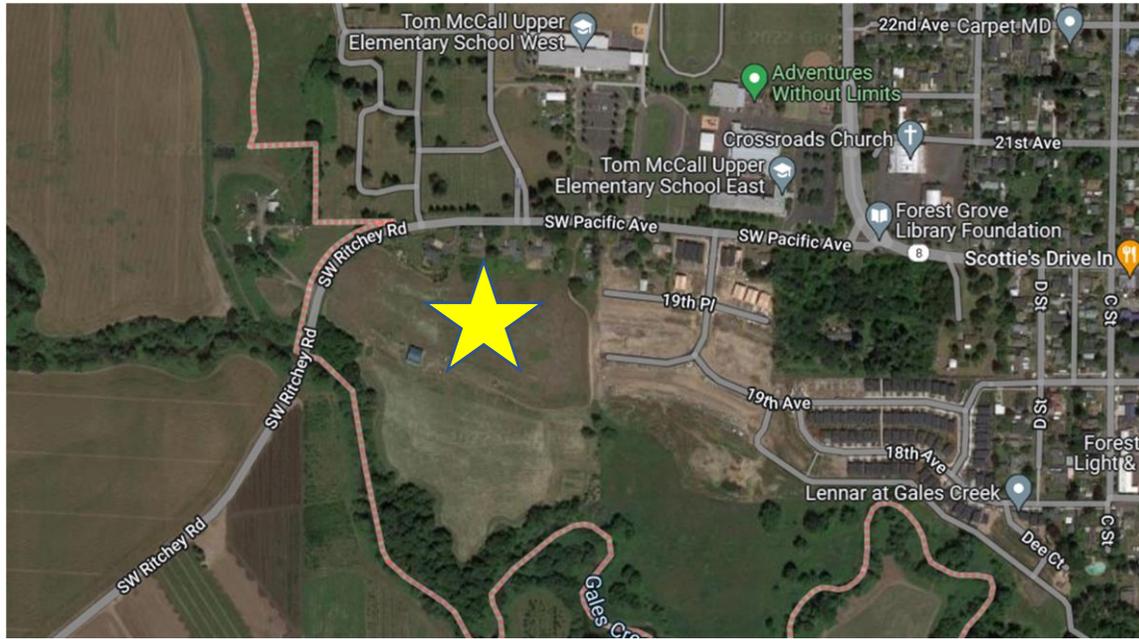


# RITCHEY RIDGE

## LAND USE APPLICATION

### PRELIMINARY APPROVAL

### 65 UNIT PLANNED DEVELOPMENT



Submitted to:

**CITY OF FOREST GROVE**

1924 Council Street, Forest Grove, Oregon 97116

Submitted on Behalf of:

**Rick and Steve Schmunk**

5644 SE McInnis, Hillsboro, Oregon 97123

Prepared by:

**TECH ENGINEERING**

PO Box 80483, Portland, Oregon 97280

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DECEMBER 2022

# Application Summary

**SUBJECT PROPERTY:**

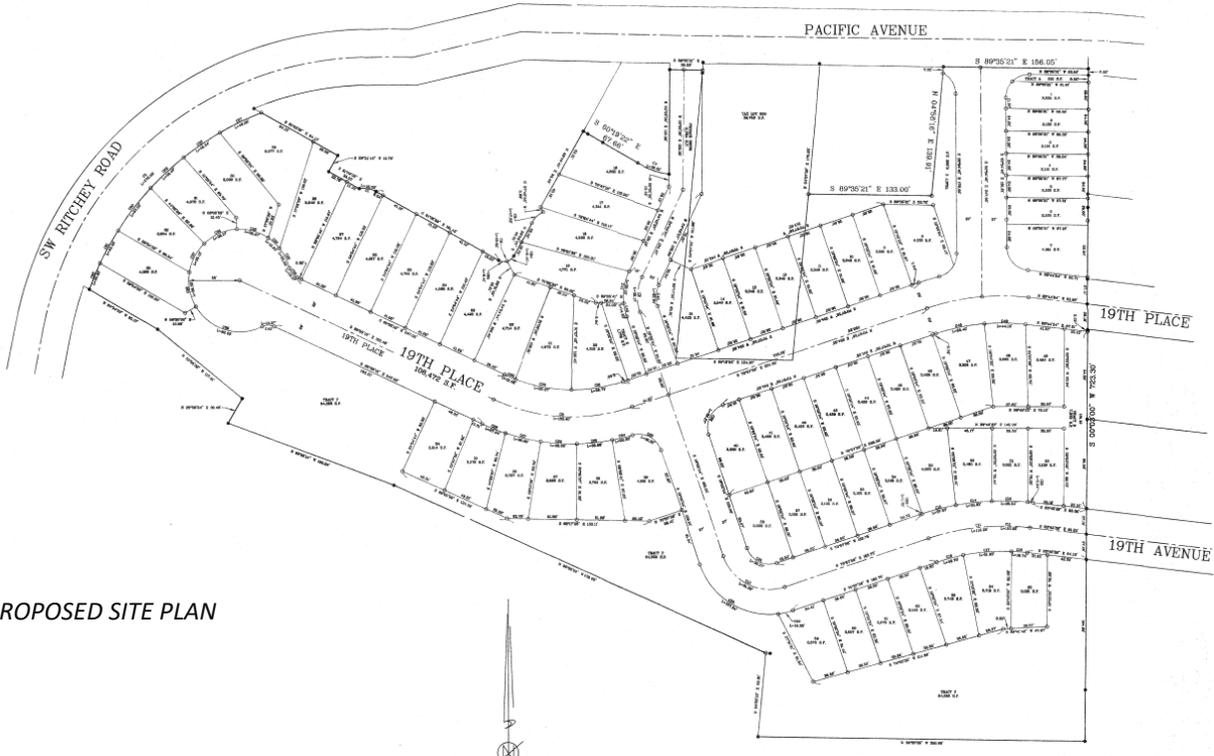
Tax Lots 800, 1000, 2800 & 2900  
1S4 01, In the City of Forest Grove,  
Washington County, Oregon

