVATION
A1 SCALE: 1/8" = 1'-0"

NOTE:

CONTRACTOR RESPONSIBLE TO CONFIRM ALL CONSTRUCTION SPECIFICATIONS, SUCH AS PLATE/CEILING HEIGHTS AND ROOF PITCHES.

CONTRACTOR RESPONSIBLE TO CONFORM TO ALL LOCAL BUILDING CODES

BUILDING CODE: 2021 ORSC BASED ON THE 2018 IRC

ROOF GENERAL NOTES:

- A. CONTRACTOR SHALL PROVIDE ATTIC VENTILATION AS PER CODE.
B. PROVIDE FLASHING @ ALL VALLEYS, PITCH CHANGES AND AT VERTICAL PLANES.
C. PROVIDE FLASHING AND COUNTER FLASHING AT CHIMNEYS A MIN. OF 8" ABOVE ROOF SHEATHING & CRICKETS AS SHOWN.
D. RAFTERS WILL BEAR DIRECTLY ON TRUSSES OR BLOCKING BETWEEN THE TRUSSES.
E. HEADERS TO BE A MINIMUM OF 4x10 DFP2 U.N.O.
F. PROVIDE DOUBLE FELT UNDERLAYMENT FOR COMPOSITION ROOFING. (TYP.) FOR SLOPES UNDER 4:12
G. UNDERLAYMENT SHALL BE APPLIED IN SHINGLE FASHION, PARALLEL TO AND STARTING FROM THE EAVE & LAPPED 2", FASTENED SUFFICIENTLY TO HOLD IN PLACE. END LAPS SHALL BE OFFSET BY 6 FEET.

VENTILATION CALCULATIONS & REQUIREMENTS

AT LEAST 40% & NOT MORE THAN 50% OF REQUIRED VENTS SHALL BE IN UPPER PORTION OF VENTILATED ROOF SPACE (MIN. 3" ABOVE EAVE OR CORNICE VENTS) WITH THE BALANCE OF REQUIRED VENTILATION PROVIDED BY EAVE VENTING.

PER ORSC 806.1 ENCLOSED ATTICS AND ENCLOSED RAFTER SPACES FOR WHERE CEILINGS ARE APPLIED DIRECTLY TO THE UNDERSIDE OF ROOF RAFTERS SHALL HAVE CROSS VENTILATION OF EACH SEPARATE SPACE BY VENTILATING OPENINGS PROTECTED AGAINST THE ENTRANCE OF RAIN OR SNOW. VENTILATING OPENINGS SHALL BE PROVIDED WITH CORROSION RESISTANT WIRE MESH, WITH _" MIN. & 1" MAX. OPENINGS.

IF EAVE VENTS ARE INSTALLED INSULATION SHALL NOT OBSTRUCT THE FREE FLOW OF AIR (MIN. 1" SPACE BETWEEN INSULATION AND ROOF SHEATHING @ VENT LOCATION).

BAFFLING OF THE VENT OPENINGS SHALL BE INSTALLED. BAFFLES SHALL BE RIGID AND WIND-DRIVEN MOISTURE RESISTANT. IF FEASIBLE BAFFLES SHOULD BE INSTALLED FROM THE TOP OF THE OUTSIDE OF THE EXTERIOR WALL, EXTENDING INWARD, TO A POINT 6" VERTICALLY ABOVE THE HEIGHT OF NON-COMPRESSED INSULATION, & 12" VERTICALLY ABOVE LOOSE FILL INSULATION. (ALL CALCULATIONS WILL BE NET FREE AREA)

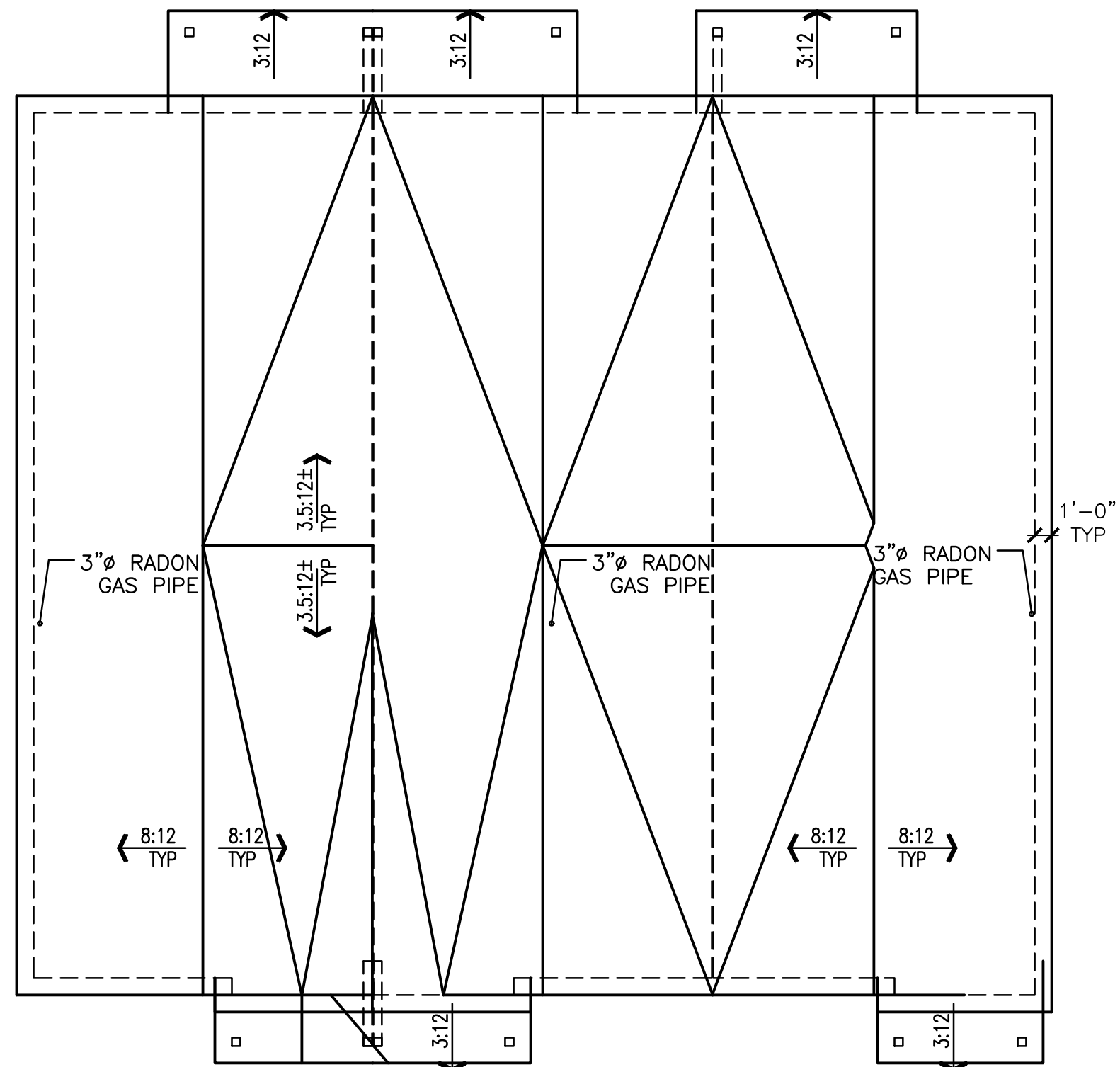
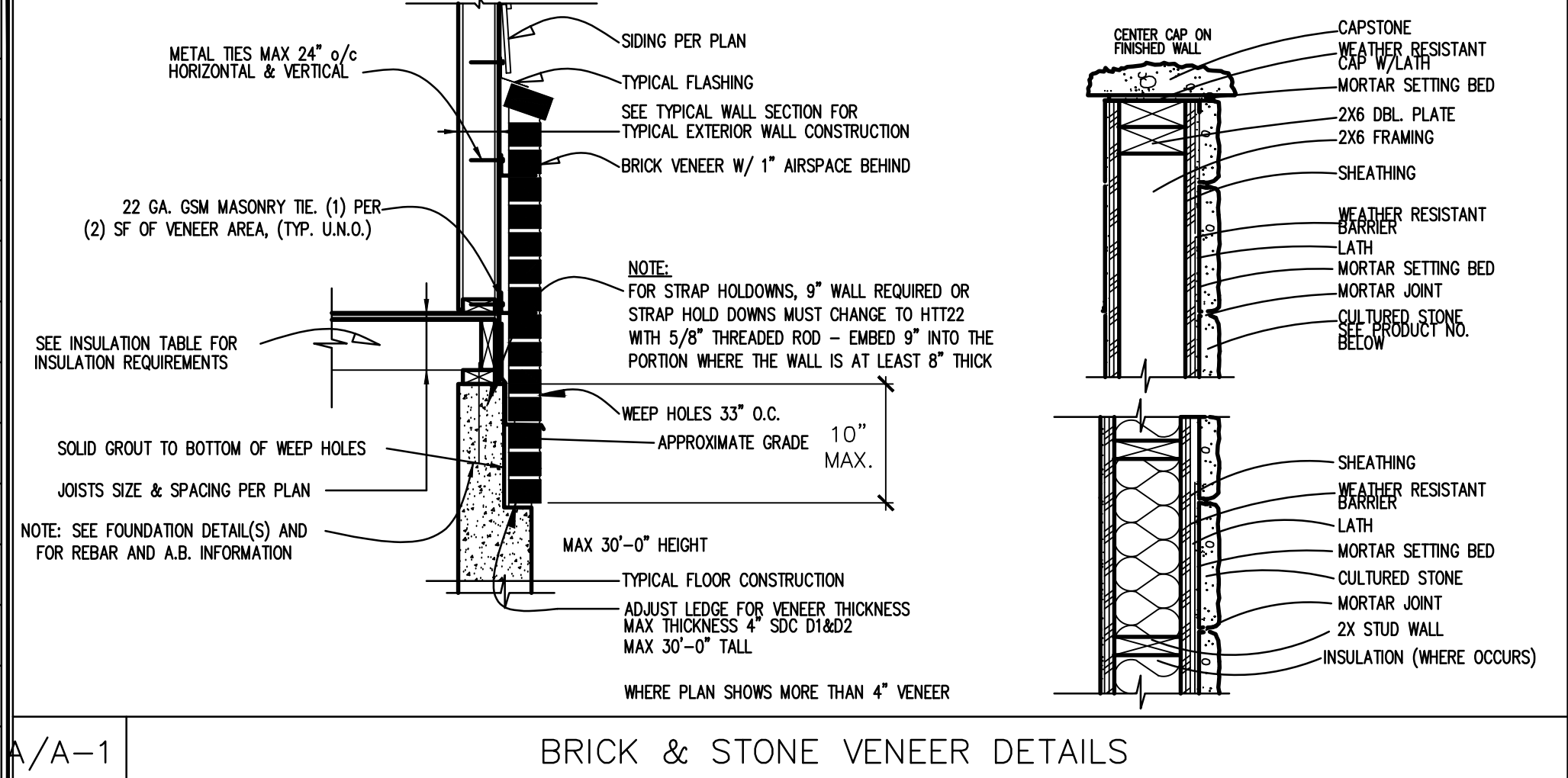
1,024 SQ. FT. OF ATTIC AREA/300=3.41 SQ. FT. OF VENTILATION REQUIRED (492 SQ. INCHES) / UNIT
HIGH VENT = 246 Sq. In. / UNIT
LOW VENT = 264 Sq. In. / UNIT

