



CITY OF CORNELIUS

CITY OF CORNELIUS COMMUNITY DEVELOPMENT DEPARTMENT

LAUREL WOODS

Conditional Use Permit for a Planned Unit Development & Subdivision Preliminary Plat

Land Use File No. CUP/PUD-03-16 & SUB-03-16

Planning Commission Hearing: December 20, 2016

Staff Report Date: December 13, 2016

Request: A Type III Planned Unit Development (PUD) Conditional Use (**CUP/PUD-03-16**) & Subdivision Preliminary Plat (**SUB-03-16**) application for a new 871-lot single-family dwelling subdivision, located within the newly adopted southeast Urban Growth Boundary area.

Applicant: The Holt Group, Inc.
Rian Tuttle
PO Box 61426
Vancouver, WA 98666

**Applicant's
Consultant:** AKS Engineering & Forestry, LLC
Mimi Doukas, AICP, RLA
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Property Owners: Laurelwood Development, LLC
1S303C Lot 102
PO Box 87970
Vancouver, WA 98687

Patrick D. Speer
1S303D Lot 201
19863 Quail Pine Loop
Bend, OR 9770

Michael N. Speer
1S303D Lot 201
14580 SW Magpie Lane, Unit 202
Beaverton, OR 97007

Danni M. Gorman
1S303D Lot 201
PO Box 1014
Sun Valley, ID 83353

Rockwell Investments, LLC
1S303AD Lot 2600
60325 Woodside Road
Bend, OR 97702

Heritage Homes Investment Corporation
1S303AC Lots 10100 and 10200
PO Box 190
Forest Grove, OR 97116

Location: 1353 SW 345th Avenue, Cornelius, Oregon

Map: Map 1S303C Lot 102; Map 1S303D Lot 201; Map 1S303AC Lot 10100 and 10200; Map 1S303AD Lot 2600

Process: Approval of a Planned Unit Development (PUD) Conditional Use and the Subdivision Preliminary Plat with public hearing shall be processed consistent with Section 18.15.010.C, a Type III Planning Commission Review. The Planned Unit Development (PUD) Conditional Use and Subdivision Preliminary Plat review request shall be processed with notice and a public hearing before the Planning Commission pursuant to Chapter 18.15.040. The notice of the Planning Commission's decision shall be provided to the applicant and interested parties.

APPEAL RIGHTS

An affected party may appeal a decision of the Planning Commission to City Council by filing an appeal within ten (10) working days of notice of the decision pursuant to City Code. The notice of appeal shall indicate the decision that is being appealed and include all required contents pursuant to Chapter 18.15.090.

APPLICABLE CRITERIA

Cornelius Municipal Code (CMC) Chapters 18.10 & 18.15 (Application & Review Procedures), Chapter 17.05.040 (Subdivisions), Chapter 18.20 (Single-Family Residential Zone, R-7), Chapter 18.35 (Multi-Family Residential Zone, A-2), Chapter 18.110 (Planned Unit Development (PUD) Conditional Use), Chapter 18.105 (Conditional Use Permit), Chapter 18.143 (Transportation Facilities), and Chapter 18.155 (Solar Access for New Development).

BASIC FACTS AND BACKGROUND INFORMATION

1. The applicant is requesting a Type III Planned Unit Development PUD Conditional Use (**CUP/PUD-03-16**) & Subdivision Preliminary Plat (**SUB-03-16**) for a new 871-lot single-family attached and detached dwelling subdivision.
2. The site of this PUD conditional use tentative subdivision (hereinafter, Site) is approximately 133 acres in size and located south of Tualatin Valley Highway and between SW 345th Avenue and S 20th Avenue in the City of Cornelius.
3. The Site comprises five tax lots and borders seven unincorporated intervening lots (1S302C Lot 300; 1S303D Lots 200, 400, and 401; 1S303AD Lots 2400 and 2200; and 1S303A Lot 100) that are not included in this application.
4. The Site is currently used for agricultural production and does not contain any residential development.
5. The Site is currently zoned Single-Family Residential (R-7) and Multi-Family Residential (A-2). The zoning designations were established through Ordinance No. 2016-003, which was adopted by the Cornelius City Council on May 23, 2016. The adopted ordinance included a condition stating that the annexation and zone change would be effective immediately following final approval of a PLA (Property Line Adjustment) for the subject property as applied for by Holt and processed and approved by Washington County, or 30 days following its passage and approval by the City Council, whichever occurred later.

6. A Property Line Adjustment was approved by Washington County Department of Land Use & Transportation on August 8, 2016 (Washington County LUT Case File No. 16-313-PLA/PLA/PLA).
7. The property owners have provided signatures authorizing the request for the Planned Unit Development PUD Conditional Use & Subdivision Preliminary Plat application. A copy of all applicable property owner signatures is found in Exhibit B.
8. On May 2, 2016 the applicant held the required neighborhood meeting at the Free Orchards Elementary School Library, located at 2499 S. Beech Street in Cornelius. There were approximately 14 people in attendance.
9. The Planned Unit Development PUD Conditional Use & Subdivision Preliminary Plat application was submitted on October 19, 2016 and deemed complete on November 10, 2016.
10. On November 28, 2016 Public Notice was mailed to property owners within 250 feet of the Site regarding the application and scheduled public hearing.
11. On November 28, 2016 notice of the proposed Planned Unit Development (PUD) Conditional Use & Subdivision Preliminary Plat application was provided to affected agencies.
12. On December 1, 2016 Public Notice of the proposal was published on the website of the local newspaper regarding the application and upcoming public hearing.
13. On December 7, 2016 Public Notice of the proposal was published in the printed version of the local newspaper regarding the application and upcoming public hearing.
14. As of this date, the City has received no public comments regarding the proposal.
15. As of this date, the City Engineer and Cornelius Fire Department have submitted comments regarding the proposal, which are found in Exhibit C.

TITLE 17 SUBDIVISIONS

17.05 Land Divisions

17.05.040 Subdivisions.

...

(C) Approval Criteria. In order to approve a preliminary plat, findings of fact shall be made to support the following conclusions:

(1) The proposal conforms with the city's comprehensive plan; and

(2) The proposal complies with all applicable statutory and ordinance requirements and regulations; and

(3) Adequate public facilities are available to serve the proposal; and

(4) All proposed lots conform to the size and dimensional requirements of this chapter; and

(5) All proposed improvements meet city standards; and

(6) That the phasing plan, if requested, can be carried out in a manner which meets the objectives of the above criteria and provides necessary public improvements for each phase as it develops.

Findings: The properties that are the subject of this Tentative Subdivision/PUD/Conditional Use application were added to the Portland Metropolitan Area Urban Growth Boundary in 2015 (through HB 4078) and the City of Cornelius corporate boundary in 2016 (through Ordinance No. 2016-003). Per direction established in the City's Comprehensive Plan, the properties received R-7 and A-2 zoning designations at the time of annexation, consistent with the respective Low-density Residential and Medium-density Residential Comprehensive Plan designations. Due to the presence of significant natural resources along the site's southern boundary, the City's Natural Resource Overlay (NRO) zone applies to certain areas of the site as well (see Exhibit A for location of vegetated corridor). As outlined throughout this narrative, the application complies with all applicable criteria for a PUD in the City of Cornelius. The application is also consistent with Ordinance Nos. 2015-06 and 2016-003.

As shown in Exhibit A, the application will result in significant public facilities improvements. These public facilities will be constructed in conformance with the adopted Cornelius Public Works Standards and CMC Chapter 18.143 (Transportation Facilities). New public alleys and local, neighborhood, and collector streets will provide pedestrian, bicycle, and vehicular access to

and through this new development. Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of property to the west of this project for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

Construction of South Jasper Street/South Kodiak Street (collector street) will extend S 20th Avenue generally east and west through the site, while S 26th Avenue and S 29th Boulevard will serve as the north/south collector streets. The construction of these streets shall be conditions of approval. The Traffic Impact Analysis in Exhibit B demonstrates that these new transportation facilities will be implemented with each phase of development through the ultimate build out of the site. Additionally, the Non-Statutory Development Agreement approved in conjunction with Ord. 2016-003 obligates the City to initiate construction of S 29th Boulevard upon receipt of TDT fees collected from 300 residential building permits on the Laurel Woods site. This trip cap will ensure that S 20th Avenue and S 26th Avenue do not experience operational deficiencies as additional vehicle trips are generated by the site.

As confirmed by Ord. 2016-003, domestic water capacity is available to accommodate residential development at R-7 and A-2 densities on this site. The Preliminary Utility Plan in Exhibit A illustrates that the application will result in a new main located in the S Jasper/S Kodiak Street right-of-way that will tie into the existing water system. Additionally, all new street rights-of-way will host new water mains (of various sizes) to provide service to future development on the site. The water system included in this application has been designed to accommodate the future development of nearby properties that are not included in this application. The construction of a public water system to serve the proposed development and sized to accommodate future development of nearby properties shall be a condition of approval.