**SITE SIZE:**

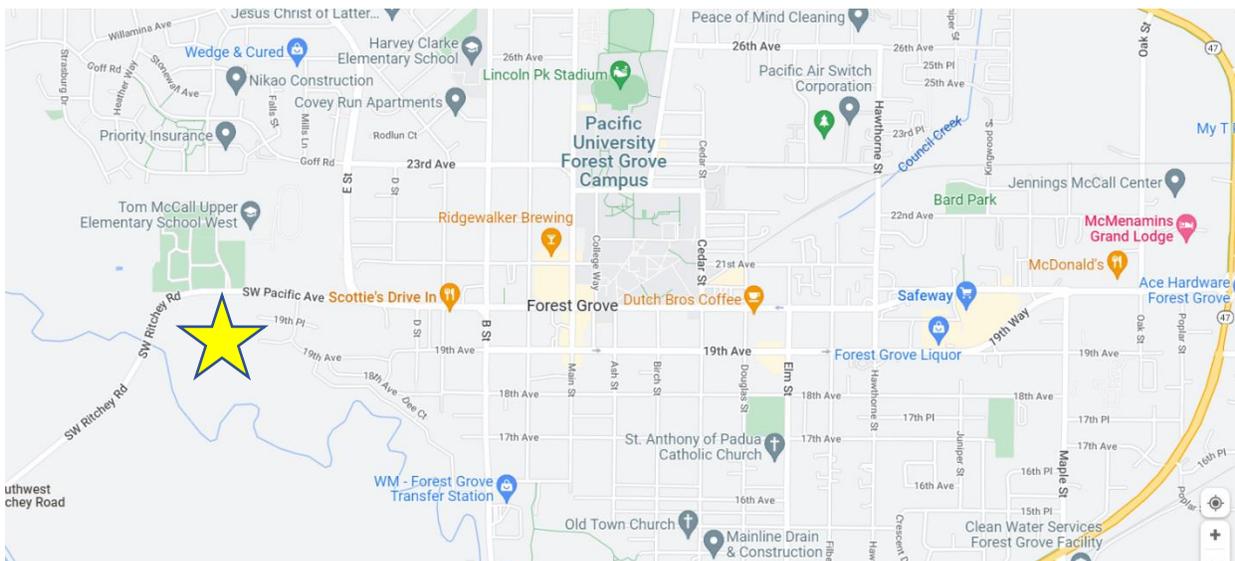
10.60 Acres Total

**ZONING:**

R-5, R-7 & R-10



PROPOSED SITE PLAN



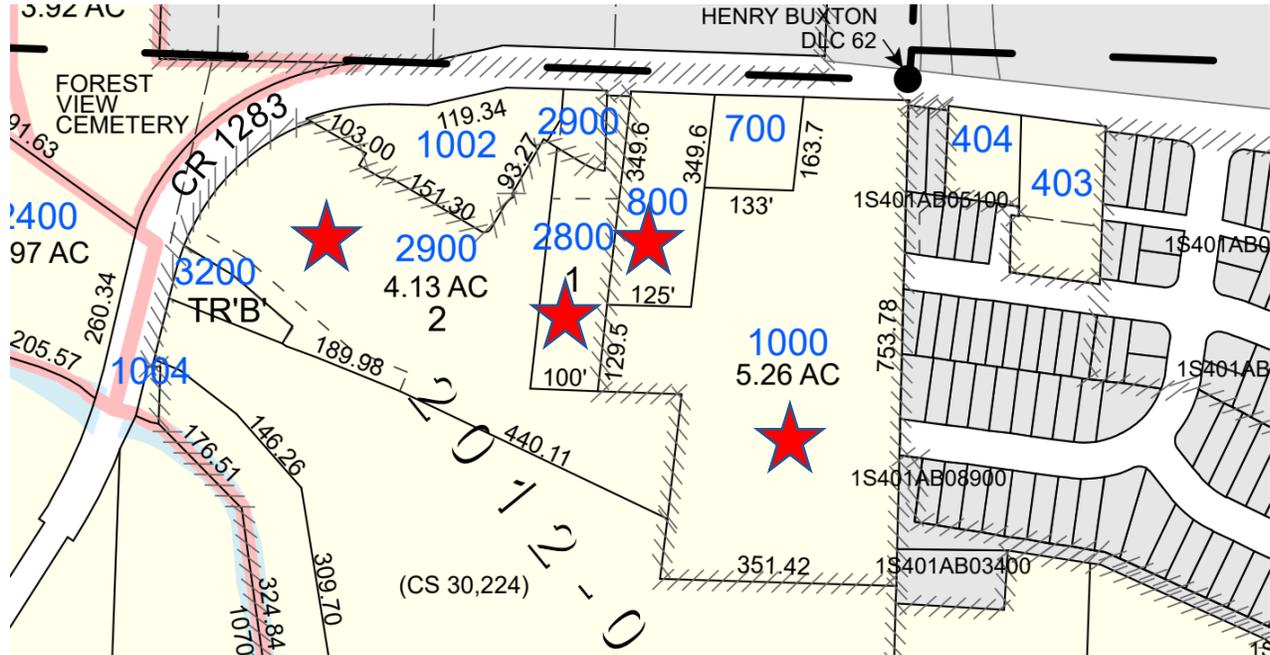
PROJECT VICINITY MAP

## RITCHEY RIDGE - 65 UNIT PLANNED DEVELOPMENT

## Site Description

The project site includes Tax Lots 800, 1000, 28000 and 2900 of Washington County Assessor's Map 1S4 01. The site is located on the south side of Pacific Avenue, east of Ritchey Road.

The site is not addressed.

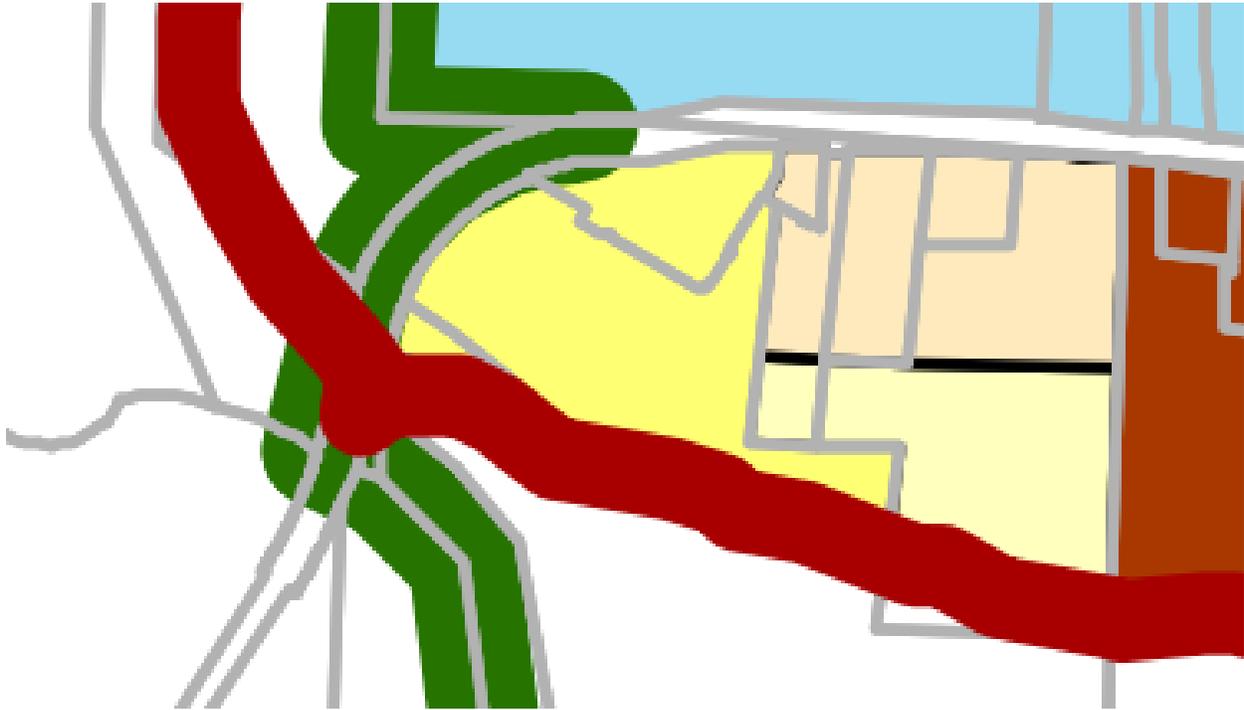


### ASSESSOR'S MAP

The site contains approximately 10.60 acres and is zoned R-5, R-7 and R-10 within the city of Forest Grove.

The site is irregular in shape and fronts onto Pacific Avenue on the north side, Ritchey Road on the west side, and the street stubs of 19<sup>th</sup> Place and 19<sup>th</sup> Avenue abutting the subject site on the east side. Gales Creek is off-site to the south.

The Existing Conditions Plan on sheet 4 of the Preliminary Plans shows the subject property and surrounding properties, including contour elevations – the site is sloped toward the south and southwest, with a high elevation of approximately 244 feet near the center of the site and a low elevation of approximately 179 at the south end of the site.



**Zoning Designations**

	Suburban Residential (SR) 1.0 du/ac.		Residential Multifamily Low (RML) 12.0 du/ac.
	Single Family (R-10) 4.35 du/ac.		Residential Multifamily High (RMH) 20.28 du/ac.
	Single Family (R-7) 6.22 du/ac.		Neighborhood Mixed Use (NMU)
	Single Family (R-5) 8.71 du/ac.		Town Center Core (TCC) 40.0 du/ac.
			Town Center Transition (TCT) 40.0 du/ac.
			Community Commercial (CC) 30.0 du/ac.

*The subject parcels are zoned R-10, R-7 and R-5; the applicant is resting a Planned Development for this site. The above map shows the multiple zoning districts in this area of town.*

## Proposed Project

The applicant is requesting approval of a 65-unit residential Planned Development. The proposed development is a mix of home types, with detached and attached homes.

Lots 1 through 6 are townhouse lots ranging in size from 2,252 square feet to 2,402 square feet; the average townhouse lot size is 2,897.33 square feet.

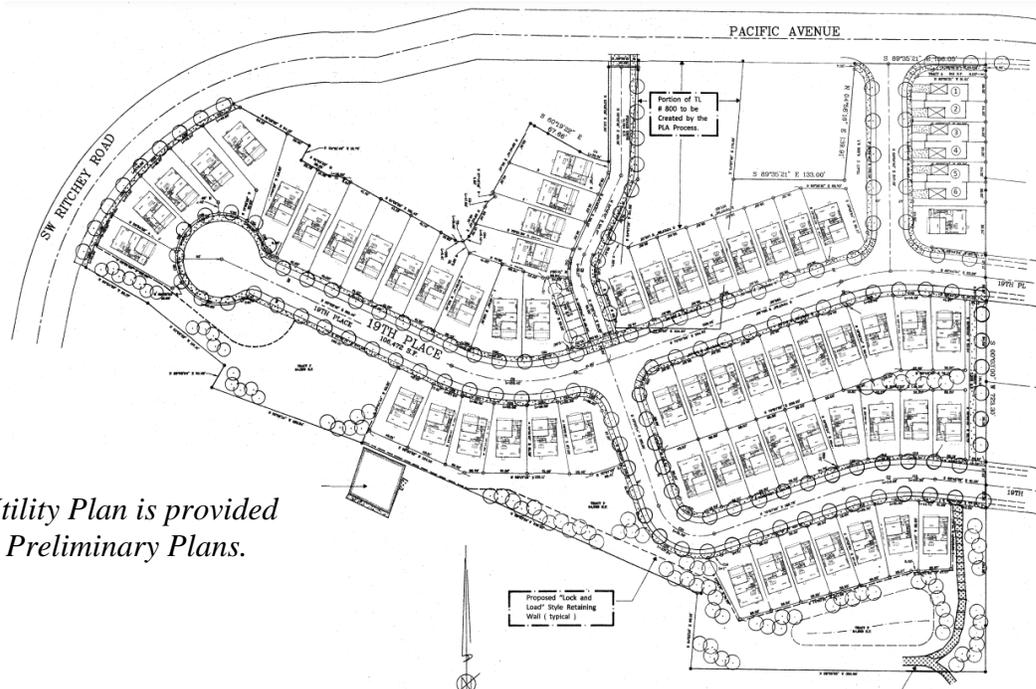
Lots 7 through 65 are proposed for detached single family homes, with lots ranging in size from 3,007 square feet to 6,077 square feet; the average lot size for the single family homes is 3,882.18 square feet.