NOTE: EAVE VENTING PROVIDED BY (3)-2" DIAMETER "BIRD HOLES" PER EAVE BLOCK. (7" Sq. In. PER BLOCK).

NOTE: UPPER ROOF VENTING PROVIDED BY 7"x7" ROOF VENTS. (49 " IN. PER VENT)

DESIGN CRITERIA TABLE R301.2(1)

GROUND SNOW LOAD	25
WIND SPEED (M.P.H.)	120
SEISMIC DESIGN CATEGORY	D1
SUBJECT TO DAMAGE FROM	
WEATHERING	MOD
FROST LINE DEPTH	12"
TERMITE	SLIGHT/MOD
DECAY	SLIGHT
WINTER DESIGN TEMP.	26
ICE SHIELD	NO
FLOOD HAZARDS	NO
AIR FREEZING INDEX	50
MEAN ANNUAL TEMP.	50



ROOF NOTES:

1. PROVIDE 1/300 OF TOTAL ATTIC AREA ROOF VENTS @ RIDGE
2. PROVIDE 1/300 OF TOTAL ATTIC AREA ROOF VENTS @ EAVE
3. CONTRACTOR TO SPECIFY & LOCATE DOWNSPOUTS
4. RADON GAS PIPE TO EXTEND PAST ROOF 1'-0". PROVIDE ELECTRICAL SUPPLY IN ATTIC FOR FUTURE VENT PIPE FAN.
5. PROVIDE SOLAR PROVISIONS PER N1107.4

RAISED HEAL TO OCCAMIDATE 2X12 BLOCKING FOR ALL ROOF PITCHES 4:12 AND UNDER

5 ROOF PLAN
A1 SCALE: 1/8" = 1'-0"

EXTERIOR NOTES:

THE VIEWS ARE DRAWN FOR REPRESENTATION

ACTUAL FINISH GRADES MAY VARY.

ALL EXTERIOR FINISHES AND TRIM SHOWN ARE SUGGESTED ONLY, VERIFY WITH BUILDER

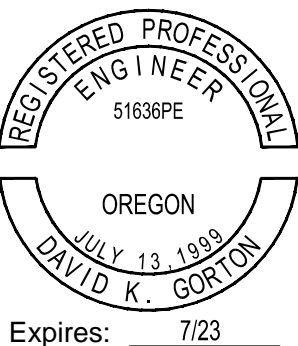
THE BUILDER TO MEET CURRENT EGRESS AND CLEARANCE CODES MAY ADJUST ALL WINDOW SIZES AND WINDOW TYPES

NOTE:

THE TYPE OF EXTERIOR FINISH, THE INTALLATIONS AND THE WATERPROOFING DETAILS ARE ALL TO BE THE FULL RESPONSIBILITY OF THE OWNER/BUILDER. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR THE CORRECT INSTALLATION OF ALL FINISHES AND WEATHERPROOFING



1 FRONT ELEVATION
A1 SCALE: 1/4" = 1'-0"



REVISION DESCRIPTION

DATE

REV

Diamond Engineering, LLC
16890 Waver Road
Clatskanie, Oregon 97027
971-235-4301, diamondeng@me.com

Redwood Townhomes
Lot 40 39 38
Canby, Oregon 97013

CLIENT: Icon Construction & Development
1865 Wilamette Falls Drive Suite 260
Woodburn, Oregon 97066
503-657-0406

FILE NAME:

21088 - 40 39 38 redwood townhomes.dwg

PRINT DATE:

PLOT DATE: 4/11/2022 1:37 PM

DRAWN BY: David Gorton

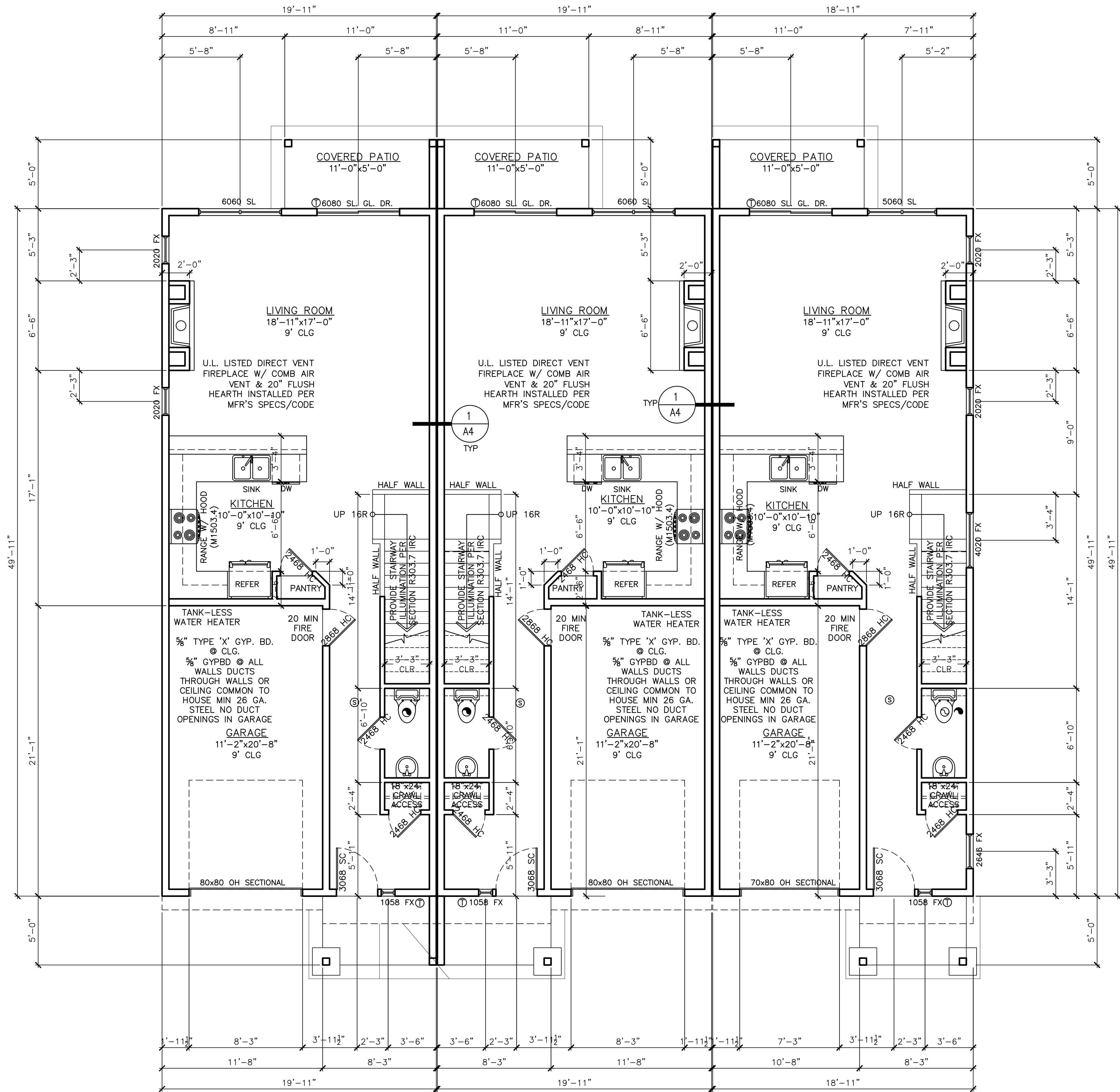
CHECKED BY: dkg

PROJECT NO.

21088

SHEET NO.

A1



END UNIT C MIRRORED LOT 140

MIDDLE UNIT B MIRRORED LOT 139

END UNIT A MIRRORED LOT 138

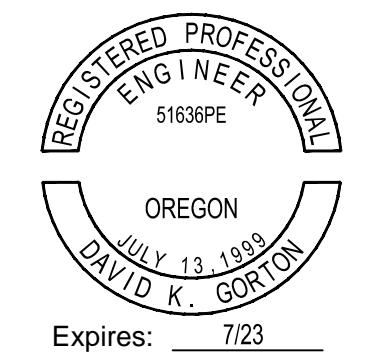
1 MAIN FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"

FLOOR PLAN CALCULATIONS 140	
MAIN FLOOR:	732 SF.
UPPER FLOOR:	967 SF.
TOTAL:	1,699 S.F.
GARAGE/SHOP:	263 SF.
COVERED PATIO/PORCH	96 SF.
DECKS - 30" ABOVE FINISHED GRADE	NA

FLOOR PLAN CALCULATIONS 139	
MAIN FLOOR:	732 SF.
UPPER FLOOR:	983 SF.
TOTAL:	1,715 S.F.
GARAGE/SHOP:	263 SF.
COVERED PATIO/PORCH	96 SF.
DECKS - 30" ABOVE FINISHED GRADE	NA

FLOOR PLAN CALCULATIONS 138	
MAIN FLOOR:	703 SF.
UPPER FLOOR:	932 SF.
TOTAL:	1,635 S.F.
GARAGE/SHOP:	241 SF.
COVERED PATIO/PORCH	94 SF.
DECKS - 30" ABOVE FINISHED GRADE	NA

- ⊗ LIGHT FIXTURE
- CEILING EXHAUST FANS 80 CFM
- Ⓢ INSTALL 110V SMOKE & CARBON MONOXIDE DETECTOR - HARD WIRED INTERCONNECTED WITH BATTERY BACK-UP PER OSSC R314 & R315
- Ⓜ TEMPERED GLASS



REV	DATE	REVISION DESCRIPTION
△		
△		
△		
△		
△		

Diamond Engineering, LLC
16890 Waver Road
Clatskanie, Oregon 97027
971-235-4301 | diamondengrce@me.com

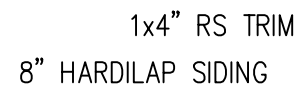
Redwood Townhomes
Lot 40 39 38
Canby, Oregon 97013

Icon Construction & Development
1865 Willamette Falls Drive Suite 260
Westport, Oregon 97143
503-657-0406

FILE NAME:	21088 - 40 39 38 redwood townhomes.dwg
PRINT DATE:	
PLOT DATE:	4/11/2022 1:37 PM
DRAWN BY:	David Gorton
CHECKED BY:	dkg
PROJECT NO.	21088

SHEET NO.

A2


$$1/4'' = 1' - 0'$$

$$1/4'' = 1' - 0'$$

NOTE: ADDRESS OR HOUSE # TO BE POSTED & PLAINLY VISIBLE FROM STREET FRONTAGE

[illegible]

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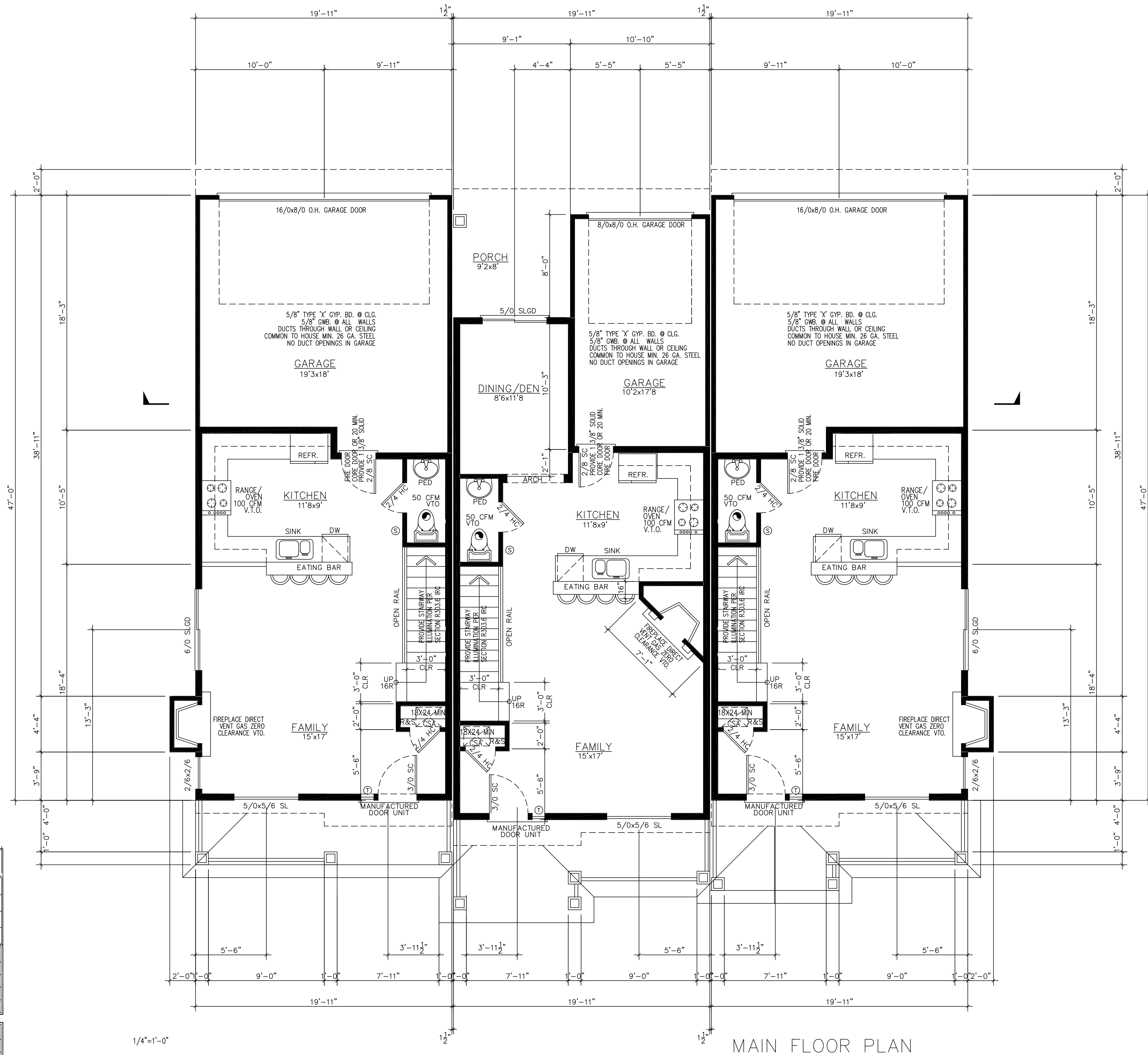
Plan: 1610
Job #:
Date: 5-22-08
Revision Date: N/A
Drawn By: EMP
Phone: 1-877-Ru