As confirmed by Ord. 2016-003, sanitary sewer capacity is available to accommodate residential development at R-7 and A-2 densities on this site. The Preliminary Utility Plan in Exhibit A, illustrates that sanitary sewer improvements will consist of a number of new mains (of varying sizes) and a new sanitary sewage pump station located south of the roundabout near the center of the site. The sanitary sewer system included in this application has been designed to accommodate the future development of nearby properties that are not included in this application. The construction of a public sanitary sewer system to serve the proposed development and sized to accommodate future development of nearby properties shall be a condition of approval.

As illustrated in the Preliminary Stormwater Management Report (Exhibit B), new stormwater mains will convey stormwater runoff generated by new impervious surfaces to four new regional stormwater facilities located throughout the site. From here, stormwater will be released into the nearby Tualatin River. The stormwater conveyance and treatment system has been designed to accommodate the future development of nearby properties that are not included in this application. The construction of a public storm sewer system to serve the proposed development and sized to accommodate future development of nearby properties shall be a condition of approval.

This subdivision will take advantage of the flexibility in lot dimensional standards provided by the City's PUD and Conditional Use standards to create a range of lot sizes that are intended to result in a broad mix of housing types to accommodate demand for new housing in this part of the metropolitan region. As shown in Exhibit A, lots will range in size from 1,700 square feet (townhouse lot) to 10,572 square feet (single-family detached lot). Typical lots will range in width from 20 feet to 60 feet and in depth from 75 feet to 100 feet. The proposed lot sizes and dimensions are permissible in these zones under the City's PUD and Conditional Use standards.

Finally, the application includes development of the site over the course of 11 phases. These phases are approximate at this time and may change in size and location as the project proceeds. These phases will generally be implemented beginning near the northwest corner of the site and move eastward toward Phase 11 along SW 345th Avenue and then northward to SW Webb Road. Streets and other public improvements will be constructed prior to residential development in each phase and to a degree that will serve the complete build out of each phase. The applicant anticipates that Phase 1 will commence in 2017 and construction will occur through the 10 subsequent phases until 2022. The applicant would like to request that the City approve a phasing plan that extends through 2027 in order to accommodate any unanticipated delays during the development of this site. City staff recommends a five-year approval window between the approval of the preliminary plat and the submittal of the final plat for the final phase of this PUD/Subdivision application. At the end of the five-year window, the applicant may apply for a two-year extension. This extension, to be granted by the Community Development Director, shall not be unreasonably withheld. The applicant may apply for extensions in two-year increments up to and including 2027. This shall be a condition of approval. The purpose of this more constrained approval time frame is to allow City staff to regularly evaluate and respond to conditions over the life span of this large and complex development project.

Table 1, below, provides a summary of the deviations that are being requested for this development under the Planned Unit Development policies.

Table 1: Summary of Deviations through PUD

Topic	Code Section	Base Zone Requirement	Requested Deviation	Justification
Cul-de-sac length	17.05.040.D.3.h	200 ft. max.	370 ft. max.	This cul-de-sac street is necessary to accommodate the extension of S 20 th Ave. and minimize impacts to the NRO
Density by Zoning District	18.20.050.B/18.35.050.A-B	Density thresholds constrained to district boundary	Overall site density is mixed throughout site	Achieves a more efficient, organic, interesting, neighborhood with greater opportunities for social interaction
Lot Width	18.20.050(E)	60-feet (R-7) 30-feet (A-2)	Up to 45-feet for lots in the R-7 District and up to 20-feet for lots in the A-2 District	Allows for a variety of densities, a wider variety of housing products and the ability to accommodate a broader range of income levels
Setbacks	18.20.050.D/18.35.050.D	Varies	Varies (see Exhibit A)	Allows a wider range of housing types and density
Lot Coverage	12.20.050.D/18.35.050.D	50% (R-7) 55% (A-2)	Up to 78% for smallest attached townhouse units	Allows for a greater variety of densities, a wider variety of housing products and the ability to accommodate a broader range of income levels
Vehicle Access	18.20.060.B/18.35.060	Direct vehicle access to collector streets is discouraged	Allow small number of lots to take direct access onto S Jasper Dr and S 26 th Ave	Necessary to extend S 20 th Ave and minimize impacts to NRO
Open Space	18.20.060.G/18.35.060.A	Open space required on a per zoning district basis	Open space is provided over the site as a whole	Allows a better distribution of open space throughout the site
Public Street Standards	18.35.060.E	Streets designed in accordance with this section	Streets designed in consultation with City Engineer and based upon newly adopted Engineering Standards	Allows implementation of state of the practice approach to transportation planning and engineering with a more up-to-date emphasis on non-automobile modes of travel

Table 1: Summary of Deviations through PUD				
Topic	Code Section	Base Zone Requirement	Requested Deviation	Justification
Public Street Standards	18.145.070.D	Backing onto a public street is prohibited	90 degree head-in on-street parking located at east side of community	Accommodates use of community park for civic events and promotes traffic calming in this residential neighborhood
Solar Orientation	18.155.E	501 lots required to meet solar access standards	294 lots meet solar access standards	Lot orientation is a product of block orientation which on this site is largely dependent on extending S 20 th and S 26 th Avenues through the site and minimizing impacts to the NRO. Achieving this standard would result in reduced density and a reduction in the variety of housing types that could be provided.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Section 17.05.040 are met.

17.05.040(D) Special conditions.

(1) No preliminary plat of a subdivision shall be approved which bears a name using a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in Washington County, except for the words “town,” “city,” “place,” “court,” “addition,” or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed.

Findings: According to the applicant, the Washington County Surveyor has confirmed that the name “Laurel Woods” is acceptable for and satisfies the requirements of this subdivision plat.

(2) No preliminary plat shall be approved unless it bears the signature of the chairman of the planning commission and the community development director.

Findings: The Planning Commission Chair and Community Development Director will sign the preliminary plat following approval of this application.

- (3) Streets. No preliminary plat for a proposed subdivision shall be approved unless:**
- (a) General. The location, width and grade of streets shall be considered in 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 such streets. Where location is not shown in the comprehensive plan, the arrangement of the streets in a division shall either:**
- (i) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or**
- (ii) Conform to standards adopted by the city. All streets shall be designed in accordance with standards set forth in Chapter 18.143 CMC, Transportation Facilities.**

Findings: Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

This subdivision will create a number of new local and collector streets that will provide access to the site from existing terminals at S 20th Avenue and S 26th Avenue. As subsequent phases of development move eastward, a new north/south connection, S 29th Boulevard, and multiple street terminals at SW 345th Avenue will be constructed (see Exhibit A, Preliminary Street Plan). The construction of these street extensions shall be a conditions of approval.

To maintain the rural operational characteristics of SW 345th Avenue, and as authorized by 3(a)(ii) above (“Conform to standards adopted by the city.”), it is the County’s desire at this time not to allow new connections between the Site and SW 345th Avenue. At such time properties east of SW 345th Avenue urbanize, or the County’s plans for this roadway change, connections between this site and SW 345th can be easily accomplished. Additionally, these street stubs at SW 345th Avenue may be used for emergency vehicle access and egress. The site design includes street terminals to all abutting properties to accommodate future urbanization/development of those properties.

The design of the site’s transportation network will accommodate the planned realignment of SW 345th Avenue west to S 29th Boulevard, resulting in the elimination of the existing railroad crossing at SW 345th Avenue.

Except for two short cul-de-sacs, the site will be arranged following a neo-traditional grid pattern, with blocks, as measured from streets and/or pedestrian connections, that will not exceed 530 feet in length. The site will also include a number of townhouse and duplex lots that will be accessed via alleys at the rear of the home. These innovative site design features will promote safety and convenience for pedestrians and bicyclists traveling through the area and increase the visual appeal of this new neighborhood. All transportation improvements included in this application are consistent with the City's recently adopted Public Works Standards, and CMC Chapter 18.143 (Transportation Facilities), or as otherwise allowed by the City Engineer.

(b) Reserve Strips. Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in such cases as they may be required. The control and disposal of the land composed of such strips shall be placed within the jurisdiction of the city under conditions approved by the community development director.

Findings: The application does not include the creation of reserve strips or street plugs. The criterion does not apply.

(c) Alignment. As far as practical, all streets other than minor streets or cul-de-sacs shall be in alignment with existing streets by continuations of the center lines thereof.

(d) Future Extension of Streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall extend to the boundary of the land division, and the resulting dead-end street may be approved with a temporary design. Reserve strips including street plugs may be required to preserve the objectives of street extensions.

Findings: Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

This subdivision will create a number of new local and collector streets that will provide access to the site from existing terminals at S 20th Avenue and S 26th Avenue. As subsequent phases of development occur, a new connection at S 29th Boulevard, a new connection from S 26th Avenue, and seven new street terminals abutting SW 345th Avenue will be constructed (see Exhibit A, Preliminary Street Plan). As shown in Exhibit A, street stubs to all abutting properties have been incorporated into the site design. Construction of the new street system to align with existing

rights-of-way and providing stubs to adjoining properties to accommodate future development shall be a condition of approval.

(e) Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practical except where topography requires a lesser angle, such as for special intersection design.