Tracts A through F are proposed for Open Space areas. The total of the Open Space (Tracts A-F) equals 100,611 square feet or 2.31 acres.

Proposed public streets are designed with right of way widths with from 54 feet to 58 feet. The cul-de-sac will have radius of 55 feet. One private street is proposed to serve as access for Lots 16 through 19, the proposed right of way width is 35 feet with concrete sidewalk on one side. Tract E is abutting the private street and is proposed as open space and an additional five off street parking spaces.

Tract F will contain the water quality facility. There is an existing farm access driveway at the southeast corner of the site which will remain and will be utilized as maintenance access to the water quality facility.

The site will be accessed by a new street connection to Pacific Avenue to the north and also by the street stubs that are abutting the site on the east boundary.



A Preliminary Utility Plan is provided on sheet 8 of the Preliminary Plans.

*All services are available to the site within the right of way of Pacific Avenue, 19<sup>th</sup> Avenue and 19<sup>th</sup> Place for public water service, public storm and sanitary sewer.*

*The applicant is proposing development of the site with the required and appropriate utilities in compliance with the requirements of the City of Forest Grove and CWS, which are all available to the site within the public right of ways, as demonstrated on the Preliminary Planset.*

*Development of the site will be completed in one phase of construction.*

*The applicant's engineer, Technical Engineering, has provided the Preliminary Plans showing how the site will be served with public services, provided as follows:*

- ***Public Water:*** *A public water line is available within the right of way of Pacific Avenue and within 19<sup>th</sup> Avenue and 19<sup>th</sup> Place; the lots will be served by extending a public line through the site. Each home will have an individual meter from the new public line. New fire hydrants will be installed as required.*
- ***Sanitary Sewer:*** *A public sanitary sewer line is available within the right of way of Pacific Avenue and just south of the street stub of 19th Avenue. As shown on the Preliminary Utility Plan on sheet 8, a new public line will be extended from the existing public sewer main in Pacific Avenue throughout the site and will connect to the existing system.*
- ***Storm Drainage:*** *Storm drainage is available within the right of way of Pacific Avenue, just north of the subject site. As shown on the Preliminary Utility Plan on sheet 8, storm water will be collected from the site and conveyed underground to a water quality facility within Tract F at the southeast corner of the site. From there the treated water will be directed into the existing system at a pre-development rate.*
- ***Fire Protection:*** *The site is provided service from city of Forest Grove. New fire hydrants will be installed within the development as required.*

*Public easements will be provided where needed to allow access to all public service lines.*

## ARTICLE 2 LAND USE REVIEWS

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### LAND USE REVIEWS

#### 17.2.030 CONCURRENT REVIEWS

Applications for more than one land use review on a site may be consolidated into a single application package. If the reviews are not assigned to the same review body, they are assigned in the manner stated below.

- A. When more than one review is requested and the reviews have different procedures, the overall application is processed using the highest procedure and reviewed by the review body assigned to that procedure.
- B. When the requested reviews have the same procedure but are assigned different review bodies, the reviews may be processed simultaneously with a joint hearing before the applicable review bodies. For the purposes of this section, a joint hearing includes either holding a consolidated hearing before all applicable review bodies at the same meeting, or holding consecutive public hearings at the same location. The Director shall determine the manner of processing applications and conducting the hearings.

***RESPONSE: The applicant is requesting two concurrent reviews with this request:***

- 1) Subdivision***
- 2) Planned Development***

### SITE DEVELOPMENT REVIEW

#### 17.2.400 PURPOSE

The purpose of Site Development Review is to promote the general welfare and enhance the appearance and function of the City by careful attention to site planning. While the underlying zoning district determines whether a particular use is permitted, site development review focuses on how a particular use will be developed. Site Development Review will focus primarily on site planning and design elements of a project.

#### 17.2.410 APPLICABILITY

Site development review is required for the following:

- A. All new development of vacant sites (with the exception of the exemptions listed below); or
- B. An expansion of 20% or more of the existing building square footage on the development site;
- C. A new parking lot or 20% expansion of an existing parking lot that is not associated with new commercial or multifamily development; or
- D. Any change of use (according to use table of applicable zoning district).
- E. As part of a Master Plan application (§10.4.100 et. seq).
- F. As part of a Conditional Use permit application (§10.2.200).
- G. As part of a Design Review application (§10.2.300 et. seq).

***RESPONSE: The applicant is proposing new development; therefore, these standards apply.***

#### 17.2.420 EXEMPTIONS

***RESPONSE: No Exceptions are requested.***

#### 17.2.430 PROCEDURE

Site development review is categorized as a Type I procedure for one (1) single family detached dwelling on an individual lot; one (1) duplex on an individual lot; one (1) manufactured home on an individual lot. All other site development reviews shall follow the Type II procedure unless exempt.

#### 17.2.440 SUBMITTAL REQUIREMENTS

In addition to the standard submittal requirements for a Type II application, the following plans and information are required for Site Development Review. The Director may waive specific submittal requirements at the pre-application conference, if warranted.

Site Development Plans shall be drawn to scale and fully dimensioned, and shall illustrate the following:

- A. Boundaries of the development site, with lot line dimensions and land area in square feet;
- B. Boundaries of lots adjacent to the development site, with general locations of existing buildings and driveways and description of current land uses;
- C. Existing contours of the development site at two (2) foot intervals for slopes of less than 10% and at ten (10) foot intervals for slopes of more than 10%. Additional contour data may be required by the Director for slopes greater than 20%.
- D. Major existing physical and natural features such as perennial and intermittent streams, wooded areas, marshes, rock outcroppings, and vegetative cover types;
- E. Environmental resource areas subject to the provisions in §10.8.305 and, where applicable, §10.5.005 et. seq. and environmental hazard areas subject to the requirements in §10.8.310.
- F. Individual trees or groves of trees subject to the provisions of §10.5.100 et. seq.
- G. Historic Landmarks subject to the provisions of §10.5.200 et. seq.
- H. Location, dimensions and heights of existing and / or proposed structures, including area in square feet and designation of existing and/or proposed use;
- I. Setback dimensions from buildings to lot lines and lot coverage as a percentage of total lot size;
- J. Location and dimensions of existing and/or proposed streets, driveways, transit facilities, sidewalks, trails, off-street parking and loading space, bicycle parking facilities, landscaped areas, recreation areas, and trash storage areas; K. Location of existing utilities and fire hydrants adjacent to the site, including the size of storm sewer, sanitary sewer and water lines;
- L. Location and names of public street, parks, utility rights-of-way and easements within or adjacent to the site;
- M. Location and types of proposed drainage, water and sewer facilities to serve the development;

- N. Elevation drawings of proposed buildings;
- O. Landscape plan depicting existing and proposed trees, shrubs, groundcover, irrigation and architectural features such as fences or walls. Proposed plantings shall be designated as to species, quantities, and size at time of planting;
- P. Location, character and dimensions of proposed signs and lighting; and
- Q. Locations and dimensions of all existing and proposed outdoor storage areas, including but not limited to trash storage and recycling areas.

***RESPONSE: The applicant has provided a full Preliminary Plans set with plans detailing the items required above. There are no drainageways or natural features or resources on the site and there are no historic landmarks on the site.***

***The location of signage, landscaping, trash and recycling areas, parking, water quality and other features of the Planned Development are included with this request.***

17.2.450 REVIEW CRITERIA

The Director shall review and approve, conditionally approve, or deny the site development plan based on the following criteria:

- A. The site development plan complies with all applicable standards of the base zoning district, any overlay district, and the applicable general development standards of Article 8.

***RESPONSE: The site design is in compliance with intent of the applicable standards of the residential zones for lot size and dimensions and for residential density, a Planned Development has been requested to allow for flexibility to some of these standards.***

***The applicant has provided full Preliminary Plans and has also addressed all the requirements of Article 8 to demonstrate how the proposed development can be built in full compliance with the city code and any other jurisdictional or agency requirements.***

- B. The site development plan ensures reasonable compatibility with surrounding uses as it relates to the following factors:

- 1. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties; and 2. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.

***RESPONSE: The layout and configuration of the lots take the surrounding existing development in the area. It is the intent of the applicant to allow for lots that have variation and can make the new homes fit onto each lot to maximize privacy and visibility of windows to adjacent homes. Full home plans will be submitted for review by the city.***

C. The site development plan preserves or adequately mitigates impacts to unique or distinctive natural features including, but not limited to:

1. Significant on-site vegetation and trees;
2. Prominent topographic features; and
3. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.

***RESPONSE: There are no significant trees, topographic features or sensitive areas on the site, this standard does not apply to this request.***

D. The site development plan preserves or adequately mitigates impacts to designated historic resources.

***RESPONSE: The future new homes will be designed to fit into the neighborhood and also to meet the design requirement of the city code. There is not a design district applicable to the subject property.***

E. The site development plan provides adequate right-of-way and improvements to abutting streets to meet the street standards of the City. This may include, but not be limited to, improvements to the right-of-way, sidewalks, bikeways, and other facilities needed because of anticipated vehicular and pedestrian traffic generation.