[A-1]

ALL GLAZING TO BE IN COMPLIANCE WITH THE LATEST OREGON STATE ENERGY CODE. TOTAL GLAZING AREA AS Δ % OF GROSS FLOOR AREA = _____%				
OPTION	GLAZING AREA % OF FLOOR AREA	GLAZING U-FACTOR		DOOR U-FACTOR
		VERTICAL	OVERHEAD	
I	12%	0.35	0.58	0.20
II	15%	0.40	0.58	0.20
IV	UNLIMITED R-3 OCCUPANCY ONLY	0.40	0.58	0.20

FLOOR PLAN CALCULATIONS PER UNITS	
MAIN FLOOR:	570 SF.
UPPER FLOOR:	923 SF.
GARAGE/SHOP:	365 SF.
TOTAL LIVING SQ.:	1493 S.F.

FLOOR PLAN CALCULATIONS MIDDLE UNIT	
MAIN FLOOR:	672 SF.
UPPER FLOOR:	965 SF.
GARAGE/SHOP:	191 SF.
TOTAL LIVING SQ.	1637 S.F.



EXIT DOOR LANDING SHALL NOT BE MORE THAN 1" LOWER THAN THE TOP OF THE THRESHOLD

- 5 MIN. AIR EXCHANGE CEILING FANS PER PLAN
110 VOLT SMOKE DETECTOR HARD WIRED
INTERCONNECTED WITH BATTERY BACK-UP
TEMPERED GLASS

Plan: 1610

Job #:

Date: 5-22-08

Revision Date: N/A

Drawn By: EMP

Phone: 1-877-Rueppell

[illegible]

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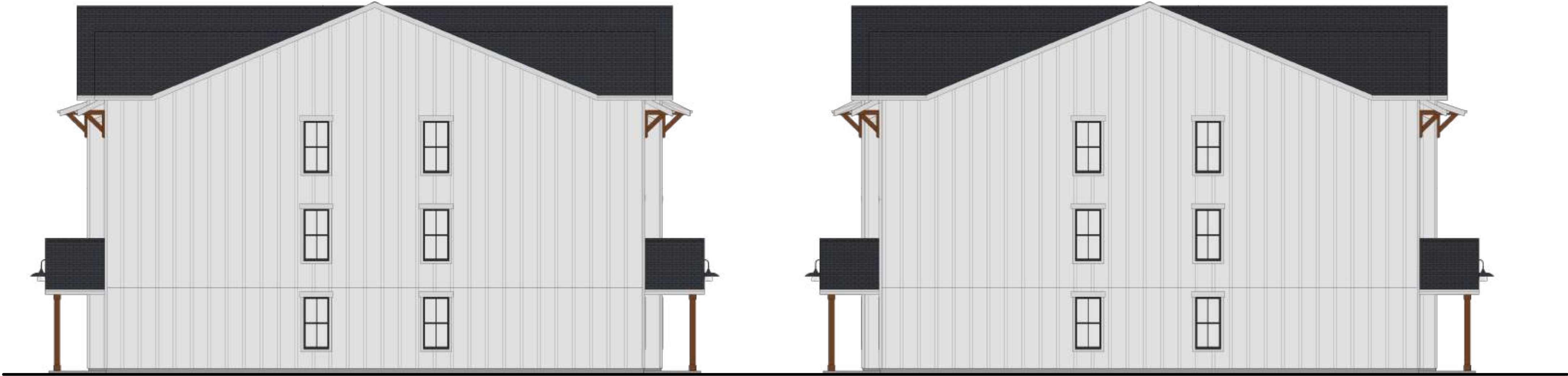
[A-3]



FRONT ELEVATION
SCALE 1/8" = 1' 0"



REAR ELEVATION
SCALE 1/8" = 1' 0"

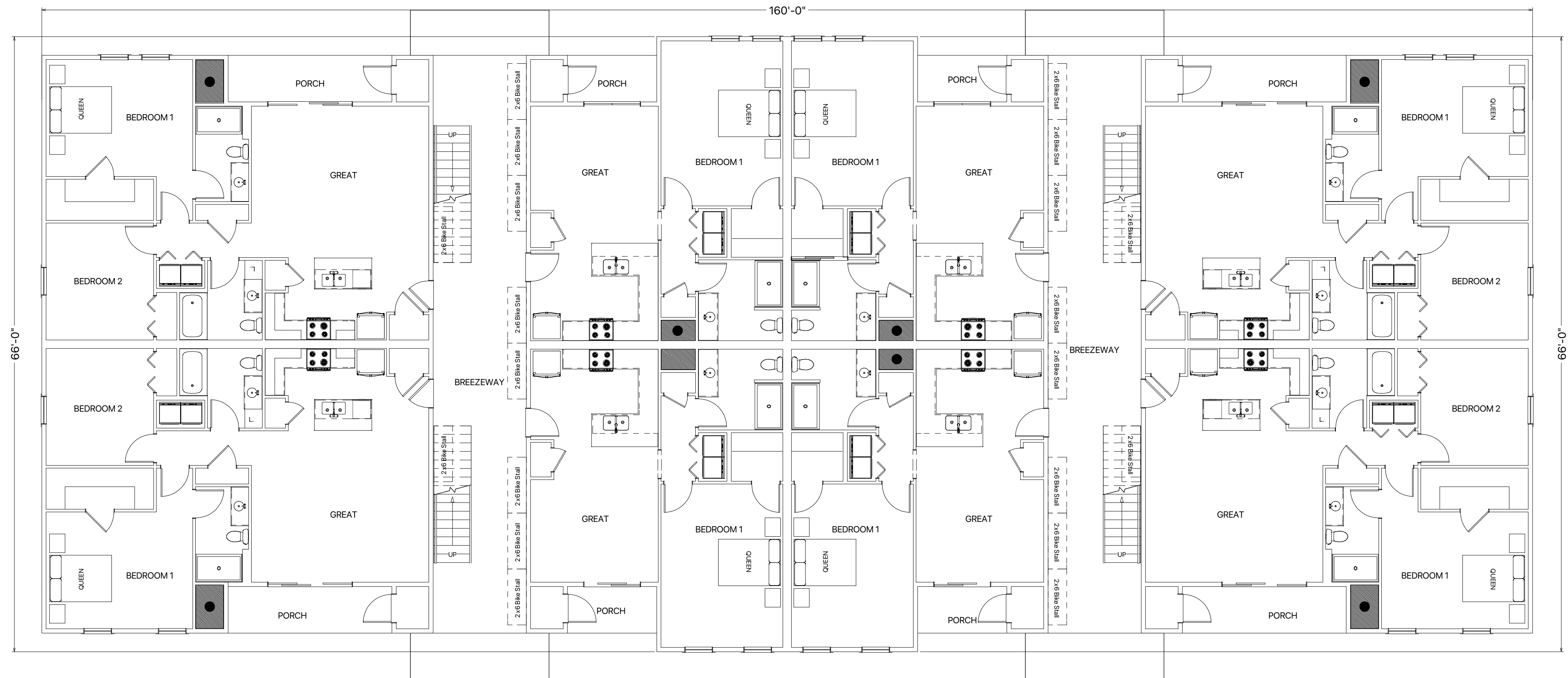


RIGHT ELEVATION
SCALE 1/8" = 1' 0"