Findings: As shown in Exhibit A, Preliminary Street Plan, all new street intersections will occur at near right angles.

(f) Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of land division.

Findings: No public streets currently exist on the Site. All new streets that will serve future development will be constructed in conformance with the City's Public Works Standards and CMC Chapter 18.143 (Transportation Facilities).

(g) Half Streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the land division when in conformity with the other requirements of these regulations, and when the community development director finds it will be practical to require the dedication of the other half when the adjoining property is divided. The community development director may require up to an additional 10 feet of right-of-way and improvements to provide for a safe travel surface. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets.

Findings: The application includes a half-street improvement along the frontage of SW Webb Road. This shall be a condition of approval. The site frontage abutting SW 345th Avenue is currently located outside of the City of Cornelius and the County has indicated a preference to maintain this roadway in its current rural state. For this reason, half-street improvements to SW 345th Avenue are not proposed. All proposed new streets terminating at the SW 345th Avenue right-of-way will be appropriately barricaded.

(h) Cul-De-Sacs. All cul-de-sacs which are proposed for approval following the effective date of this chapter shall be as short as possible and shall not be more than 200 feet long, except for the modified infill design cul-de-sac which shall not be more than 150 feet long, as measured along the center line of the roadway from the near side right-of-way of the nearest through traffic intersecting street to the farthest point of the cul-de-sac right-of-way, or as approved by the fire chief, whichever is longer. All cul-de-sacs shall terminate with a

circular turn around. For cul-de-sacs in residential developments, street design standards shall apply. In proposed development or where redevelopment potential exists, and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to property lines to allow for future connections. Redevelopment potential exists when assessed building value per square foot is less than 50 percent of the mean value per square foot of surrounding buildings on lots within a 500-foot distance as measured from any point of the property line. An accessway will not be required where the impacts from new development, redevelopment or both are low and do not provide reasonable justification for the estimated costs of such accessway.

(i) Accessways linking cul-de-sacs shall be as short as possible and, wherever practical, straight enough to allow one end of the path to be seen from the other.

(ii) Accessways linking cul-de-sacs shall be lighted to a minimum level of one-half foot-candle. Lighting shall have cut-off fixtures so that no glare is emitted beyond the accessway and onto adjacent properties.

Findings: The site includes two cul-de-sacs that will range in length from approximately 120 feet to 370 feet. South 25th Avenue south of its intersection with S 22nd Street will exceed the 200-foot maximum length for cul-de-sacs as discussed above. This cul-de-sac is necessary, however, due to the peninsula of developable land remaining after setting aside the protected vegetated corridor in this area. Per Chapter 18.110 and Section 17.05.040(D)(14), PUDs are excused from the maximum cul-de-sac length standard in this section (also located in 17.05.040(D)(3)(h)).

This application, therefore, takes advantage of the flexibility provided by the PUD process to accommodate a reasonable level of development on this part of the Site. Further, the City Engineer has stated his willingness to accept the proposed hammerhead turnaround at the end of S 25th Avenue. Finally, the application includes a new accessway in the form of a non-ADA compliant, multi-use pathway, which will parallel the vegetated corridor, originating at this S 25th Avenue cul-de-sac and continuing north. The construction of this multi-use pathway shall be a condition of approval.

(i) Grades and Curves. Grades shall not exceed six percent on major or secondary arterials, 10 percent on collector streets, or 12 percent on any other street. In flat areas, allowance shall be made for finished street grades having a minimum slope of one-half percent.

Findings: As shown in the Preliminary Street Plan of Exhibit A, street grades will range from 0 to less than 5%.

(j) Lots Abutting Arterial Streets. Where a land division abuts or contains an existing or proposed arterial street, the community development director may require frontage roads, reverse frontage lots with suitable depth, screen planting contained in a nonaccess reservation along the rear or side property line, or such other treatment as may be part of an approved street design plan or may be necessary for adequate protection of residential properties, to provide separation of through and local traffic, and be aesthetically pleasing.

Findings: No arterial streets are located on or abut the site. The criterion does not apply.

(k) Trees. Trees shall be installed along street frontages in accordance with the approved city street tree list, based upon a standard of one tree per 30 lineal feet of street frontage. Actual location and spacing of trees shall be at the discretion of the city.

Findings: Prior to final plat approval, the applicant will work with the City to ensure the street tree planting requirements are met to the extent practical. In certain cases, strict compliance with the 30-foot street tree spacing standard will be precluded by new utilities, driveways, or other necessary improvements; however, this guidance will be implemented to the degree practicable throughout the subdivision. An existing mature tree located in the public right-of-way at S 26th Avenue and S Ginger Street will need to be removed to accommodate roadway improvements to S 26th Avenue in this location. The removal of this tree was conditioned with the approval of the recent partition at the southwest corner of this intersection.

(l) The streets and roads shall be named in accordance with standards and plans established by the planning commission.

Findings: As shown in Exhibit A, the names of new streets and roads will continue existing street nomenclature in this part of the City of Cornelius and was developed based on feedback from City staff.

(m) The minimum street width shall comply with the standards and design identified in CMC 18.143.040, Street design cross-sections per transportation system plan.

The city and the planning commission shall consider in their traffic analysis, congestion management solutions as mandated by Title 6 of the Metro's Urban Growth Management Functional Plan.

Findings: The subdivision layout (see Exhibit A, Preliminary Street Plan) satisfies all applicable street-related criteria. New streets have been designed to comply with the City's recently adopted Public Works Standards. These design standards implement many of congestion management

solutions identified in Title 6 of Metro's Urban Growth Management Functional Plan (UGMFP) and incorporate the latest in safety and performance best practices.

Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

Three discrete street classification types will be used to provide access to new homes and open spaces in this subdivision. South Jasper Street/South Kodiak Street will serve as the primary east/west collector street through the site, affording efficient circulation between local roads interior to the site and S 20th Avenue, S 26th Avenue, S 29th Boulevard, and points north. This collector roadway will be located within a 58-foot wide right-of-way and include a 6-foot wide sidewalk, 6-foot wide planter strip, 6-inch curb, 8-foot wide parking lane, and 10-foot vehicle travel lane on one side of the roadway and a 12-foot wide sidewalk, 6-foot planter strip, 6-inch curb, and 10-foot vehicle travel lane on the other side of the roadway. The construction of these streets to City standards shall be a condition of approval.

Several new residential lots will also be served by alleys that will provide vehicular access to the rear of these lots. These alleys will eliminate excessive curb cuts and enhance the aesthetic appeal of the streetscape. Alleys will be located within 20-foot wide public rights-of-way and include shared (unstriped) dual 10-foot wide travel lanes.

Remaining streets will be classified as local streets, for which two sections (a 50-foot right-of-way and a 42-foot right-of-way design) are included in this application (see Exhibit A, Preliminary Street Sections).

As illustrated in Exhibit B, solutions for traffic mitigation will achieve acceptable levels of service on all affected local and state roadway facilities. Finally, the Baseline Street commercial corridor is identified as a Conceptual Town Center on Metro's Title 6 Map. This Town Center boundary has not been adopted by Metro and therefore congestion management solutions mandated through Title 6 do not apply to this development.

(4) Blocks. The lengths, widths, and shapes of blocks shall be designed with due regard to providing adequate building sites suitable to the special needs of the type of use contemplated, needs for convenient access circulation, control and safety of street traffic, and limitations and opportunities of topography. Where streets are required to provide access, blocks shall comply

with CMC 18.143.050, Access standards, which are proposed for approval following the effective date of the ordinance codified in this chapter and shall not exceed 530 feet in length between intersecting streets as measured from the near side right-of-way line except where physical or natural constraints preclude a street connection. Application of conditions in subsections (a), (b) and (c) of this section shall be reviewed and may be approved by the city.

(a) Physical or topographic conditions make an accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, slopes in excess of city standards for maximum slopes, wetlands or other bodies of water which make provision of a connection impracticable.

(b) Existing buildings or other development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment.

(c) Where accessways would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 2000.

(d) Exemptions. Exceptions to block length, street or accessway requirements may be approved by the city, subject to these criteria and CMC 18.115.020(C), Variances – Public Hearing.

(e) An accessway will not be required where the impacts from new development, redevelopment or both are low and do not provide reasonable justification for the estimated costs of such accessway.

Findings: The site has been designed to create lots that will accommodate the future construction of homes while maximizing opportunities for safe and convenient pedestrian, bicycle, and motor vehicle movement. As shown in Exhibit A, with the inclusion of pedestrian connections in a few locations throughout the site, no block length will exceed the 530-foot maximum established in CMC Section 17.05.010.D.4, above.

(5) Easement.

(a) Utility Lines. Easements for sewers, drainage, water mains, electric lines, or other public utilities shall be dedicated. Easements on interior lot lines shall be 20 feet in width, the center line of which shall be the lot lines. Easements along exterior lot lines shall be 20 feet in width, except no easement will be required for those lot lines paralleling a street or other public way. Tie-back easements shall be six feet wide and 20 feet long along lot side lines at change of direction points of the lot lines.