***RESPONSE: The development will dedicate a varying width of right of way to Pacific Avenue as shown on the Preliminary Plat.***

F. The site development plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site or abutting properties that may attract pedestrians.

***RESPONSE: The design of the site provides sidewalks along the public right of ways of 19th Avenue and Pacific Avenue. Sidewalks and walkways will also be provided interior to the development. All sidewalks will be paved with concrete and will be built to the city and ADA standards.***

## ARTICLE 3 ZONING DISTRICTS

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### 17.3.010 CLASSIFICATION OF ZONES

All areas within the corporate limits of the City of Forest Grove are divided into the following zones:  
Multi-Unit (Low) Residential RML

### RESIDENTIAL ZONES

#### 17.3.110 LIST OF RESIDENTIAL ZONES

##### F. Residential RMH

The RMH zone is intended for development at a target density of 20.28 dwelling units per net acre . Multi-unit residential buildings will be the predominant housing type in this zone. RMH zoning is generally applied near transit streets and adjacent to commercial districts. The RMH zone also allows a limited range of non-residential uses to help provide services for residents and enhance the quality of the higher density neighborhood.

#### 17.3.120 USE REGULATIONS

Refer to Article 12 for information on the characteristics of uses included in each of the Use Categories.

TABLE 3-2 Residential Zones: Use Table: Single Units, Attached & Duplexes - Permitted Use in RMH

***RESPONSE: The applicant is proposing single family Attached housing and duplexes, which are uses allowed outright in the R-5, R-7 and R-10 zones.***

#### 17.3.130 RESIDENTIAL ZONE DEVELOPMENT STANDARDS

##### A. Residential Densities

The City of Forest Grove regulates residential development primarily by density rather than minimum lot size. Density is calculated based on net site area. Within the density limits of each of the five residential zones, a variety of housing types and lot sizes are permitted. This approach allows more sites to be developed with the flexibility of a Planned Development.

All residential subdivisions and multi-family developments are required to develop at a minimum of 80% of the targeted density.

*TABLE 3-3: Residential Zone Density Standards*

*Zoning District: R-10 Target: 4.35; Minimum: 3.48; Incentive: 5.22*

*R-7 Target: 6.22; Minimum: 4.98; Incentive: 7.15*

*R-5 Target: 8.71; Minimum: 6.97; Incentive: 10.02*

##### B. Calculating Potential Densities

The number of dwelling units allowed on a parcel in any of the five residential zones is calculated using Table 3-3. Density calculations count dwelling units (not structures), i.e., a duplex is counted as two (2) dwelling units. Accessory dwelling units are not counted as dwelling units for the purpose of calculating density.

1. The Target Density is permitted outright.
2. The Minimum Density is required to ensure:
  - a. Land is being used at the appropriate intensity planned for the area;
  - b. Enough dwelling units can be developed to accommodate the projected need for housing; and
  - c. Compliance with the Metro Functional Plan.
3. The Incentive Density provides the opportunity for a density bonus to reward design features, amenities, and/or other improvements which can be shown to increase the value of the residential development for neighborhood residents and the general public and/or provide affordable housing. Incentive Density is only allowed as part of a Planned Development (see Article 4, Section 10.4.200).

***RESPONSE: Per Table 3-3: Residential Zone Density Standards, the zoning Districts of R-10, R-7 and R-5 have different density goals. Since the applicant has requested a PD, the Incentive density is applied.***

<i>The site contains 10.60 acres or</i>	<i>461,736 sf</i>
<i>water quality facility:</i>	<i>-84,599 sf</i>
<i>ROW dedication:</i>	<i><u>-8,500 sf</u></i>
	<i>368,637 sf or 8.46 acres net</i>

*8.46 net acres x 8.71 (R-5 target) = 73.69 units*  
*8.46 net acres x 6.22 (R-7 target) = 52.62 units*  
*8.46 net acres x 4.35 (R-10 target) = 36.80 units*

***This proposal is for a 65 lot Planned Development for the site, meeting the cumulative density requirement range for the R-5, R-7 and R-10 zones.***

- C. Density Reductions Due to Slope
- D. Exemptions from Minimum Density Standard
- E. Incentive Density
- F. Minimum Lot Size and Dimensions (SR, R-10, R-7 and R-5 Zones)

***RESPONSE: There are no density reductions due to slope, exemptions from the density standards or incentive densities applied.***

- G. Minimum Lot Size and Dimensions (RML and RMH Zones) Varied lot sizes and housing types are permitted and encouraged within the density ranges established for the RML and RMH Zones. However, construction of new single family detached units is restricted to existing lots smaller than 5,000 square feet in the RMH Zone in order to retain land for multi-family housing. The following base minimum lot size and dimensional standards apply after the potential number of units has been determined using Table 3-3.

***RESPONSE: The site is within the R-10, R-7 and R-5 zone, G does not apply to this request.***

## H. Setback Standards

Building setbacks have an important relationship to the character of the street. Because varied lot sizes and housing types are permitted in the residential zones, uniform setbacks are established to provide a consistent streetscape.

***RESPONSE: As shown on the included Preliminary Site Plan, all of the new homes will meet the required setbacks. Setbacks are further discussed on page 15.***

## I. Building Height

Building height standards are used to establish a compatible building scale. This can help to create a harmonious visual setting and helps to bring about a successful mixing of diverse housing types.

1. Buildings in the SR, R-10, R-7, R-5 and RML Zones are limited to a maximum height of two and one half (2 ½) stories or thirty-five (35) feet, whichever is less.
2. Buildings in the RMH Zone are limited to a maximum height of three (3) stories or forty-five (45) feet, whichever is less. A step-down in building heights may be required for multi-family building(s) that abut a lower density residential zone.

The need for a step down in building heights to provide privacy, access to sunlight and a transition between zones shall be evaluated in the Design Review Process.

***RESPONSE: The future new homes for each lot will not exceed 2 ½ stories in height; home plans are included within the Preliminary Planset.***

3. A chimney, radio or television antenna, or device designed for the collection and/or generation of energy from the sun and/or wind may exceed the building height limit by a maximum of fifteen (15) feet.

***RESPONSE: No chimneys or antennas are proposed.***

4. Church steeples may exceed 35 feet in height through a Type II process. The maximum height is 15 feet above the building height limit in any location allowed by other requirements of the zone district. Church steeples may go to a maximum total height of 75 feet provided that setbacks of 1 foot for each 1 foot in height from the property line are maintained.

***RESPONSE: No steeples are proposed.***

### 17.3.140 RESIDENTIAL DESIGN STANDARDS

All residential development is subject to the design standards found in Section 10.8.880.

***RESPONSE: The future homes will meet the design requirements of 10.8.880.***

## Article 4 – Planned Developments

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### § 17.4.120 REVIEW CRITERIA.

The Master Plan shall be approved if findings are made that each of the following criteria are satisfied:

A. The Master Plan Zone complies with the review criteria for a zone change set forth in § [17.2.770](#);

B. The master plan provides adequate open space , landscaping, circulation and parking to accommodate the planned uses;

C. The development and design standards ensure that adverse impacts of the proposed development on the surrounding neighborhood and community are addressed and mitigated;

D. The master plan ensures that no land will be used for any purpose which creates or causes to created any public nuisance, including but not limited to air, land or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare; and

E. The master plan complies with the purpose and requirements of the Master Plan Zone.

(Ord. 2009-01, passed 3-9-2009)

### § 17.4.125 PROCEDURE FOR REVIEWING DEVELOPMENT PROJECTS UNDER APPROVED MASTER PLAN.

A. *Type I Review.* The Director shall approve a development project through a Type I process if it is found that:

1. It is consistent with the approved Master Plan and relevant conditions; and
2. The design of public and private streets and utilities is in conformance with specifications of the City Engineer and City Code standards; and

B. *Type II or Type III Review.* Projects not qualified for Type I review (above) shall be reviewed under the Type II process. The Director has the discretion under § [17.1.510](#) to elevate the review of a Master Plan development project from a Type II to a Type III review under and of the following instances:

1. The development project involves a land use or activities that were not envisioned as part of the approved Master Plan;
2. The development project involves:
  - a. A substantial increase in the nature, function or impact of a project element, including changes in noise, air quality, light, glare, stormwater drainage or the design of the circulation system; or

b. A substantial increase (more than 20%) in the size of a building or building coverage, the number of vehicle trips or required parking, beyond what was proposed when the Master Plan was approved; or

3. Any other changes that, in the judgment of the Director , have a substantial impact on adjacent properties beyond those impacts identified in the approval of the Master Plan; or

4. The project, in the judgment of the Director , has potential for neighborhood or community concern.

(Ord. 2009-01, passed 3-9-2009)

#### **§ 17.4.130 AMENDMENTS TO AN APPROVED MASTER PLAN.**

An application for an amendment to an approved Master Plan shall address all of the relevant elements of the submittal requirements as outlined in § [17.4.115](#). The amendment shall be reviewed for consistency for the review criteria under the Type IV procedure. The amendment shall be limited to the area of the proposed amendment and shall not include a reconsideration of the Master Plan Zone as a whole.