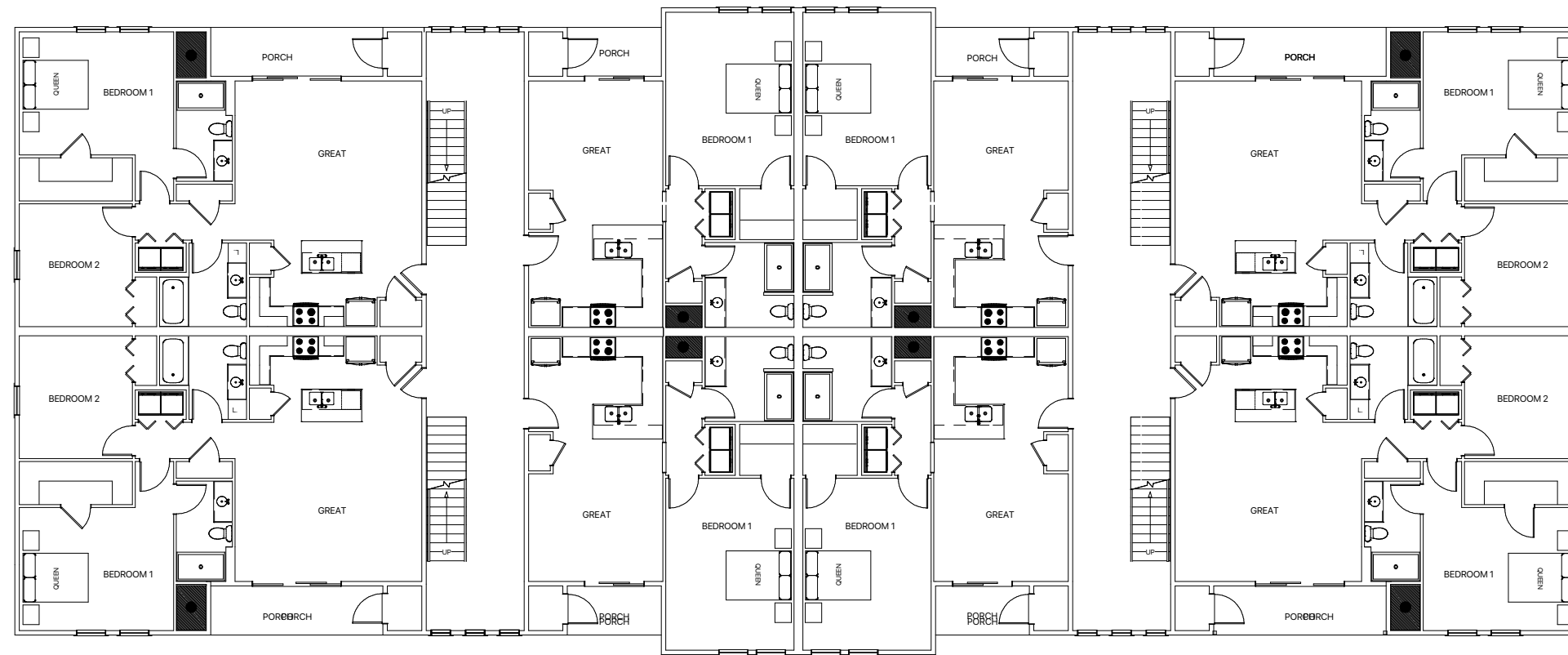
LEFT ELEVATION
SCALE 1/8" = 1' 0"

BODY COLOR:
WHITE DOVE BY BENJAMIN MOORE (OR SIMILAR)

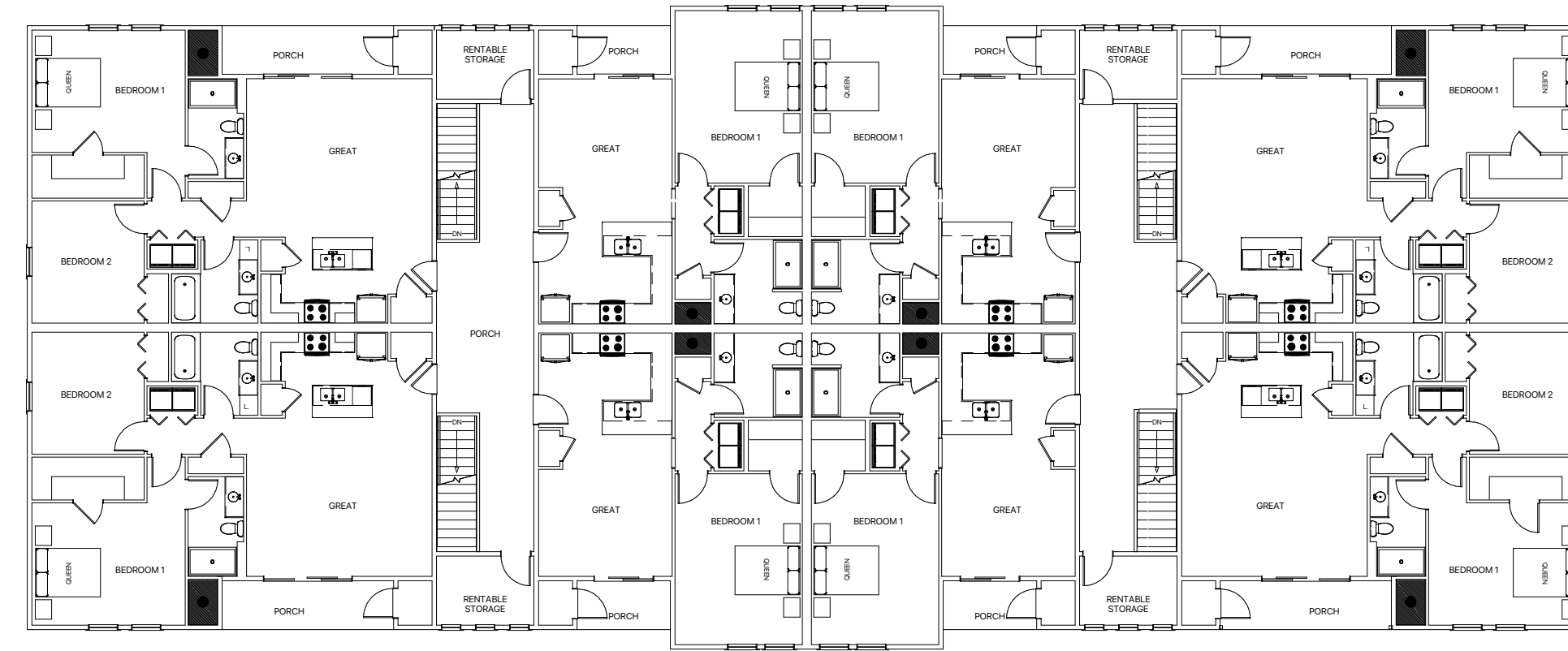
TRIM COLOR:
WHITE DOVE BY BENJAMIN MOORE (OR SIMILAR)



FLOOR ONE
SCALE 1/8" = 1'0"



FLOOR TWO
SCALE 1/16" = 1'0"



FLOOR THREE
SCALE 1/16" = 1'0"



WAVRA DESIGN CO.
DRAFTING & DESIGN

BEAR CREEK PUD

ICON CONSTRUCTION, APARTMENT COMPLEX
HUBBARD, OREGON

111 S. FIRST STREET
SILVERTON, OR
WAVRADESIGNCO@GMAIL.COM
WAVRADESIGNCO.COM
PH. 503-932-4134

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JUNE 2022

PAGE

2 2

BEAR CREEK PLANNED UNIT DEVELOPMENT

11984 BROADACRES ROAD NW
HUBBARD, OREGON

SHEET INDEX:

- LO.0 COVER SHEET
- L1.1 PRELIMINARY PLANTING PLAN
- L1.2 PRELIMINARY PLANTING PLAN
- L1.3 PRELIMINARY PLANTING PLAN
- L1.4 PRELIMINARY PLANTING PLAN

DRAWINGS FOR:

CASCADIA PLANNING
CONTACT: STEVE KAY
503 . 804 . 1089

LANDSCAPE ARCHITECT:

LAURUS DESIGNS, LLC
LAURA ANTONSON, RLA, ASLA
1012 PINE STREET
SILVERTON, OREGON 97381
503 . 784 . 6494
LAURA@LAURUSDESIGNS.COM