Findings: Based on direction provided by City Staff, except along the east side of S. 26th Avenue and S. Kodiak Street for wetlands and water crossing, an 8-foot wide public utility easement is shown along all front and street-side lot lines as illustrated in Exhibit A. This shall be a condition of approval.

(b) Watercourses. Where a land division is traversed by a watercourse, drainage way, channel, or stream, a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as will be adequate for the purpose, may be required. Streets or parking ways parallel to watercourses may be required. Watercourse easements and drainage rights-of-way shall be consistent with Clean Water Services (CWS) standards.

Findings: The proposed southerly extension of S 26th Avenue, which will connect with the north leg of the roundabout, will parallel a vegetated corridor buffering the headwaters of a surficial drainage flowing south to the Tualatin River. The south leg of the new roundabout, shown as S Kodiak Street, will cross this drainage and associated vegetated corridor in one location only to provide access between the east and west halves of the site. As supported by the executed CWS Service Provider Letter (Exhibit B), the roadway and crossing designs comply with Clean Water Services' (CWS') standards for transportation facilities near environmentally sensitive resources. The construction of this watercourse crossing to CWS standards shall be a condition of approval.

(6) Accessways. Except as otherwise provided in this section, accessways shall be dedicated to the public or reserved as a permanent easement or right-of-way or otherwise open to public use. They shall include a walkway and additional land on either side of the walkway to provide clearance and separation between the walkway and adjacent uses. Where accessways cross driveways, they shall be raised, paved or marked to indicate safe access for pedestrians.

(a) In development for which an application is received on or after the effective date of the ordinance codified in this chapter, any block which is longer than 750 feet, or where indicated by the comprehensive plan, a paved accessway designed and constructed to city standards shall be provided through or near the middle of the block.

(b) Block lengths shall not exceed 1,200 feet.

(c) The city may require accessways to connect from one cul-de-sac to an adjacent cul-de-sac or public street or to pass through unusually shaped blocks. An accessway will not be required where the impacts from new development, redevelopment or both are low and do not provide reasonable justification for the estimated costs of such accessway.

(d) Accessways shall be as short as possible and, wherever practical, straight enough to allow one end of the path to be visible from the other.

(e) Accessways shall be lighted either by street lights on adjacent streets or pedestrian scale lighting along the accessway. Lighting shall have cut-off fixtures so that no glare is emitted beyond the accessway and onto adjacent properties.

(f) Exemptions. Exceptions to accessway requirements may be approved by the city subject to Chapter 18.115 CMC, Variances.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the accessway standards described here. The application does include public access along the vegetated corridor and between adjacent public street rights-of-way to provide enhanced pedestrian connectivity (see Exhibit A, Preliminary Street Plan). These public accessways will be maintained within public access easements but will not be dedicated to the City. Rather, they will be maintained by a Homeowner's Association (HOA).

(7) Lot Size and Shape. Lot size, width, shape and orientation shall conform to the requirements of this chapter for the applicable zoning district.

(a) Where a tract is subdivided into larger parcels than the minimum lot size under the city zoning regulations, such parcels shall be arranged so as to allow the opening of future streets and logical further resubdivisions.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the lot size and shape criteria described here. The criteria do not apply.

Lots planned through this application will range in size from 1,700 square feet to 10,572 square feet and are intended to accommodate a range of housing types and styles consistent with the purposes of the R-7 and A-2 Zoning Districts. The application does not result in the creation of any lots that are intended for further re-division.

(8) Access. Each lot shall abut upon a public street, for a distance of at least 20 feet.

Findings: As shown in Exhibit A, all lots will abut upon a public street for a minimum of 20 feet.

(9) Dedications. Public streets, sidewalks, pedestrian ways, bike paths, parks, open space, and other public rights-of-way required by or reasonably related to the development shall be dedicated or otherwise conveyed to the city or the appropriate jurisdiction for maintenance. Further, any park or open space proposed may be required to be dedicated if it is designated on

the city's comprehensive plan. Dedication must be approved by the jurisdiction to whom the park or open space is being dedicated prior to final plat approval.

Findings: All public streets, sidewalks, pedestrian ways, bike paths, parks, and open spaces will be dedicated to the City. Certain pedestrian pathways linking public rights-of-way will be maintained within public access easements but will not be dedicated to the City. Rather, they will be maintained by a Homeowner's Association (HOA).

(10) Utilities. All utilities shall be placed underground per standards identified by the city engineer.

Findings: All new public utilities will be placed underground per standards identified by the City Engineer.

(11) Street Trees. Trees shall be installed along street frontages in accordance with the approved public works street tree list and based upon a standard of one tree per 30 lineal feet of street frontage. Actual location and spacing of trees shall be at the discretion of the city.

Findings: Prior to final plat approval, the applicant will work with the City to ensure the street tree planting requirements are met to the extent practical. In certain cases, strict compliance with the 30-foot street tree spacing standard may be precluded by new utilities, driveways, or other necessary improvements; however, this guidance will be implemented to the degree practicable throughout the subdivision. The planting plan will be in conformance with the recently adopted Public Works Standards.

(12) Homeowners' Associations and Declarations. When a homeowners' association agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted for review by the city attorney prior to recordation of the final plat. The city shall review such documents to ensure that common areas are properly maintained and that other restrictions required by the city are included.

Findings: The applicant intends that a Homeowners' Association (HOA) will be established for this subdivision. Therefore, prior to recordation of the final plat, the applicant will furnish copies of the HOA agreement and any other applicable documents to the City Attorney for review. This shall be a condition of approval.

(13) Variances. The planning commission may authorize a variance from these regulations when, in its opinion, undue hardship may result from strict compliance. Application for a variance shall be submitted in writing by the subdivider, at the time the preliminary plat is filed, for consideration by the planning commission. The variance request shall address the criteria

found in Chapter 18.115 CMC. It should also state fully the grounds for the application and all the facts relied upon by the petitioner.

Findings: The application does not include a request for a variance from any applicable standard. The criterion does not apply.

(14) Planned Unit Development (PUD). A planned unit development approved by the planning commission shall not be subject to the provisions of this section, except as identified in Chapter 18.110 CMC, Planned Unit Development (PUD) Conditional Use.

Findings: Because this application includes a PUD, the criteria in Section 17.05.010.D, above, do not apply.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Subsection 17.05.040(D) are met.

17.05.040(E) Compliance with approval.

(1) Requirements Prior to Commencement of Work. Prior to any construction, improvements or land development, the developer shall perform the following:

(a) The developer shall file detailed plans and specifications for all public improvements or land development together with a detailed cost estimate and an estimate of time reasonably necessary to complete such improvements for approval by the city engineer or designee.

(b) These submitted plans shall include a plan for erosion control during construction, which conforms to the standards established by resolution of the city council.

(c) The developer shall enter into a contract with the city of Cornelius to make, install and complete within the time fixed, but in no case more than two years from the date of execution of said contract without written approval by the city engineer and community development director, all improvements and/or land development in accordance with the approved plans. The developer shall cause to be filed with the city recorder a security acceptable to the city manager payable to the city of Cornelius in a principal sum determined from the approved estimate of the costs of said improvements and/or land development of this section. The security shall assure the performance of the said contract and the completion of the said improvements or land development, free of liens.

(d) In cases where both land development and public improvements are to be made, the security required shall be cumulative.

(e) The amount of the security shall be based on an estimate of the cost of the work approved by the city engineer in accordance with the following schedule:

(i) Public improvements equals 150 percent of cost estimate.

(ii) Land development equals 150 percent of cost estimate.

(f) Fees. The fees, deposits and charges to be paid by the subdivider may be established or amended by resolution of the council in accordance with the provisions of CMC 18.05.080, General Provisions.

(2) Improvement Procedures. All improvements shall conform to the requirements of this chapter and any other improvements standards or specifications adopted by resolution of the city council and shall be installed in accordance with the following procedures:

(a) Improvement work shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the land division proposal, such plans may be required before approval of the final plat.

(b) Improvement work shall not be commenced until the developer has secured the appropriate development permit. If work has been discontinued for any reason, it shall not be resumed until the city has been notified and consented in writing.

(c) All required improvements shall be constructed under the inspection and to the specifics of the city engineer and Cornelius Municipal Code. The city may require changes in typical sections and details if unusual conditions arise during construction to warrant such change in the interests of the city or the developer. Upon acceptance of the required improvements, the city engineer shall notify the developer that the improvements are acceptable as per Cornelius Municipal Code. Acceptance shall be in writing.

(d) All underground utilities, sanitary sewers, storm drains and cable communication system facilities installed in streets shall be constructed prior to the surfacing of such streets. Stubs for service connections for all underground utilities, sanitary sewers and cable communication system facilities shall be placed to such length as will obviate 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 city engineer upon completion of said improvements.

(3) Improvement Requirements. Improvements to be installed at the expense of the developer are as follows:

(a) Streets.

(i) All streets, including alleys.

(ii) Streets adjacent but only partially within the partition or subdivision.

(iii) The extension of the land division streets to the intercepting paving line of existing streets with which the land division streets intersect.