(Ord. 2009-01, passed 3-9-2009)

#### **§ 17.4.135 DURATION OF AN APPROVED MASTER PLAN.**

An approved Master Plan shall remain in effect until development allowed by the Master Plan has been completed or the approved Master Plan is amended or superseded.

(Ord. 2009-01, passed 3-9-2009)

## **PLANNED DEVELOPMENTS**

#### **§ 17.4.200 PURPOSE.**

The purpose of the Planned Development (PD) provisions is to provide greater flexibility in the development of land for residential, commercial or industrial purposes than allowed by the conventional standards of the Development Code. For residential sites over two acres that have an average slope greater than 20%, development is allowed only through approval of a planned development (see § [17.3.130](#), [Table 3-4](#)).

A PD is not intended to be simply a means of avoiding normal Development Code requirements. The PD provisions are intended to:

A. Promote flexibility and innovation in site design and permit diversity in the location of structures in order to preserve natural features and view corridors;

***RESPONSE: As demonstrated with the Preliminary Plans included with this request, the site is designed to have good street connections and traffic flow, open spaces and cohesive layout of the homes to provide a very attractive development. The area is naturally scenic and there is a wetland area to the south.***

B. Promote innovative and creative design by providing a variety and mixture of building types and architectural styles;

***RESPONSE: This Planned Development is proposed for townhouse and detached single family homes.***

C. Promote efficient use of land and facilitate a more economical arrangement of buildings , circulation systems, land uses and utilities when compared with conventional development patterns;

***RESPONSE: If the applicant sticks strictly to the requirements of each of the underlying zones, it would be difficult to create lots that are cohesive, streets that provide vehicle and pedestrian connections and open space. The flexibility allowed by the Planned Development promotes efficient use of the land, preserves territorial views and a more economical arrangement of the future homes.***

D. Preserve to the greatest extent possible existing landscape features and amenities such as trees , creeks, ponds, floodplains , hills and similar natural assets, and incorporate such features into the design of the PD;

***RESPONSE: This Planned Development allows for a better arrangement of the streets, homes and open spaces which in turn allows preservation of views of natural areas and the wetlands to the south.***

E. To encourage the provision of open space and recreational facilities in a generally central location and within reasonable walking distance of all living units in residential planned developments ;

***RESPONSE: The Planned Development incorporates open spaces throughout the site. Sidewalks with planter strips and street trees are proposed along all public ways. All open spaces are to be full landscaped with native plants.***

F. Combine and coordinate architectural styles, building forms and building relationships within the PD; and

***RESPONSE: This Planned Development will provide a variety of home facades and color palates that are coordinated but yet provide diversity. A Home Owner's Association will have architectural control for the PD.***

G. Provide the applicant with reasonable assurance of ultimate approval before requiring detailed design and engineering, while providing the city with assurances that the project will retain the character envisioned at the time of approval.

***RESPONSE: The applicant will provide necessary materials to assure the PC that the Planned Development will be designed and constructed with the overall cohesiveness in mind.***

(Ord. 2009-01, passed 3-9-2009; Ord. 2017-12, passed 11-27-2017)

**§ 17.4.210 PROFESSIONAL DESIGN TEAM REQUIRED.**

The PD applicant must certify, in writing, that a member of each of the following professions will be used in the planning and design process for the proposed PD:

- A. A licensed architect or professional urban designer;
- B. A licensed landscape architect, a certified nurseryman or landscape designer approved by the Director ; and
- C. A registered civil engineer or land surveyor.

One of the above professionals shall be designated by the applicant to act as a liaison between the Community Development Department, the design team, and the applicant during the two-step PD review process. The Planning Commission or City Council may require the expertise of other professionals on the design team if it is determined that the site merits special consideration to unique or adverse features or conditions.

(Ord. 2009-01, passed 3-9-2009; Ord. 2017-12, passed 11-27-2017)

***RESPONSE: The applicant has a professional design team. John DeJong of Technical Engineering is the designated liaison for the design team and the applicant to the city.***

***The applicant will provide all professional expertise as required by Staff and the Planning Commission.***

**§ 17.4.215 PD DEVELOPMENT STANDARDS.**

A. *Base Zone Standards.* The development standards of the base zone apply unless they are superseded by the standards of this section or the PD approval. Exceptions from the standards of the underlying zoning district must be warranted based on the unique design and amenities incorporated into the development plan, and shall have a beneficial effect which could not be achieved using the standards of the underlying zoning district. Exceptions shall be clearly and specifically identified in the application, which shall also include an explanation justifying and substantiating the need for each exception.

***RESPONSE: This proposal adheres to the intent of the base zones, which is for residential housing.***

B. *Site size.* There are no minimum or maximum size limitations for a PD.

***RESPONSE: The site contains approximately 10.60 acres.***

C. *Calculation of density.* The number of dwelling units allowed in residential zone PDs shall be calculated on the basis of § 17.3.130A. [Table 3-2](#). All residential development shall be at a minimum of 80% of the target density for the parent zone. A request for incentive density may be approved for the PD, based on the criteria in § 17.3.130E.

***RESPONSE: This proposal meets the target density range for the base zones, further discussed on the following page.***

D. *Multiple base zones.* When a proposed PD site includes more than one base zone, the uses and residential density may be allocated throughout the site without regard to zoning boundaries.

***RESPONSE: The subject parcels do contain multiple zones, R-5, R-7 and R-10.***

E. *Lot sizes.* There are no required minimum lot sizes.

***RESPONSE: This proposal has a variety of lot sizes.***

F. *Housing types allowed.* Housing types in zones that allow residential uses are not restricted in the PD, except that housing types in the RML and RMH zones shall include a mixture of single-family, duplex or multi-family units.

***RESPONSE: The site is not within the RML or RMH zones. Proposed are single family attached and detached housing.***

G. *Architectural Pattern Book.* In residential PDs, a variety of architectural styles shall be required. For all PDs, a compendium of architectural elevations, details and colors of each building type shall be submitted. The pattern book shall act as the architectural control for the homeowner's association or the commercial owner. The pattern book shall include the following:

1. An explanation of how the pattern book is organized, and how it is to be used.
2. Definitions of specific standards for architecture, color, texture, materials and other design elements.
3. A checklist system to facilitate review of the development for conformity with the pattern book.
4. Information for each building type including:
  - a. Massing, facades, elevations, roof forms, proportions, materials and color palette.
  - b. Doors, windows and siding, including sash and trim details.
  - c. Porches, chimneys, light fixtures and any other unique details, ornamentation or accents.
  - d. Illustrations of elevations and floor plans.
  - e. A fencing plan with details that addresses the relationship between public and private space, and between the PD site and abutting property.

***RESPONSE: The applicant will provide the required Pattern Book with the final plat, along with the HOA and other documents that will provide architectural control for the Planned Development.***

H. *Height.* The height limits of the base zone apply.

***RESPONSE: The homes will not exceed the maximum of the base zones, 2 1/2 stories.***

I. *Building setbacks.* Building setbacks are established as part of the preliminary development plans approval. Garage setbacks shall be a minimum of 20 feet. No building projections (roofs or foundations) shall be permitted in the front yard public utility easement required by § [17.8.905E.1](#).

***RESPONSE: The setbacks will be as follows:***

***Side yards: 3.00 feet***

***Rear yards: 12.00 feet***

***Front yards: 12.00 feet***

***Garage face: 20.00 feet***

J. *Peripheral yards* . Along the boundary of any PD, a yard at least as deep as that required in the underlying zone district shall be provided.

***RESPONSE: The peripheral yards will be maintained at least the same dimension as the adjoining zone.***

K. *Open space* . At least 20% of the buildable portion of the PD not in streets and driveways must be devoted to open space. At least half of the open space in all zones must be in common ownership and at least half of that space must be contained in one tract. The tract's configuration shall be 45% of the site's overall length and width with a minimum dimension of 20 feet. The extent to which any type of open space satisfies the total open space requirement shall be in the sole discretion of the city.

***RESPONSE: At least 20% of the site is contained withing Open Space, with Tracts A – F containing 100,611 square feet. The aggregate site contains 10.60 acres or 461,736 square feet; therefore, the Open Space in this development is 21.79% of the total land area.***

L. *Parking*. The base zone parking requirements apply. Common parking and maneuvering areas must be set back at least 20 feet from the boundary of the PD.

***RESPONSE: The PD provides parking on both sides of most of the streets and within Tract E; Tract E is not within 20 feet of the PD boundary.***

M. *Water features*. Water features such as streams or ponds must be left in a natural state unless altered to improve the natural values of the water feature or to improve stormwater drainage. Water features and their edges should be kept in common ownership.

***RESPONSE: There are no streams or other water features on the site.***

N. *Facilities and services*. It is the responsibility of the applicant to provide all service facilities necessary for the functioning of the PD. Service facilities such as streets, water supply facilities, sanitary sewers and stormwater detention facilities must be dedicated to the public if they are to provide service to any property not included in the PD. However, the review body may approve private service facilities with the consent of the appropriate service provider.