CALL BEFORE YOU DIG:
1.800.332.2344
www.callbeforeyoudig.org



Laurus
Designs, LLC



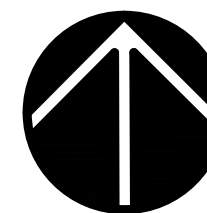
1012 Pine Street
Silverton, Oregon
503.784.6494

Bear Creek
Planned Unit
Development

11984 Broadacres Road NW
Hubbard, Oregon



COVER
SHEET



June 27th, 2022

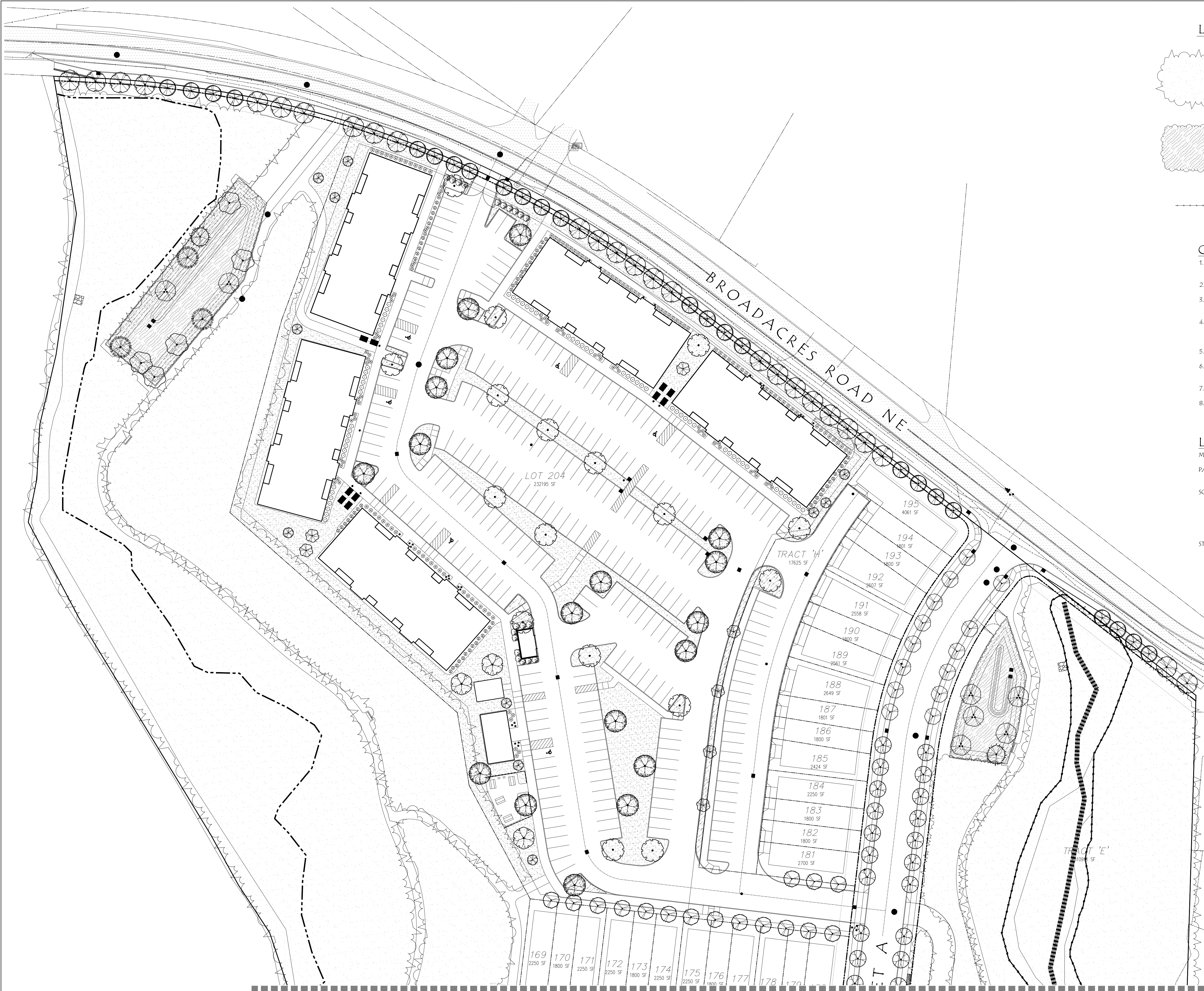
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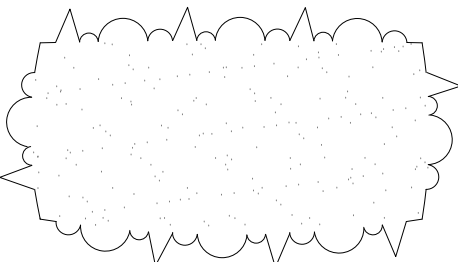
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SHEET 1 OF 5

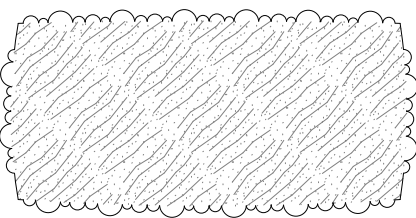
PROJECT #: 1443R



Legend:



EXISTING WETLANDS, TREES, AND
OTHER VEGETATION TO REMAIN



STORMWATER FACILITIES

30" HEIGHT FENCE FOR PLAYGROUND
AND MULTIFAMILY PICNIC AREA

General Notes:

1. PRELIMINARY LANDSCAPE PLANS. NOT FOR CONSTRUCTION.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN.
3. STREET TREES SELECTED FROM CITY OF HUBBARD STREET TREE LIST.
4. FINAL STREET TREE LOCATIONS AND QUANTITIES TO BE DETERMINED BASED ON FINAL UTILITY AND DRIVEWAY LOCATIONS.
5. PERIMETER BUFFERS INCLUDE EXISTING TREES.
6. NO WORK IN EXISTING WETLANDS AND LITTLE BEAR CREEK.
7. PRELIMINARY PLANTING SCHEDULE SEE SHEET L1.4.
8. ALL PLANTER BEDS AND STREET TREES TO BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

Landscaping Requirements

MULTIFAMILY LANDSCAPE PERCENTAGES: 25% GROSS LAND AREA

PARKING LOTS: 20 OR MORE SPACES, MULTIFAMILY, SCREEN WITH PLANTING

SCREENING: DISSIMILAR ADJOINING USES, TREES @ 15' O.C., SHRUBS CONTINUOUS EVERGREEN HEDGE 5' HT. GROUND COVER REMAINING EXISTING LANDSCAPE TO REMAIN AS SCREENING TO WEST AND EAST

STREET TREES: LOCATE TREES 20' O.C. EXCEPT WHERE CONFLICTS OCCUR

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Designs, LLC



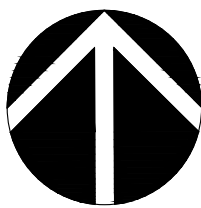
1012 Pine Street
Silverton, Oregon
503.784.6494