(iv) Arterial or collector streets which intersect with streets within the development that provide ingress or egress to the development or on which there are traffic impacts reasonably related to the development.

(v) All streets shall be built to city standards.

(b) Catch Basins. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways.

(c) Monuments and Bench Marks. At each beginning point only.

(d) Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the land division to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage shall be in accordance with the standards established by the city engineer and shall allow for the extension of the system to serve other areas.

(e) Sanitary Sewers. Sanitary sewers shall be installed to serve the land division and to connect the land division to existing mains.

(f) Water System. Water lines with valves and fire hydrants serving the land division, connecting the land division to city mains, shall be installed in conformance with the city specifications. The design and construction by the developer shall take into account provisions for extension beyond the land division and to adequately grid the city system.

(g) Street Trees. Street trees shall be planted along street frontages in accordance with the following:

(i) For single-family residential land divisions, the developer shall pay a per tree security to the city. The surety bond shall be based upon a standard of one tree per 30 lineal feet of street frontage, with standard rounding methods applied for fractions thereof. The security to be charged and collected shall be established and from time to time amended by resolution of the city council.

(ii) For all other land divisions, trees shall be planted in accordance with an approved street tree plan.

(iii) Trees shall be planted in accordance with the city's approved public works street tree list.

(h) Bike and Pedestrian Ways. Bike and pedestrian ways shall be constructed according to city engineering specifications.

(i) Other improvements reasonably related to the impacts of the development which may be required at the partial or total expense of the developer:

(i) Improvement of arterial and collector streets providing primary access to land division streets.

(ii) Signals, traffic control devices, and traffic calming devices.

(iii) Intersection improvements.

(iv) Parks and open space shall be improved as required by the city and appropriate jurisdiction.

(v) Land parcels to be reserved for any special purpose, other than for sale, are to be distinguished from lots intended for sale.

(j) Street Lights. Street lights shall be installed in accordance with city standards.

(k) Curb cuts and driveway installations are not required of the developer but, if installed, shall be according to standards.

Findings: Demonstration of the project's compliance with the criteria in Section 17.05.010.E, above, will be provided prior to final plat approval for each phase. Public improvements design and approval shall be through a Public Works Permit through in collaboration with the City

Engineer. The public improvements specific to the proposed development shall be identified as conditions of approval.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Subsection 17.05.040(E) are met

TITLE 18 ZONING

Chapter 18.20 Single Family Residential Zone (R-7)

18.20.020 Permitted uses.

The following uses and their accessory uses are permitted outright in an R-7 zone:

(A) Site-built detached single-family dwelling; and detached single-family manufactured housing, subject to CMC 18.20.070.

(B) Underground public utilities.

(C) Accessory uses and/or accessory structures or both which are customarily and clearly incidental and subordinate to the above uses, including approved carports, garages, or storage facilities. See CMC 18.150.010.

...

18.20.030 Conditional uses.

The following uses may be permitted when in accordance with Chapter 18.105 CMC:

(A) Governmental structure or use including public and private park, playground, community center and noncommercial recreational facilities, golf course, swimming pool, tennis courts, fire station, library or museum.

...

(C) Utility substation or above ground pumping station with no equipment storage.

(D) Two-family dwelling, including single-family attached, subject to lot area standards and design review.

...

(F) A planned unit development, including mixed uses approved by the planning commission and as provided for under Chapter 18.110 CMC.

Findings: The application includes a PUD comprising a mix of single-, two-, and multi-family housing types. Per CMC Section 18.20.030.F, a PUD application is reviewed as a Conditional Use.

18.20.050 Area, density and lot requirements.

(A) Maximum Density. The average density over the entire development shall not exceed five dwellings per net acre. A net acre is equal to 32,670 square feet, and excludes roads, common open space, floodplains, riparian setbacks, and slopes over 25 percent.

(1) No lot shall be less than 6,000 square feet for single-family detached, and duplex or single-family attached housing shall have at least 4,500 square feet of lot area per unit, except as may be approved as part of a planned unit development.

(2) In the case of flag lots, the pole portion of the lot shall not count towards the required lot area.

(B) Minimum Density. The minimum density allowed is four dwellings per net acre. Any land partition or subdivision shall make provisions to ensure that the minimum density is protected when further partitioning is possible.

Findings: CMC Section 18.110.020(A) permits flexibility in "...area, density, off-street parking, and other requirements..." with the standards of the zone serving as a rough guide. Through the PUD and Conditional Use standards, the application distributes a range of residential densities throughout the site. Nonetheless, lots located in the R-7 portion of the site will satisfy the 6,000-square foot minimum size prescribed by the standards of the base zone. Minimum and maximum density prescribed by the base zones and the proposed density is shown in Tables 2 and 3 below.

District	Lot Area (acres)	Max. Density	Min. Density
R-7	10.1	10.1 ac x 5 du/acre = 51 du	10.1 ac x 4 du/acre = 40 du
A-2	68.4	68.4 ac x 14 du/acre = 958 du	68.4 ac x 8 du/acre = 547 du

	Max.	Min.	Proposed
Total	51 + 958 = 1009 du	40 + 547 = 587 du	871 du

(C) Maximum Height. No building shall exceed 35 feet, except for a chimney, radio or television antenna.

Findings: The application does not include new home construction. The applicant is aware of the allowable building height in the R-7 District. At the time building permit applications are reviewed, the City will ensure new homes comply with this building height standard.

(D) Minimum Yard Area Setbacks.

(1) Front Yard. The front, as measured from the furthest extension of the home, including porch or decks, shall not be less than 10 feet. Accessory structures, garages or carports shall not be less than 20 feet.

(2) Rear Yard. No rear yard shall be less than 10 feet in depth.

(3) Side Yard. The minimum width of side yards shall be not less than five feet, as measured from the foundation of the home. On corner lots the side yard facing the street shall not be less than 10 feet.

(4) No accessory building or other structure or building shall be closer than three feet from a side or rear property line; see CMC 18.150.010.

(5) Lot Coverage. The area occupied by the home, and all accessory buildings and structures on the lot shall not exceed 50 percent of the lot area.

(6) All setbacks shall be measured from Clean Water Services (CWS) required buffer areas, where applicable.

Findings: As illustrated in Exhibit A, all lots in the R-7 District (Typical Single Family Lot Building Setbacks) will include sufficient building envelopes to allow future home construction with respect to the flexible setback and lot coverage provisions in the City's PUD Chapter. CMC Section 18.110.020(A) permits flexibility in "...area, density, off-street parking, and other requirements..." with the standards of the underlying zone serving as a rough guide. The proposed lots located within the R-7 District are intended for single-family detached residences and are similar in size to existing R-7 lots throughout the City. According to the applicant's Typical Lot Setback Plan (Exhibit A, Sheet PP-008), with few exceptions the single-family detached dwellings within the R-7 zone will meet the standard setback requirements in CMC Section 18.20.050(D).

(E) Minimum Lot Shape.

(1) No single-family lot shall be less than 60 feet in width or less than 60 feet in depth, except as may be approved as part of a planned unit development.

(2) In the case of in-fill development on parcels, as defined by the city's 1998 vacant land inventory, the commission may allow the lot width to be reduced to 50 feet.

(3) In the case of in-fill development on parcels, as defined by the current city vacant land inventory, the lot width at the street may be reduced to not less than 20 feet for a single lot and not less than 30 feet for two dwelling units. A flag design shall serve no more than two lots.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the lot size and shape provisions outlined above, as referenced in Section 17.05.040.D.7. Further, Section 18.110.020(A) permits flexibility in "...area, density, off-street parking, and other requirements..." with the standards of the zone serving as a rough guide. The proposed lots located within the R-7 District are intended for single-family detached residences and are similar in size to existing R-7 lots throughout the City. The application includes lots in the R-7 District that, with few exceptions, satisfy the minimum width and depth prescribed by the base zone. In the seven cases where the minimum lot dimensions are met, these residences are within a reasonable range from the minimums and continue a pattern of denser development in appropriate areas of the project site. This application does not include any in-fill development.

Conclusion: Based upon the findings above, staff concludes the criteria for Sections 18.20.020 – 18.20.050 are met

18.20.060 Site development standards.

(A) Perimeter Requirements. If topographical or other barriers within the development do not provide adequate buffering between a subdivision and adjacent nonresidential development, the reviewing body may impose one or more of the following requirements.

(1) Where the subdivision abuts an arterial or collector street or an existing planned unit development, the reviewing body may require that a perimeter landscaped strip, no more than 25 feet wide, and/or sound mitigation structures be established along the abutting property line. All required building setbacks shall be measured from the inner edge of the perimeter strip, which shall be set aside as a separate tract, and provisions for pedestrian connections through the landscape strip may also be required.

(2) Where the subdivision abuts an existing or planned nonresidential area, the reviewing body may require that a perimeter landscaped strip, no more than 50 feet wide, be established along the abutting property line. All required building setbacks shall be measured from the inner edge of the perimeter strip, which shall be set aside as a separate tract, and provisions for pedestrian connections through the landscape strip may also be required.