***RESPONSE: The development will be providing public facilities and services, including sanitary sewer, public water, storm water management, streets and sidewalks and landscaping necessary for the functioning of the Planned Development. One private street is requested to serve as access for Lots 16 through 20.***

O. *Development regulations and design standards not subject to modification*. The PD process cannot be used to vary or take an exception from the Street Standards listed in § [17.8.610](#).

***RESPONSE: The development is providing for all needed streets and no exceptions are wanted or expected.***

P. *Underground utilities.* All service facilities must be placed underground except those that by their nature must be on or above ground, such as fire hydrants and open watercourses. The applicant is responsible for making the necessary arrangements with utility companies and other appropriate entities when installing all service facilities.

***RESPONSE: All services will be placed underground with the site construction.***

Q. *Construction to standards.* All service facilities dedicated to the public must be constructed to city standards. All private service facilities must be designed by a qualified civil engineer to city standards or comparable design life as determined by the City Engineer.

***RESPONSE: Any service facilities dedicated to the public, including public streets will be constructed to city standards.***

R. *Building size standards.* For areas designated as Planned Shopping Center by the Comprehensive Plan, commercial retail is limited to 20,000 square feet and commercial office is limited to 10,000 square feet.

***RESPONSE: This request is for residential development; R., above, does not apply.***

(Ord. 2009-01, passed 3-9-2009; Ord. 2017-12, passed 11-27-2017)

#### **§ 17.4.220 PRELIMINARY PLAN REVIEW.**

A. *Procedure.* Preliminary plan reviews are processed through a Type III procedure.

B. *Submittal requirements.*

Applications for a preliminary plan review must contain the information stated below in addition to that required by § [17.1.225](#).

1. *General statement.* A statement of how the purpose of § [17.4.200](#) will be achieved by the proposed PD. The statement should include sketches or illustrations of the proposed character of the development, a description of how the PD will relate to surrounding land uses and whether other land use reviews are requested.

***RESPONSE: The included Preliminary Plans include a block with a general purpose statement; this narrative also provides statements of how the Planned Development achieves the purpose of 17.4.200.***

***17.4.200 is addressed of page 16.***

2. *Summary report.* A summary report identifying the different land uses, including the amount of land for housing, non-residential uses, open areas, streets and parking; the number and type of housing units; the amount and type of commercial or industrial areas, if any; and a statement of how necessary services will be provided and whether the services will be publicly or privately owned and operated.

***RESPONSE: A Summary report is included with the application materials for this request.***

3. *Drawings of existing site conditions.* A drawing or drawings must be submitted which display and inventory existing site conditions including the items listed below:

- a. Ground elevations shown with contour lines at two-foot intervals or less;
- b. Areas of moderate or severe landslide potential, as identified on city maps or documented by an engineering geologist or geotechnical engineer;
- c. General soil types as identified on city maps or as documented by an engineering geologist of soils engineer;
- d. Existing natural features, including rock outcroppings, trees and tree groves , fish and wildlife habitats, ponds, wetlands and watercourses;
- e. Existing on-site or abutting sanitary sewage, storm drainage and water supply facilities. If such facilities are not on or abutting the site , indicate the direction and distance to the nearest ones;
- f. Width, location and purpose of all existing easements of record on or abutting the site ;
- g. A description of the traffic circulation system on or abutting the site , including street sizes, level of improvements and condition of the streets ;
- h. A description of areas abutting the PD, indicating zoning districts, land uses, densities, circulation systems, public service facilities, natural features and approximate locations of nearby structures ; and
- i. Any additional information about existing site conditions required for a concurrent subdivision application .

***RESPONSE: This application package includes the required plans,, including an Existing Conditions Plan on Sheet 4.***

4. *PD Site plan* . The site plan must include the information stated below:

- a. Setbacks for houses and the placement and bulk of other buildings ;
- b. The traffic circulation system, including connections to existing public rights-of-way, off-street parking and the ownership of streets and parking areas;
- c. Conceptual plans for pedestrian and bicycle circulation systems;
- d. Conceptual plans for all necessary services, including their location and whether the services will be publicly or privately owned and maintained;
- e. Conceptual plans for all facilities for the control and disposal of stormwater and groundwater;
- f. Conceptual plans for the location and design of public and private open areas or structures ;
- g. Treatment proposed for the periphery of the site , including the approximate amount, location and type of any required landscaping; and
- h. Conceptual guidelines for multi-family and commercial structures , including such things as building heights , sizes, areas, roof shapes, exterior materials and types of parking areas.

***RESPONSE: A PD Master Plan is shown on Sheet 3.***

5. *Phased PDs.* PDs being developed in phases require a description of each phase, including the size, uses, timing and infrastructure phasing. Any PD which will require more than 24 months to complete shall be constructed in phases. Each phase shall conform to the phasing plan.

***RESPONSE: This PD is proposed in one phase.***

6. *Drawings.* Drawings showing the existing site conditions and the proposed site plan must be at a reasonable size and scale to clearly show all required information. The drawings must display the following:

- a. Name of the proposed PD;
- b. Date, north arrow and scale of the drawing;
- c. Legal description of the PD sufficient to define its location and boundaries;
- d. Names, addresses and telephone numbers of the owner, applicant and design team; and
- e. Appropriate identification of the drawing as a preliminary plan.

***RESPONSE: The Preliminary Plans include plan sheets that contain the information as required by 6.a-e., above.***

C. *Approval criteria.* The preliminary plan will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

1. The plan fulfills the purpose for PDs stated in § [17.4.200](#);
2. The plan meets the submittal requirements of § [17.4.220B](#).;
3. Adequate public services exist or can be provided to serve the proposed PD; and
4. Where a tentative subdivision plat is requested, the requirements of [Article 8](#) are met.

***RESPONSE: The applicant has provided plans and written information to describe how the development fulfills the purpose for Planned Developments and the submittal requirements of this code.***

***The included Preliminary Plans show the availability of public service and the extension of said services as a part of the proposed development of the site.***

D. *Time limit.* Preliminary plan approval – including all phases - is valid for four years and may not be extended. The four-year period will not begin until any appeals beyond the jurisdiction of the city are completed. Within the four-year time period, the applicant must submit a final development plan for the entire site.

(Ord. 2009-01, passed 3-9-2009; Ord. 2017-12, passed 11-27-2017)

## Article 5 – SPECIAL PROVISIONS

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### SOLAR ACCESS

#### 17.5.400 PURPOSE

Solar energy can make a significant long-term contribution to the City’s energy supply. The provisions of this section apply to the division of land in single family residential zones to ensure that land is divided with consideration of orientation for solar access.

#### 17.5.405 APPLICABILITY

The solar design standard shall apply to applications for subdivisions in all residential zones, except to the extent the approval authority finds that exemptions or adjustments provided for in Section 10.5.420 are warranted.

#### 17.5.410 PROCEDURE

Compliance with the solar access provisions shall be determined through the Type II review of the tentative subdivision plat.

#### 17.5.415 DESIGN STANDARD

At least 80% of the lots in a development subject to this section shall comply with one or more of the following options:

A. Basic Requirement (See Solar Lot Option 1 below). A lot complies with this section if it:

1. Has a north-south dimension of 90 feet or more; and
2. Has a front lot line that is oriented within thirty (30) degrees of a true east-west axis.

***RESPONSE: All lots except 11 (Lots 1 – 7 and Lots 16 – 19) meet the solar access standards, therefore 83% of the lots meet the Basic Requirement.***

## Article 6 – LAND DIVISIONS

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### SUBDIVISIONS

#### 17.6.095 PURPOSE

Land division review procedures for subdivision are established for the following purposes:

- A. Ensure building sites are of sufficient size and appropriate design for their intended uses and lots to be created are within density ranges permitted by the Comprehensive Plan;
- B. Minimize negative effects of development upon the natural environment and incorporate natural features into the proposed development where possible;
- C. Ensure economical, safe, and efficient routes for pedestrians, bicycles, and motor vehicles;
- D. Create residential living environments that foster a sense of neighborhood identity and are protected from the adverse effects of heavy traffic and more intensive land uses; and
- E. Promote energy efficiency.

#### 17.6.100 PROCEDURE

Subdivisions are reviewed through a two-step procedure. A tentative plat for a subdivision is reviewed through the Type II procedure primarily for design aspects, connections to existing and future streets, preservation and natural features, drainage and floodplain considerations, and compliance with other requirements of this Code. General compliance with the public improvement standards of Article 8 is assessed at the tentative plat review stage.

The final subdivision plat is reviewed through the Type I procedure for conformance with the approved tentative plat and conditions, and applicable state or county laws or rules. Detailed and specific compliance with the public improvement standards of Article 8 is assessed at the final plat review stage. An Oregon-licensed land surveyor must prepare the tentative and final plats.

Refer to Article 1 for information on Type I and Type II procedures.

***RESPONSE: The applicant has applied for this Preliminary PD Plat approval through a Type III procedure. The applicant or assigns will make a new land use application for the Final Plat, under a Type I procedure.***

#### 17.6.105 APPLICATION REQUIREMENTS FOR TENTATIVE PLAT REVIEW

##### A. Application.

Applications shall be made on forms provided by the Director. The person filing the application must be the owner or a person having an interest in the land to be included in the subdivision. If the development is to include a territory with more than one ownership, the application must be submitted jointly and be signed by all of the owners or persons having an interest in each of the separately owned properties to be included.