Bear Creek
Planned Unit
Development

11984 Broadacres Road NW
Hubbard, Oregon



PRELIMINARY
PLANTING
PLAN



SCALE: 1"=40'-0"
0' 20' 40' 80'
SCALE

June 27th, 2022

REVISIONS

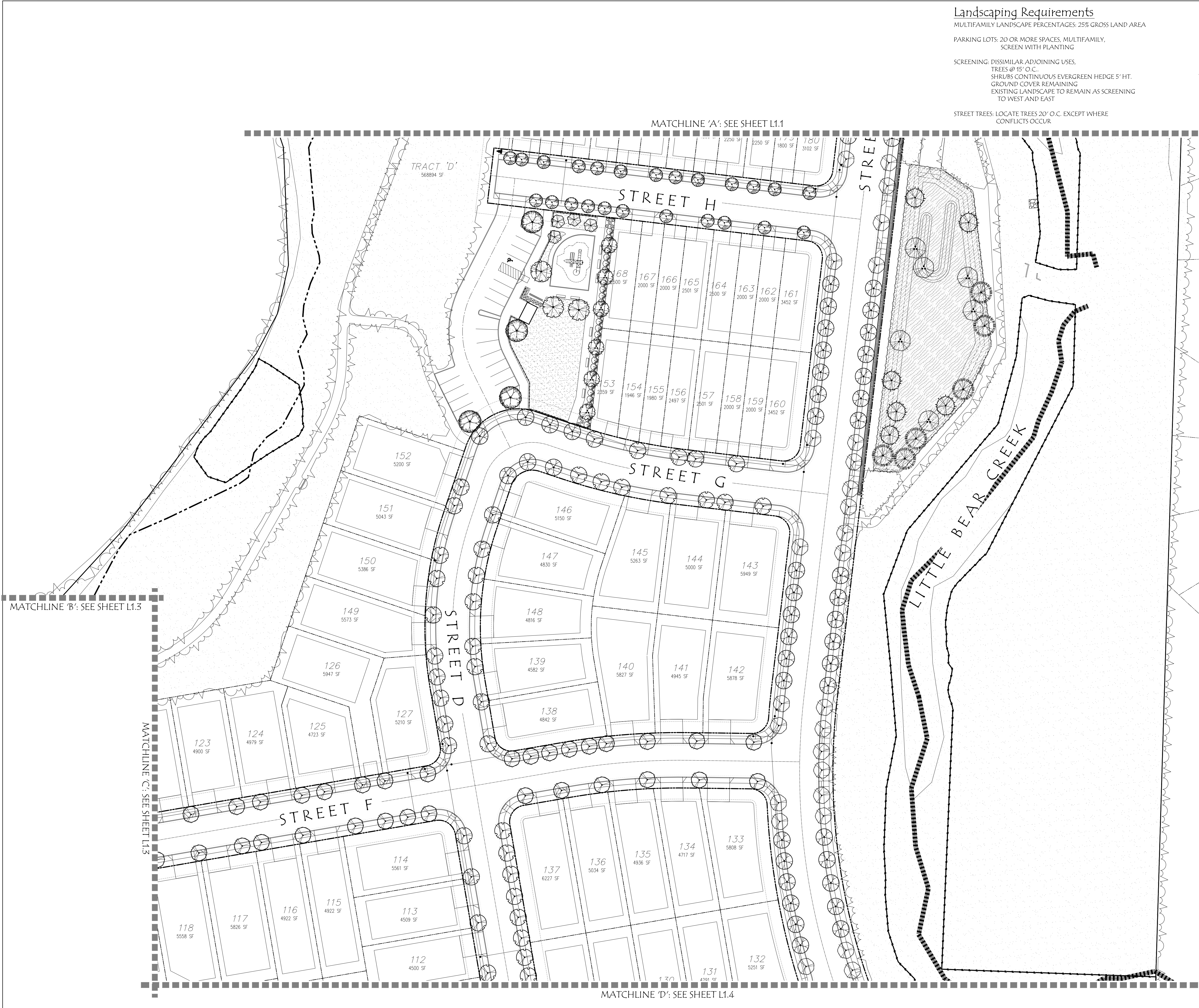
#	DATE	NOTES	INITIALS

L1.1

SHEET 2 OF 5

PROJECT #: 1443R

MATCHLINE 'A': SEE SHEET L1.2



Landscaping Requirements

MULTIFAMILY LANDSCAPE PERCENTAGES: 25% GROSS LAND AREA

PARKING LOTS: 20 OR MORE SPACES, MULTIFAMILY, SCREEN WITH PLANTING

SCREENING: DISSIMILAR, ADJOINING USES, TREES @ 15' O.C., SHRUBS CONTINUOUS EVERGREEN HEDGE 5' HT. GROUND COVER REMAINING EXISTING LANDSCAPE TO REMAIN AS SCREENING TO WEST AND EAST

STREET TREES: LOCATE TREES 20' O.C., EXCEPT WHERE CONFLICTS OCCUR

Legend:

- EXISTING WETLANDS, TREES, AND OTHER VEGETATION TO REMAIN
- STORMWATER FACILITIES
- 30" HEIGHT FENCE FOR PLAYGROUND AND MULTIFAMILY PICNIC AREA

General Notes:

- PRELIMINARY LANDSCAPE PLANS, NOT FOR CONSTRUCTION.
- SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN.
- STREET TREES SELECTED FROM CITY OF HUBBARD STREET TREE LIST.
- FINAL STREET TREE LOCATIONS AND QUANTITIES TO BE DETERMINED BASED ON FINAL UTILITY AND DRIVEWAY LOCATIONS.
- PERIMETER BUFFERS INCLUDE EXISTING TREES.
- NO WORK IN EXISTING WETLANDS AND LITTLE BEAR CREEK.
- PRELIMINARY PLANTING SCHEDULE SEE SHEET L1.4.
- ALL PLANTER BEDS AND STREET TREES TO BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

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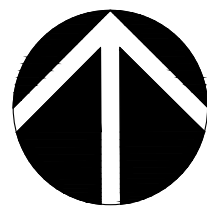
1012 Pine Street
Silverton, Oregon
503.784.6494

Bear Creek
Planned Unit
Development

11984 Broadacres Road NW
Hubbard, Oregon



PRELIMINARY
PLANTING
PLAN



SCALE: 1"=40'-0"

0' 20' 40' 80'

SCALE

June 27th, 2022

REVISIONS

#	DATE	NOTES	INITIALS

L1.2

SHEET 3 OF 5

PROJECT #: 1443R

Landscaping Requirements

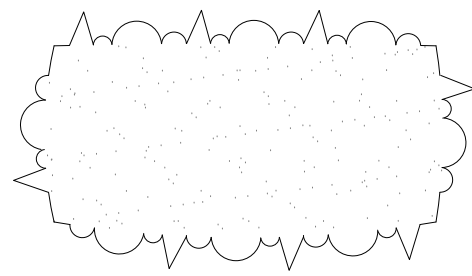
MULTIFAMILY LANDSCAPE PERCENTAGES: 25% GROSS LAND AREA

PARKING LOTS: 20 OR MORE SPACES, MULTIFAMILY,
SCREEN WITH PLANTING

SCREENING: DISSIMILAR ADJOINING USES,
TREES @ 15' O.C.,
SHRUBS CONTINUOUS EVERGREEN HEDGE 5' HT.
GROUND COVER REMAINING
EXISTING LANDSCAPE TO REMAIN AS SCREENING
TO WEST AND EAST

STREET TREES: LOCATE TREES 20' O.C. EXCEPT WHERE
CONFLICTS OCCUR

Legend:



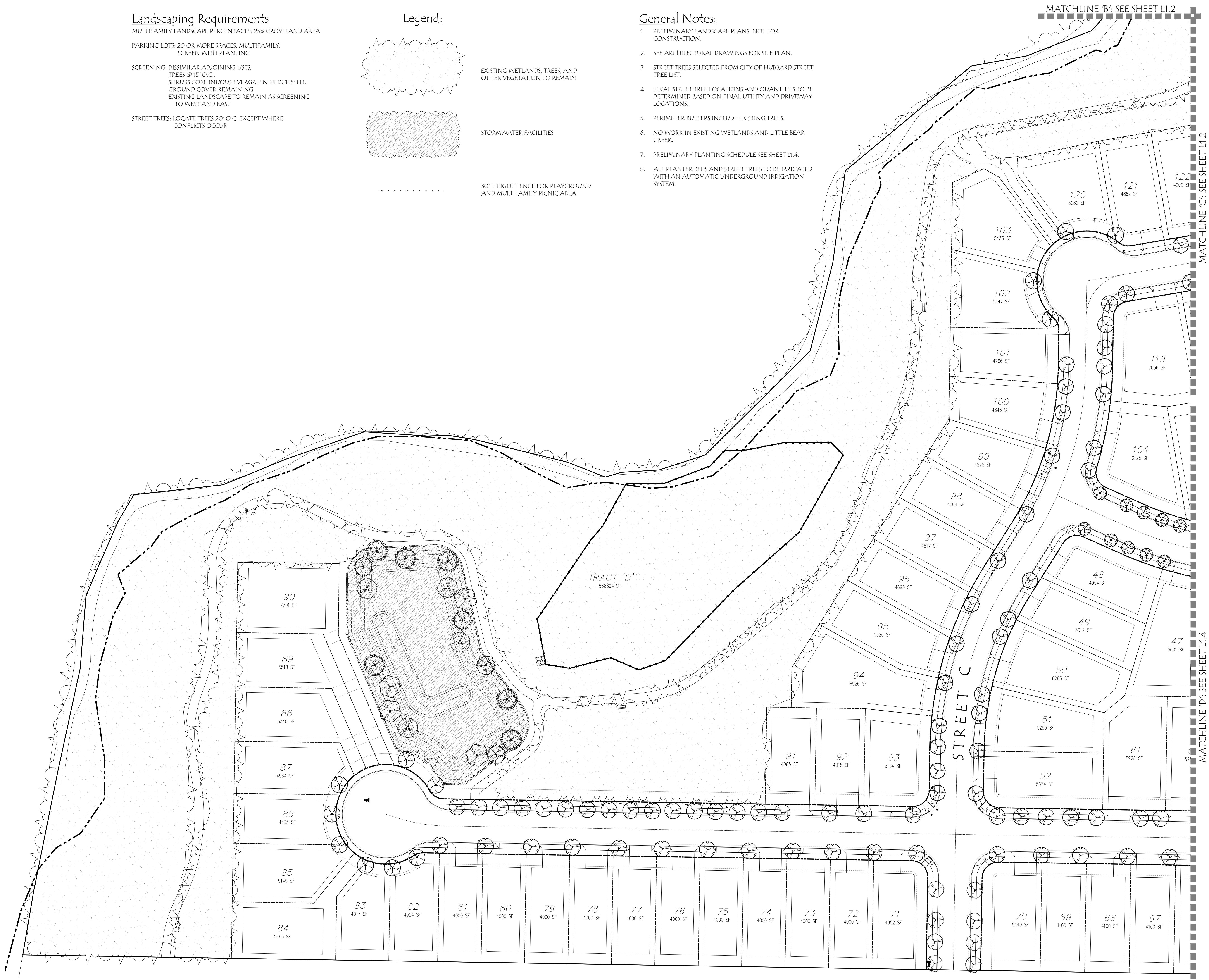
EXISTING WETLANDS, TREES, AND
OTHER VEGETATION TO REMAIN

STORMWATER FACILITIES

30" HEIGHT FENCE FOR PLAYGROUND
AND MULTIFAMILY PICNIC AREA

General Notes:

1. PRELIMINARY LANDSCAPE PLANS, NOT FOR CONSTRUCTION.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN.
3. STREET TREES SELECTED FROM CITY OF HUBBARD STREET TREE LIST.
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8. ALL PLANTER BEDS AND STREET TREES TO BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.



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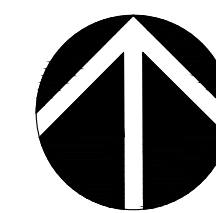
1012 Pine Street
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503.784.6494

Bear Creek
Planned Unit
Development

11984 Broadacres Road NW
Hubbard, Oregon

REGISTERED
643
PRELIMINARY
LAURA A. ANTONSON
OREGON
11/16/2007
LANDSCAPE ARCHITECT

PRELIMINARY
PLANTING
PLAN



SCALE: 1"=40'-0"
0' 20' 40' 80'
SCALE

June 27th, 2022

REVISIONS

#	DATE	NOTES	INITIALS

L1.3

SHEET 4 OF 5

PROJECT #: 1443R



Legend:

- EXISTING WETLANDS, TREES, AND OTHER VEGETATION TO REMAIN
- STORMWATER FACILITIES
- 30" HEIGHT FENCE FOR PLAYGROUND AND MULTIFAMILY PICNIC AREA

General Notes:

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- PRELIMINARY PLANTING SCHEDULE SEE SHEET L1.4.
- ALL PLANTER BEDS AND STREET TREES TO BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

Landscaping Requirements

MULTIFAMILY LANDSCAPE PERCENTAGES: 25% GROSS LAND AREA
PARKING LOTS: 20 OR MORE SPACES, MULTIFAMILY, SCREEN WITH PLANTING
SCREENING: DISSIMILAR ADJOINING USES, TREES @ 15' O.C., SHRUBS CONTINUOUS EVERGREEN HEDGE 5' HT. GROUND COVER REMAINING EXISTING LANDSCAPE TO REMAIN AS SCREENING TO WEST AND EAST
STREET TREES: LOCATE TREES 20' O.C. EXCEPT WHERE CONFLICTS OCCUR.

Preliminary Plant Schedule

TREES	BOTANICAL / COMMON NAME	SIZE	TYPE
	Acer buergerianum / Trident Maple Street Tree	2" Cal., B&B	Street Tree
	Acer platanoides 'Globosum' / Globe Norway Maple	2" Cal., B&B	Street Tree
	Carpinus betulus / European Hornbeam	1 1/2" Cal., B&B	Street Tree
	Cercis canadensis / Eastern Redbud Multi-trunk	1 1/2" Cal., B&B	Landscape
	Chamaecyparis nootkatensis 'Glaucu Pendula' / Blue Weeping Nootka Cypress	6' Min. Height, B&B	Landscape
	Cornus nuttallii / Pacific Dogwood	1 1/2" Cal., B&B	Stormwater
	Fraxinus americana "Autumn Applause" / White Ash	1 1/2" Cal., B&B	Landscape
	Fraxinus oxycarpa 'Raywood' / Raywood Ash	2" Cal., B&B	Street Tree
	Koeleria paniculata / Golden Rain Tree	2" Cal., B&B	Street Tree
	Lagerstroemia indica / Crape Myrtle	2" Cal., B&B	Street Tree

	Liriodendron tulipifera / Tulip Tree	1 1/2" Cal., B&B	Landscape
	Magnolia grandiflora "Little Gem" / Dwarf Southern Magnolia	1 1/2" Cal., B&B	Landscape
	Nyssa sylvatica / Tupelo	1 1/2" Cal., B&B	Street Tree
	Prunus serrulata / Japanese Flowering Cherry	2" Cal., B&B	Street Tree
	Pseudotsuga menziesii / Douglas Fir	6' Min. Height, B&B	Stormwater
	Rhamnus purshiana / Cascara	1 1/2" Cal., B&B	Stormwater
	Thuja plicata / Western Red Cedar	6' Min. Height, B&B	Stormwater
	Zelkova serrata 'Green Vase' / Green Vase Sawleaf Zelkova	2" Cal., B&B	Street Tree
	Zelkova serrata 'JFS-KW1' TM / City Sprite Zelkova	2" Cal., B&B	Street Tree

SHRUBS	BOTANICAL / COMMON NAME	SIZE
	Abelia x grandiflora 'Sherwoodii' / Sherwood Glossy Abelia Raphiolepis indica / Indian Hawthorn	2 Gal.
	Choisya ternata / Mexican Orange Euonymus japonicus / Japanese Euonymus	5 Gal.
	Mahonia aquifolium / Oregon Grape Rosa x Double Pink' Knockout Rose	2 Gal.
	Nandina domestica 'Gulf Stream' TM / Gulf Stream Heavenly Bamboo Berberis thunbergii 'Crimson Pygmy' / Crimson Pygmy Barberry	2 Gal.
	Sarcococca confusa / Sweetbox Azalea x Mother's Day	2 Gal.
GRASSES / PERENNIALS	BOTANICAL / COMMON NAME	SIZE
	Calamagrostis x acutiflora 'Karl Foerster' Pennisetum alopecuroides 'Hameln' / Hameln Fountain Grass Polystichum munitum / Western Swordfern	1 Gal.
SHRUB AND GROUND COVER AREAS	BOTANICAL / COMMON NAME	SIZE AND NOTES
	Arctostaphylos uva-ursi / Kinnikinnick Mahonia nervosa / Dull Oregon Grape Prunus laurocerasus 'Mount Vernon' / Mount Vernon English Laurel Rubus pentalobus / Creeping Raspberry	1 Gal.
GROUND COVERS	BOTANICAL / COMMON NAME	
	ProTime 301 Water Smarter Fescue Lawn or Equal	

Laurus Designs, LLC



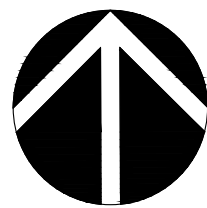
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PRELIMINARY
LAURA A. ANTONSON
OREGON
11/16/2007
LANDSCAPE ARCHITECT

PRELIMINARY
PLANTING
PLAN



SCALE: 1"=40'-0"

0' 20' 40' 80'
SCALE

June 27th, 2022

REVISIONS

#	DATE	NOTES	INITIALS

L1.4

SHEET 5 OF 5

PROJECT #: 1443R