(3) All driveways and landscaped areas shall comply with vision clearance standards set forth in subsection (B) of this section.

Findings: Agricultural (non-residential) land uses are present along the south boundary of the applicant's site. These uses however, are separated from future residential development on the Site by a minimum horizontal distance of 100-feet due to the presence of wetlands and associated vegetated corridors along the site's southern extent. Natural resource buffers on and abutting the site therefore provide adequate buffering between this subdivision and adjacent non-residential development. For this reason, criteria (1) through (3) above do not apply.

Finally, the application does include accessways through the site to the abutting agricultural parcels to the south.

(B) Vehicular Access, Internal Circulation and Clear Vision Areas.

(1) Where possible, vehicular access to residential subdivisions shall be from abutting arterial or collector streets. Access to individual lots shall be primarily from minor local streets. Direct lot access to arterials shall not be permitted, and direct access to collector streets shall only be allowed as permitted by the planning commission.

(2) The minimum street width shall comply with the standards and design identified in CMC 18.143.040, Street design cross-sections per transportation system plan.

Public and/or private alleys or both shall be constructed to city standards as approved by the city engineer and adopted by city council.

(3) Clear vision areas shall be provided at all roadway and driveway intersections in accordance with the vision clearance standards set forth in CMC 18.150.070.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the public street and access provisions outlined above, as referenced in 17.05.040.D.3. The criteria do not apply.

Of the 871 total lots included in this PUD, only a handful of lots will take direct access from a collector street. Therefore, the City finds that access to individual lots will occur primarily from minor local streets.

Finally, as shown in Exhibit A (Preliminary Street Plan) all public streets, including public alleys, have been designed in compliance with the City's street design standards. Additionally, clear vision areas will be provided at all driveway and roadway intersections in accordance with CMC Section 18.150.070.

(C) Access Streets – Sidewalks – Drainage.

(1) All streets shall be designed in accordance with standards set forth in Chapter 18.143 CMC, Transportation Facilities, and the subdivision code.

(2) All driveways for new construction shall have minimum pavement width of 12 feet and shall not be more than 25 feet in width at the curb. Each driveway shall have a concrete curb apron designed to comply with public works standards, and not more than two lots may be served by one shared driveway,

(3) Cul-de-sacs shall serve no more than 12 homes and have a minimum turning radius of 45 feet measured to the front edge of the curb.

(4) For all new construction, curbs, gutters, sidewalks and street trees shall be provided along the entire lot frontage, per the public works public utilities design standards, and shall meet ADA accessibility standards. In the case of remodels or garage additions to an existing house no sidewalk shall be required if one does not exist, but the driveway apron and paved driveway shall be required.

(5) Storm drainage shall be managed through a system of underground drainage lines and catch basins, which convey storm water off the site to a public storm system, and shall comply with Clean Water Service (CWS) standards for water quality and quantity.

Findings: All public streets, including public alleys, have been designed in accordance with the City's most recent street design standards and the standards of CMC Chapter 18.143. There is one cul-de-sac within the project that serves seven lots.

As shown in Exhibit A (Preliminary Street Sections) new curbs, gutters, sidewalks, will be included for the full extent of all new public streets. Similarly, stormwater conveyance and treatment, facilities have been designed in compliance with applicable CWS standards for water quality. Prior to final plat approval for each phase, the applicant will obtain a Public Works Permit

to install street trees in a manner that satisfies the objectives of the street tree program, while respecting competition from utilities and other infrastructure improvements located in this area of the public right-of-way. This shall be a condition of approval.

(D) Lighting Streets. Streets and walkways shall be lighted during the hours of darkness in accordance with public works standards.

Findings: Prior to final plat approval, the applicant will obtain a Public Works Permit to install street lighting in compliance with applicable lighting design standards from Section 5.12 of the City of Cornelius Public Works Standards. This shall be a condition of approval.

(E) Mailboxes. Except for in-fill partitioning, clustered mailboxes shall be provided, consistent with the locational criteria set by the post master. They shall be of uniform style.

Findings: Prior to final plat approval, the applicant will work with the City to install mailboxes in compliance with the area Post Master's locational criteria. Additionally, such mailboxes will be of a uniform style. This shall be a condition of approval.

(F) Parking and Loading Space.

(1) Off-Street Parking.

(a) Resident. One covered parking space shall be provided for each home either on an individual lot or in an off-street parking bay within 100 feet from the dwelling being served. For an accessory dwelling, one additional off-street parking space is required. However, the commission may waive this additional parking space, if appropriate on-street parking is available within 100 feet of the lot.

(b) Guest. Where on-street parking is prohibited on both sides of a street, guest parking shall be provided in off-street parking bays at the rate of one parking space for every three home sites along the street section. Guest parking should be in close proximity to the homes being served.

(c) Parking and Storage of Recreational Vehicles and Vehicles of Similar Size. Recreational vehicles such as camping trailers, boats, campers, motor homes, and other such vehicles and vehicles of similar size shall only be parked or stored within an area specifically designated and designed for such use, and shall not be located in the public right-of-way.

Findings: While the application does not include new home construction, the applicant anticipates that all lots in the R-7 District will provide at minimum two off-street parking spaces via an

enclosed garage and driveway. Additionally, as shown in Exhibit A (Conceptual Parking Plan) on-street parking will be provided along all streets abutting R-7 zoned properties (S Heather Street, S 26th Avenue, S Ginger Street, S 32nd Avenue, S Magnolia Drive, S Nectarine Street, and S Quartz Drive). On-street parking will not be prohibited on both sides of any street. The application does not include any parking specifically designed for recreational vehicles within a public right-of-way. At time of building permit submittal, the City will ensure that required off-street parking has been provided for each residential unit.

(2) Paving and Design. Off-street parking areas shall be paved and designed in accordance with the standards of the off-street parking regulations of the zoning ordinance.

Findings: Off-street parking in the R-7 District will be provided via an enclosed garage and a driveway.

(G) Open Space. Within residential developments containing 20 or more lots or units there shall be, at least, 300 square feet of recreational space per unit provided in public open space for single-family development. Such space may be considered as part of any required landscaping, but must be designed in a manner that affords residents usable open area, such as lawns, patios, etc. Delineated wetlands recognized by the Division of State Lands may apply 20 percent of their area located on the subject parcel(s) to the open space requirement. Calculate the total square footage of delineated wetland area on the subject parcel(s) and multiply it by 20 percent. Streets, access drives and parking lots shall not be considered open space. Open space must be a usable open recreational area, and may include a club house or indoor recreation facility. All outdoor area shall be landscaped and maintained by the owner, or a homeowners' association, according to the approved development plans, unless the open space is dedicated to and accepted by the city as a public park.

Findings: Due to the configuration of the zoning districts on the site and because this PUD allows sufficient flexibility to mix lot types and sizes, it is appropriate to consider the provision of open space on a site-wide basis, rather than per each of the two zoning districts on the site. Per this standard (871 lots x 300 square feet per lot = 261,300 square feet), a total of 261,300 square feet (6 acres) of open space must be provided to accommodate the 871 lots in this application. While many of the lots are likely to include private yards of sufficient size to satisfy this standard, the application provides a total of 10 acres of open space in 17 tracts located throughout the site. The smallest of these 18 open space tracts is Tract M, which is approximately 2,200 square feet in area and is of sufficient size for a small active- or passive-use park or open space. The Proposed Land Use Plan, which identifies all of the areas of open space, is found in Exhibit A. Provision of not less than six acres of open space for the entirety of the Planned Unit Development, subject to phasing as agreed upon by the City and applicant, and in accordance with the Parks and Recreation Development Agreement between the City and Applicant, shall be a condition of approval.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Section 18.20.060 are met.

18.35 Multi-Family Residential Zone (A-2)

18.35.020 Permitted uses.

The following uses and their accessory uses are permitted outright in an A-2 zone:

(A) Attached dwellings, including single-family attached units sharing a common property wall.

(B) Multiple-family dwellings of three or more units.

...

(D) Underground public utilities.

...

18.35.030 Conditional uses.

The following uses may be permitted when in accordance with Chapter 18.105 CMC:

(A) Governmental structure or use including public and private park, playground, community center and noncommercial recreational facilities, golf course, swimming pool, tennis courts, fire station, library or museum.

(B) School – Public or Private. Nursery, primary, middle, junior or senior high, but not college or university.

(C) Utility substation or aboveground pumping station with no equipment storage.

(D) Home occupation consistent with CMC 18.20.080.

(E) A planned unit development, including office and retail sales and other mixed uses approved by the planning commission and conditional uses as provided for under Chapter 18.110 CMC.

...

(H) Site-built detached single-family dwelling, including a residential home consistent with state law; and detached single-family manufactured housing, subject to CMC 18.20.070.

Findings: The application includes a PUD consisting of single-family detached and single-family attached residential units. Per CMC Section 18.35.030.E, PUDs are permitted as conditional uses in the A-2 District.

18.35.050 Area, density and lot requirements.

Lot area and density requirements shall be calculated based on net acreage. A net acre is equal to 32,670 square feet, and excludes roads, common open space, floodplains, riparian setbacks, and slopes over 25 percent.