The application shall be accompanied by the following:

1. One (1) copy of the narrative on 8 ½ x 11 inch sheets;
2. Four (4) sets of full-scaled black line drawings of the tentative plat and any other graphic(s), with a sheet size not to exceed 24 x 36 inches. One set of the graphics shall be reduced to fit on 8 ½ x 11-inch sheets of paper. Graphics and related names/numbers must be legible on this sheet size. When necessary, an overall plan with additional detail sheets may be submitted.

B. Graphics. A tentative subdivision plat application shall include the following information where applicable:

1. Public notice map

***RESPONSE: A reduced set of the Preliminary Plans are included with this application package.***

2. Existing land use map. Typically an aerial photo that extends at least 500 feet beyond the site boundaries shall be submitted unless the Director accepts a different map type and/or extent. This map includes building footprints and makes a distinction between residential, commercial and industrial land uses, as well as noting other significant features such as roads, drainageways, parks, transit stops and schools.

***RESPONSE: The included Preliminary Plans are attached.***

3. Tentative subdivision plat and other graphics drawn to scale and containing sheet titles, date, north arrow, and legend placed in the same location on each sheet and containing the following:
  - a. Name and address of owner(s) of record, applicant, and registered land surveyor who prepared the plat;
  - b. Sufficient description to define location and boundaries of the development site;
  - c. Location and use of adjacent structures within 150 feet of the development site;
  - d. Number of lots and their dimensions including frontage, depths, and area in square feet;
  - e. General locations of existing and proposed structures including building types and gross density per acre and proposed use restrictions. An indication of approximate building envelopes may be required where necessary to evaluate building relationships;
  - f. General location and size of areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semipublic uses;
  - g. Existing and proposed general circulation system including bikeways, off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way. Notations of proposed ownership (public or private) should be included where appropriate;
  - h. Existing and proposed general pedestrian circulation system, including its interrelationship with the vehicular circulation system and indicating proposed treatments of points of conflict;

- i. Existing and proposed utility systems including sanitary sewer, storm sewer, drainageways, and water;
- j. Identification of significant natural features including heavily wooded areas and significant trees;
- k. Topographic contours at two (2)-foot intervals for slopes under 20% and at five (5)-foot intervals for slopes at or greater than 20%. Where the grade of any part of the subdivision exceeds 10% or where the subdivision abuts existing developed lots, a conceptual grading plan may be required to show features affect the subdivision and adjacent areas. If a grading plan is required, it shall show how runoff or surface water from individual lots will be managed and ultimate disposal of all subdivision surface waters;
- l. Approximate location of proposed easements and/or dedications for drainage, sewage, or other public utilities;
- m. Location of waterways and drainageways, showing top of existing banks and channel depth, and if requested, a separate sheet showing cross section at fifty (50)-foot intervals of all such watercourses; and
- n. For residential development, identification of which lots are intended to have solar access protection.

***RESPONSE: The included Preliminary Plans show the required information for 3.a - l, above.***

***There are no water courses or significant natural resources on the site and the new.***

***More than 80% of the lots meet the Solar Standard.***

***The CWS Service Provider Letter is included within this packet.***

- 4. The Director may waive any of the above requirements when determined the information required by this section is unnecessary to properly evaluate the proposed development. The Director may also require additional information, if determined necessary, to adequately evaluate the proposal.

C. Narrative. A written statement shall include:

- 1. Proposed uses and development objectives;
- 2. Statement of on-site and off-site improvements to be constructed or installed, date of their anticipated completion, and availability of off-site rights-of-way and/or easements to the site to allow extension of off-site improvements to the site. Improvements include:
  - a. Domestic water supply;
  - b. Sewage disposal, storm drainage, and flood control;
  - c. Pedestrian, bicycle and vehicular access;

- d. Maintenance of common areas, if proposed; and
- e. Landscaping.

***RESPONSE: The site has access to all public facilities as described below and in the “Proposed Project” portion of this narrative and also as shown on the Preliminary Utility Plan on sheet 8 of the Preliminary Plans.***

***Water is available within the right of way of Pacific Avenue and 19th Avenue and 19<sup>th</sup> Place and will be extended through the site.***

***Sanitary sewer is available within Pacific Avenue and 19th Avenue. A public line will be extended through the site to serve the new lots.***

***Storm sewer is available within Pacific Avenue and 19th Avenue, storm water will be collected from the site and conveyed underground to a Water Quality Facility within Tract F, where it will be treated and detained before being released into the existing system.***

***Common areas are proposed within open space tracts and will be fully landscaped. Tract F will contain the water quality and will be dedicated to the city with the final subdivision plat.***

***Landscaping is proposed, including street trees and grass within the planter strips and as required by CWS for all Tracts, as shown on the Preliminary Site Plan and on the included Landscaping Plans.***

- 3. General description of intentions concerning timing, installation and maintenance responsibilities, and assurances for all public and non-public improvements and facilities, such as irrigation, private roads and drives, landscape, and open space, water quality and stormwater detention facilities and sensitive land buffers;

***RESPONSE: The applicant plans to construct the site improvements as soon as the engineering and construction documents can be submitted and approved by the city. The applicant or his assigns will provide financial assurances for the improvements as a part of the final permitting process for the on-site improvements.***

- 4. General data not included on the tentative plat such as:
  - a. Total number and type of dwelling units;
  - b. Lot sizes;
  - c. Proposed lot coverage of buildings and structures where known;
  - d. Densities per net acre;
  - e. Total amount of open space (lands not designated for buildings or vehicle parking and maneuvering areas); and

f. Total amount of nonresidential construction.

**RESPONSE:** *This proposal is for 65 lots for the use of single family dwelling units and townhouses. Lot sizes are shown on the Preliminary Plat.*

*The requirements for the R-5, R-7 and R-10 zones are addressed on page 8 of this narrative, including the number and type of proposed units, lot sizes and density. Open space and non-residential areas are shown on the included plans.*

5. Any proposed Conditions, Covenants and Restrictions (CC&Rs)

**RESPONSE:** *No CC&Rs are proposed at this time. The future builder will likely want CC&Rs for the subdivision, the documents will be submitted with the final plat for city review and approval.*

6. How the proposed project meets each of the approval criteria.

**RESPONSE:** *How the proposal meets the approval requirements of the city's Development Code is addressed in detail within this narrative and within the included Preliminary Plans.*

D. An application for a subdivision within the City of Forest Grove must include a certification from the City Engineer and Light and Power Director for electricity as follows:

1. Certification from the City Engineer and Light and Power Director on forms provided by the City that the following are available to the site:
  - a. Municipal water with legal access to the site and sufficient volume and pressure to serve the proposed development.
  - b. Sanitary sewer with legal access to the site and sufficient treatment plant capacity and line capacity to serve the proposed development.
  - c. Storm sewer with legal access to the site and sufficient line capacity to adequately provide the necessary drainage.
  - d. Road access with available public right-of-way and capacity to serve the proposed development.
  - e. Electrical power with legal access to the site and sufficient capacity to serve the development.

**RESPONSE:** *Included is a statement from the City Engineer noting that the items required by 1,a.-e,above are available to the property.*

#### 10.6.110 TENTATIVE PLAT REVIEW CRITERIA

Type II approval of a tentative subdivision plat will be granted if the Director finds that the applicant has met or can meet all of the following criteria without reliance on other parties not associated with the subject development, unless agreements with such other parties are in place prior to project approval to the satisfaction of the Director:

A. The tentative subdivision plat complies with all applicable requirements for submittal.

B. The subdivision plat complies with all applicable standards and design requirements of this Code.

***RESPONSE: As demonstrated in the Preliminary Plans, generated by the applicant's engineer, and within this narrative, along with other support information attached with this request, the subdivision plat complies with all applicable requirements.***

C. Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and addressed in the design of the tentative plat.

***RESPONSE: There are no special features on the site.***

D. All lots shall be suitable for their intended use. No parcel shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the occupants of such lot or subdivision.

***RESPONSE: As shown on the Preliminary Site Plan, the lots are all suitable for the intended use, which is for single family attached dwelling and townhouse units. Tract F is intended for the use of open space and water quality and treatment.***

E. Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

***RESPONSE: This proposal will fully develop the entire site.***

F. Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

***RESPONSE: The adjoining lands have access to 19th Avenue, 19th Place and the new public streets proposed within this Planned Development.***

G. The proposed street plan provides safe, convenient and direct options for pedestrian, bicycle and vehicular circulation.

H. Adequate public facilities are available to or within the site, including sufficient legal access, or can be provided by the applicant to serve the proposed subdivision.

***RESPONSE: All streets will be designed and constructed to the city's standards. All public facilities will be extended to serve the site, as shown on sheet 8, Preliminary Utility Plan.***

I. Protection and assurance of access to incident solar radiation and/or wind as defined by ORS 92.044 for potential electrical generation or mechanical application.