(A) Maximum Density. The average density over the entire development shall not exceed 14 dwellings per net acre.

(1) Lot Size.

(a) Single-family detached residence, no lot shall be less than 3,100 square feet.

(b) Duplex or single-family attached residence shall have at least 3,000 square feet of lot area per unit.

(c) Multi-family development shall have at least 2,330 square feet per unit, except as may otherwise be approved as part of a planned unit development.

(2) In the case of flag lots, the pole portion of the lot shall not count towards the required lot area.

(B) Minimum Density. The minimum density allowed is eight dwellings per net acre for single-family, and 11 for multi-family development. Any land partition or subdivision shall make provisions to ensure that the minimum density is protected when further partitioning is possible and initial development is less than the minimum density.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the lot size and shape provisions outlined above, as referenced in 17.05.040.D.7. Additionally, and as discussed earlier in this narrative, the PUD standards allow flexibility in the overall density of a site, where development is guided by the underlying purpose of the zoning district. Density calculations are addressed in Section 18.20.050. Table 2: Site Density Summary and Table 3: Proposed Density illustrate that the overall density of the project will be within the combined zone requirements.

(C) Maximum Height. No building shall exceed 35 feet, except for a chimney, radio or television antenna, or as may be approved by the planning commission as part of a planned unit development.

Findings: The application does not include new home construction. The applicant is aware of the allowable building height in the A-2 District. At the time building permit applications are reviewed, the City will ensure new homes comply with this building height standard.

(D) Setback Requirements. Except as provided in CMC 18.150.010, in an A-2 zone the minimum yard area setback requirements shall be as follows:

(1) Front Yard. The front, as measured from the foundation of the structure, including porch or deck, shall not be less than 10 feet. Accessory structures, garages or carports shall not be less than 20 feet.

(2) Rear Yard. No rear yard shall be less than 10 feet in depth for a single-story structure, plus five feet per additional story as measured from the foundation of the structure.

(3) Side Yard. For single-family residences, the minimum width of side yards shall be not less than five feet, as measured from the foundation of the home. On corner lots the side yard facing the street shall not be less than 10 feet. For multi-family residences, no side yard shall be less than five feet in depth for a single story structure, plus five feet per additional story as measured from the foundation of the structure. On corner lots the side yard facing the street shall not be less than 10 feet.

(4) Building Separation. Buildings within a complex shall be separated by at least 10 feet, plus five feet per additional story.

(5) No accessory building or other structure or building shall be closer than three feet from a side or rear property line.

(E) Lot Coverage. The area occupied by the home and all accessory buildings and structures on the lot shall not exceed 55 percent of the lot area.

Findings: CMC Section 18.110.020.A permits flexibility in "...area, density, off-street parking, and other requirements..." with the standards of the zone serving as a rough guide. The proposed lots located within the A-2 District are intended for single-family attached, single-family detached, duplex, and townhouse residences and will implement the purpose and characteristics sought in this district. As illustrated in Exhibit A, all lots in the A-2 District will include sufficient building envelopes to allow future home construction in a manner that respects the flexible setback and lot coverage requirements.

(G) Minimum Lot Dimensions.

(1) No single-family lot shall be less than 30 feet in width abutting a public street, nor less than 60 feet in depth, except as may be approved as part of a planned unit development.

(2) For multi-family, the minimum average lot width shall be 75 feet abutting a public street, except on a cul-de-sac where the width may be reduced to 50 feet.

(3) In the case of in-fill development on parcels, as defined by the city's 1998 vacant land inventory, the director may allow the lot width at the street to be reduced to not less than 20 feet for a single lot with no more than two dwelling units and not less than 30 feet for more than two dwelling units.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the lot size and shape provisions outlined here, as referenced in 17.05.040.D.7. Further, Section 18.110.020.A permits flexibility in "...area, density, off-street parking, and other requirements..." with the standards of the zone serving as a rough guide. The proposed lots located within the A-2 District are intended for single-family detached, single-family attached, duplex, and townhouse residences and will implement the purpose and characteristics sought in this district. Exhibit A illustrates that all lots in the A-2 District include sufficient width and depth to create a building envelope which can accommodate the intended use of these lots. The application does not include any in-fill development.

Conclusion: Based upon the findings above, staff concludes the criteria for Sections 18.35.020 – 18.35.050 are met.

18.35.060 Site development standards.

All multi-family developments are subject to design review requirements as set forth in Chapter 18.100 CMC; and all prior conditions of approval attached to any use in a multi-family zone shall continue to apply.

(A) Open Space. Within residential developments containing 20 or more lots or units there shall be, at least, 300 square feet of open recreational space per unit provided in common open space for multi-family development and/or 300 square feet of recreational space per unit provided in public open space for single-family development. Such space will be considered part of the required landscaping, but must be designed in a manner that affords residents usable open area, such as lawn, patios, etc. Delineated wetlands recognized by the Division of State Lands may apply 20 percent of their area located on the subject parcel(s) to the open space requirement. Calculate the total square footage of delineated wetland area on the subject parcel(s) and

multiply it by 20 percent. Streets, access drives and parking lots shall not be considered open space. Open space must be a usable open recreational area, and may include a club house or indoor recreation facility. All outdoor area shall be landscaped and maintained by the owner, or a homeowners' association, according to the approved development plans, unless the open space is dedicated to and accepted by the city as a public park.

Findings: Due to the configuration of the zoning districts on this site and because this PUD allows sufficient flexibility, it is appropriate to consider the provision of open space on a site-wide basis, rather than per each of the two zoning districts on the site. Findings for open space requirements are found in Section 18.20.060.

(B) Perimeter Requirements. If topographical or other barriers within the development do not provide adequate buffering between the development and adjacent nonresidential development, the reviewing body may impose one or more of the following requirements:

(1) Where the development abuts an arterial or collector street or an existing planned unit development, the reviewing body may require that a perimeter landscaped strip, no more than 25 feet wide, and/or sound mitigation structures be established along the abutting property line. All required building setbacks shall be measured from the inner edge of the perimeter strip, which shall be set aside as a separate tract. And provisions for pedestrian connections through the landscape strip may also be required.

(2) Where the development abuts an existing or planned nonresidential area, the reviewing body may require that a perimeter landscaped strip, no more than 50 feet wide, be established along the abutting property line. All required building setbacks shall be measured from the inner edge of the perimeter strip, which shall be set aside as a separate tract. And provisions for pedestrian connections through the landscape strip may also be required.

(3) All driveways and landscaped areas shall comply with vision clearance standards set forth below. All landscaping shall comply with the general landscaping standards set forth below.

Findings: Agricultural (non-residential) land uses are present along the south boundary of the applicant's site. These uses however, are separated from future residential development on the Site by a minimum horizontal distance of 100-feet due to the presence of wetlands and associated vegetated corridors along the site's southern extent. Natural resource buffers on and abutting the site therefore provide adequate buffering between this subdivision and adjacent non-residential development. For this reason, Criteria (1) through (3) above do not apply.

(C) Landscape Plan.

(1) For multi-family residence, in addition to the open space requirements, the entire net area of the site that is not covered by building or parking and circulation improvements shall be landscaped prior to occupancy, in accordance with the approved site plan and the standards set forth herein.

(2) At maturity at least 80 percent of the landscape area shall be covered by plant material, lawn, and trees when the plantings reach maturity. The remaining area may be covered in nonvegetative ground cover.

Findings: The application does not include new home construction of any kind, nor does it include any multi-family development. At the time of building permit review, the City will ensure that any applicable criteria are met.

(3) Frontage Trees. Frontage trees shall be required and shall be selected from the approved public works street tree list. The total number of trees shall be determined by dividing the total linear footage of the site, which abuts a public street, by 30. The location of the trees shall be determined through design review, and the following standards shall apply:

(a) Trees shall be located at least five feet from a utility pole, fire hydrant, driveway, crosswalk, or utility easement, except as may be approved by the public works director, and at least 20 feet from an overhead street light.

(b) There shall be no impervious material within a one-and-one-half-foot radius around the tree trunk.

(c) Trees at the time of planting shall have a minimum height of six to eight feet from ground level, and shall be at least two inches in caliper (d.b.h.).

(d) Trees shall not cause any vision impairment to vehicular traffic.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the frontage tree provisions outlined here, as referenced in Sections 17.05.040.D.3.k and 17.05.040.D.11. The criteria do not apply.

Nonetheless, prior to final plat approval, the applicant will work with the City to locate street trees in a manner that is consistent with the City's street tree program while also respecting the competing needs of other public and franchise utilities that may occupy this area of the right-of-

way. The final street tree planting plan will be approved through a Public Works Permit in collaboration with the City Engineer.

(4) Installation of required landscaping may be deferred for up to six months with written approval by the community development director; provided, that the owner posts with the city a cash deposit or irrevocable letter of credit assigned to the city for an amount equal to 150 percent of the estimated cost of the landscaping materials and installation by a qualified contractor.

Findings: Landscaping on private property will occur following new home construction. At the time of building permit review, the City will ensure this criterion is met.