***RESPONSE: The future homes can access solar by roof panels if off-grid electrical is desired by future home owners.***

## Article 8 - GENERAL DEVELOPMENT STANDARDS

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### ACCESS AND CIRCULATION

#### 17.8.100 PURPOSE

The purpose of this section is to establish standards and regulations for safe and efficient vehicle access and egress on a site and for general circulation within the site, including pedestrian circulation.

#### 17.8.105 APPLICABILITY

- A. When Provisions Apply. The provisions of this article shall apply to all development, including the construction of new structures, and the remodeling or new structures or a change of use which increases the on-site parking or loading requirements or which changes the access requirements.
- B. When Site Plan/Design Review Is Not Required. Where the provisions of site plan review or design review do not apply to the proposed developments, the Director shall approve, approve with conditions, or deny an access plan submitted under the provisions of this Article in conjunction with another permit or land use action.
- C. Conflict with Land Division Requirements. The requirements and standards of this article shall not apply where they conflict with the land division rules and standards of Article 6.

***RESPONSE: This proposal is for new development; therefore, these standards apply.***

#### 17.8.110 GENERAL PROVISIONS

- A. Continuing Obligation of Property Owner. The provision and maintenance of access and egress stipulated in this section are continuing requirements for the use of any structure or parcel of real property in the City.

***RESPONSE: A Maintenance Agreement will be provided to the city for review with the Final Plat application for the subdivision for any shared access.***

- B. Access Plan Requirements. No building or other permit shall be issued until a scaled site plan is submitted that shows how access, egress and circulation requirements are to be fulfilled. The Director shall provide the applicant with information about the submittal requirements for an access plan.

***RESPONSE: The applicant has included full Preliminary Plans with this request, including a Preliminary Site Plan showing all lots have access.***

- C. Joint Access. Owners of two or more uses, structures, or parcels of land may agree to jointly use the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies their requirements as designated in this Article, provided:
1. Satisfactory legal evidence shall be presented in the form of deeds, easements, leases or contracts to establish the joint use; and

2. Copies of the deeds, easements, leases or contracts are placed on permanent file with the City.

***RESPONSE: A Maintenance Agreement will be provided to the city for review with the Final Plat application for the subdivision and will be recorded with the subdivision plat with the Washington County Recorder.***

D. Public Street Access. All vehicular access and egress shall connect directly with a public or private street approved by the City for public use, except where joint access is provided through adjacent or other property which is connected to a street. Vehicular access to a residential use shall be provided within the same lot for single-family and two-family dwellings, and within the same lot or development for multi-family dwellings. Access to multi-family units shall avoid being located through single family residential areas before being connected to a collector or arterial as designated by the City's Transportation Plan.

***RESPONSE: As shown, all lots have access to a public street by way of the shared driveways.***

E. Transit Agency Referral. The City shall submit all development proposals located along the Pacific Avenue/19th Avenue transit corridor to Tri-Met for review and comment regarding facilities necessary to support transit. The following facilities may be required as a condition of a permit:

1. Walkways to transit stops;
2. Bus stop shelters or waiting areas;
3. Turnouts for buses.

***RESPONSE: There is a bus station just west of city hall and east of the subject site about 1/2 mile away.***

F. Where hard surfaces are stipulated by these requirements, pervious surfaces are encouraged to be used. Where improvements are within the public rights-of-way, such surfaces can be used upon approval by the City Engineer.

***RESPONSE: The new street improvements will be constructed as required within the City Engineer's Standard Details.***

***Future driveways will be constructed of either asphalt or concrete and all will be to the standards of the city engineer. Full construction plans will be submitted for review and approval as a part of the development process.***

G. Landscaped areas should include water quality features such as bio-swales or wetlands, trees, grass, shrubs, and other plant material when possible so as to cover landscape areas.

***RESPONSE: A Landscaping Plan for the water quality area and open space areas is provided with this request.***

#### 17.8.115 ON-SITE PEDESTRIAN WALKWAYS

A. Required Walkways. On-site pedestrian walkways are required as follows:

1. Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the public sidewalk or curb of the public street or streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multi-building commercial, institutional, and industrial complexes. Walkways shall be constructed between a new development and neighboring developments. If connections aren't currently available, then planned connections shall be designed to provide an opportunity to connect adjoining developments.
2. The maximum distance between a parking space and a walkway shall not exceed forty-five (45) feet. All walkways constructed within parking lots shall be raised to standard sidewalk height. All surface treatment of walkways shall be firm, stable and slip resistant.
3. Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways may be required to be lighted and/or signed as needed for safety purposes. Lighting and or signs may be required for walkways for safety purposes.
4. Whenever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six (6)-inch vertical separation (curbed) or a minimum three (3)-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than thirty-six (36) feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used.

Walkways shall be a minimum of four (4) feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and signposts, and shall be in compliance with ADA standards.

***RESPONSE: Walkways are proposed through the site and also along the public right of ways as shown on the Preliminary Site Plan. All sidewalks will be 5.00 feet wide and paved with concrete to the city's standards and in compliance with ADA standards. Walkways will have landscaping and pedestrian scale lighting as shown on the included Landscaping Plans.***

#### 17.8.120 MINIMUM ACCESS REQUIREMENTS FOR RESIDENTIAL USES

- A. Direct Access to Arterial Streets from a residential dwelling established after the effective date of this Code is prohibited. The City may permit direct access to an arterial for lots of subdivisions approved prior to the effective date of this Code, and for multi-family residential complexes if the access is designed to local residential street standards.
- B. Single-Family Dwellings and Duplexes shall be required to have one driveway, fully improved with hard surface pavement, with a minimum width of 10 feet.

- C. Service Drives for Multi-Family Dwellings shall be fully improved with hard surface 1. 12 feet when accommodating one-way traffic, or 2. 20 feet when accommodating two-way traffic. In no case shall the design or said service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street.
- D. Private Residential Access Drives shall be provided and maintained in accordance with the provisions of the Uniform Fire Code.

***RESPONSE: The lots will have a private residential access driveway for access, these drives will be provided and maintained according to the provisions of the UFC No service drives are proposed.***

- E. Dead End Access Drives In Excess Of 150 Feet shall be provided with approved provisions for the turning around of fire apparatus by one of the following:
  - 1. A circular, paved surface having a minimum turn radius measured from center point to outside edge of thirty-five (35) feet; or
  - 2. A hammerhead, paved surface with each leg of the hammerhead having a minimum depth of forty (40) feet and a minimum width of twenty (20) feet.
  - 3. The maximum cross slope of a required turnaround is 5%.

***RESPONSE: No dead-end access drives exceeding 150 feet are proposed.***

- F. Driveway Grades shall not exceed a maximum of 20%.

***RESPONSE: The areas of driveways will not have grades in excess of 20%.***

LANDSCAPING, SCREENING AND BUFFERING

17.8.400 PURPOSE

The purpose of this section is to establish standards for landscaping, buffering, and screening of land use within Forest Grove in order to enhance the aesthetic and environmental quality of the City:

- A. By requiring street trees in new developments;
- B. By using plant materials as a unifying design element;
- C. By using plant materials to define spaces and articulate the uses of specific areas; and
- D. By using trees and other landscape materials to mitigate the effects of noise and lack of privacy and provide buffering and screening.

***RESPONSE: The landscaping area for this site will be within the open spaces and planter strip including street trees and a grass and within the water quality facility within Tract F. Detailed landscaping plans are provided with this request.***

#### 17.8.405 APPLICABILITY

- A. Applicability. The provisions of this section shall apply to all new development and to a change of use that result in the need for increased on-site parking.
- B. When Site Development/Design Review Does Not Apply. Where the provisions of Site Development Review or Design Review do not apply, the Director shall approve, approve with conditions, or deny a landscape plan submitted under the provisions of this section by means of a Type I procedure.
- C. Landscape Plan. The applicant shall submit a landscape plan. The Director shall provide the applicant with information on the submittal requirements.

***RESPONSE: Landscaping Plans are included with this request.***

#### 17.8.410 GENERAL PROVISIONS

- A. Obligation to Maintain. It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained.

***RESPONSE: The landscaped areas in open spaces will be maintenance by an HOA.***

***The applicant or his assigns will maintain the landscaping within Tracts per the required maintenance agreement with the city that is a part of the permitting and bonding for the construction. After the maintenance period, Tract F will be owned and maintained by the city.***

- B. Ground Preparation. The ground in all required landscaped areas should be properly prepared with suitable soil and fertilizer. Specifications shall be submitted with the landscape plans showing that adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the plantings over a long period of time.
- C. Installation Requirements. The installation of all landscaping shall be as follows:
  - 1. All landscaping shall be installed according to accepted planting procedures and the provisions of this article;
  - 2. The plant materials shall be of high grade, and shall meet the size and grading standards of the American Standards for Nursery Stock;
  - 3. All required landscaped areas must be provided with a piped underground irrigation system unless a licensed landscape architect or certified nurseryman.

***RESPONSE: The applicant will hire landscaping crews to provide the landscaping as a part of the site construction. It is anticipated that the landscaping will be installed under the supervision of the general contractor building the site. Final Landscaping Plans will be submitted for review and approval by the city as a part of the final construction documents.***

*#end#*