(D) Vehicular Access, Internal Circulation and Clear Vision Areas.

(1) Where possible, vehicular access to residential subdivisions shall be from abutting arterial or collector streets. Access to individual lots shall be primarily minor local streets. Direct lot access to an arterial shall not be permitted, unless there is no viable alternative, and direct access to collector and local streets shall only be allowed as permitted by the planning commission.

(2) The minimum public street width shall comply with the standards and design identified in CMC 18.143.040, Street design cross-sections per transportation system plan.

(3) Internal Access. All internal roadways and drives shall be paved and maintained by the owner in accordance with city standards. No entrance or exit shall be located closer than 100 feet to any intersection of a public street, unless there is no reasonable alternative. They shall have the following minimum unobstructed pavement width:

(a) Two-way traffic: 24 feet;

(b) One-way traffic: 15 feet.

(4) Internal sidewalks or pathways shall be provided to ensure safe and convenient pedestrian circulation throughout the development.

(5) Clear vision areas shall be provided at all roadway and driveway intersections in accordance with the vision clearance standards set forth in CMC 18.150.070.

Findings: Per CMC Section 17.05.040.D.14, PUDs are not subject to the public street and access provisions outlined here, as referenced in Section 17.05.040.D.3. The criteria do not apply.

As shown in Exhibit A (Preliminary Street Plan) due to the existing terminus of S 20th Avenue and the location of the vegetated corridor, there is no alternative to serving the small number of lots will take access from a collector street. All remaining lots will take access from a local street. Therefore, the City can find that access to individual lots will occur primarily from minor local streets. Finally, as shown in Exhibit A, all public streets, including public alleys, have been designed in compliance with the City's street design standards. Additionally, clear vision areas can be provided at all driveway and roadway intersections in accordance with CMC Section 18.150.070. Construction of public streets shall be in conformance with the recently adopted Public Works Standards.

(E) Access Streets – Sidewalks – Drainage.

(1) All streets shall be designed in accordance with standards set forth in Chapter 18.143 CMC, Transportation Facilities, and the subdivision code.

(2) All driveways for new construction shall have minimum pavement width of 12 feet and shall not be more than 25 feet in width at the curb. Each driveway shall have a concrete curb apron designed to comply with public works standards, and not more than two lots may be served by one shared driveway.

(3) Cul-de-sacs shall serve no more than 12 homes and have a minimum turning radius of 45 feet measured to the front edge of the curb.

(4) For all new construction, curbs, gutters, and a minimum five-foot-wide sidewalk, off-set from the curb shall be provided along the entire lot frontage and shall meet ADA accessibility standards. In the case of remodels or garage additions to an existing house, no sidewalk shall be required if one does not exist, but the driveway apron and paved driveway shall be required. However, a curb tight sidewalk may be approved by the public works director when it is impractical to provide the off-set.

(5) Storm drainage shall be managed through a system of underground drainage lines and catch basins, which convey storm water off the site to a public storm system, and shall comply with Clean Water Services (CWS) standards for water quality and quantity.

Findings: All public streets, including public alleys, have been designed in accordance with the City's most recent Public Works Standards and the standards in CMC Chapter 18.143. Section 18.110.020.A permits flexibility in "...area, density, off-street parking, and other requirements..." with the standards of the zone serving as a rough guide. The proposed lots located within the A-2 District are intended for single-family detached and single-family attached residences and will implement the purposes of the A-2 District.

As shown in Exhibit A (Preliminary Street Sections), new curbs, gutters, sidewalks, will be provided for the full extent of all new public streets. Similarly, stormwater facilities (see Exhibit A) have been designed in compliance with applicable CWS standards for water quality and quantity. Prior to final plat approval, the applicant will work with the City to locate street trees in a manner that satisfies applicable criteria to the extent practical. The construction of public streets, sidewalks, and public storm water quality facilities, and installation of street trees, in conformance with Public Works Standards, shall be a condition of approval.

(F) Lighting Streets. Streets and walkways shall be lighted during the hours of darkness in accordance with public works standards.

Findings: Prior to final plat approval, the applicant will work with the City to provide street lighting in accordance with Section 5.12 of the City's public works standards. This shall be a condition of approval.

(G) Mailboxes. Except for in-fill partitioning, clustered mailboxes shall be provided, consistent with the locational criteria set by the Post Master. They shall be of uniform style.

Findings: Prior to final plat approval, the applicant will work with the City to design and locate clustered mailboxes in a manner consistent with U.S. Postal Service criteria. This shall be a condition of approval.

(H) Insects and Rodents. Materials, including wastes, shall be stored and managed, and grounds shall be maintained in a manner that will not attract or aid in the propagation of insects or rodents or cause a health hazard.

(I) Screening.

(1) Sight-obscuring screening shall be provided for all garbage and trash collection areas, approved outdoor storage, and parking lots abutting a low density residential development. Such screening shall be six feet in height, and shall consist of a wall of brick, stone, or other substantial material, or a densely planted evergreen hedge and chain link fence.

(2) The review body may require nonsight-obscuring screening and/or fencing of parking lots abutting property lines, front yards abutting a public street, or other yards abutting a low density residential development.

Findings: The application does not include any shared refuse collection facilities, outdoor storage, or parking lots abutting a low-density residential area. A small parking lot will be located in the

public alley between S 23rd and S 24th Avenues; this parking area does not abut a low-density residential area. The criteria do not apply.

(J) Parking and Loading Space.

(1) Off-Street Parking.

(a) Resident. One covered parking space shall be provided for each dwelling unit either on the individual lot or in an off-street parking bay within 100 feet from the dwelling being served. For an accessory dwelling, one additional off-street parking space is required. However, the commission may waive this additional parking space, if appropriate on-street parking is available within 100 feet of the lot.

(b) Guest. Where on-street parking is prohibited on both sides of a street, guest parking shall be provided in off-street parking bays at the rate of one parking space for every three home sites along the street section. Guest parking should be in close proximity to the homes being served.

(c) Storage of Recreational Vehicles. Recreational vehicles, such as camping trailers, boats, campers, motor homes, and other such vehicles shall only be parked or stored within an area specifically designated and designed for such use, and shall not be located in the public right-of-way.

Findings: While the application does not include new home construction, the applicant anticipates that each of the single-family lots will provide a minimum of one off-street parking space via an enclosed garage and/or driveway. Additionally, as shown in Exhibit A, on-street parking will be included along all internal streets.

On-street parking will be prohibited on both sides of S 24th Avenue (for a majority of its length). For this reason, the application includes a parking lot, comprising 19 vehicle spaces, located within the public alley between these two streets.

The application does not include any parking specifically designed for recreational vehicles within a public right-of-way.

(2) Paving and Design. Off-street parking and maneuvering areas shall be paved with asphalt or concrete and designed in accordance with the standards of the off-street parking regulations of this title.

Findings: Off-street parking will be provided via enclosed garages and/or asphalt or concrete driveways.

(3) Parking Lot Landscaping. There shall be a five-foot landscaped buffer at the perimeter of all parking lot areas. Parking lots shall be designed and landscaped so as to break up large paved areas with landscaped islands, such as every 10 spaces. See CMC 18.145.050.

Findings: As shown in Exhibit A, a landscaped buffer will be located along the perimeter of the two parking areas within the project site. The parking area east of the public park in Tract K will include landscaped islands that break up otherwise large expanses of paving. The criterion is met.

(4) On each home site, or on each individual dwelling within a complex, there shall be posted one wooden or metal sign no smaller than one-half square foot and no larger than one square foot identifying the address number of the home, in a manner that is clearly visible from the street. Within a complex, there shall be a uniform design and location for building and unit addressing, which shall be approved by the fire chief.

(5) Each resident may display on their home one sign identifying the person residing therein; provided, that the sign is not larger than one square foot.

(6) Traffic control and directional signs shall be installed as required by the public works standards.

Findings: At the time of building permit and public improvement review, the City will ensure that address signage for new homes and public streets complies with applicable local standards.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Section 18.35.060 are met.

Chapter 18.95 Natural Resources Overlay

18.95.010 Purpose.

(A) The purpose of the natural resources overlay is to protect the significant natural resources identified in the city's natural resources inventory and map. The natural resources overlay shall protect resources and functional values that have been identified by the city and state as providing benefits to the public. The natural resources overlay complies with the direction of the comprehensive plan and State Planning Goal 5.

(B) Natural resources overlay (NRO) is applicable to the resource sites and abutting properties identified in the natural resources inventory and map, the Goal 5 ESEE analysis and to future lands annexed into the city that are identified as or contain Goal 5 resources.

(C) The natural resources overlay shall encourage coordination between city, county, regional, state and federal agencies concerned with natural resources.

(D) Uses shall comply with requirements and regulations of all jurisdictional agencies including but not limited to Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Division of State Lands and Clean Water Services.

(E) All significant natural resources shall be delineated and applicable protection setbacks and requirements shall be determined from Table A in the natural resource protection plan and implemented.

(F) All parcels newly annexed into the city containing Goal 5 natural resources shall receive a NRO designation over the entire parcel. A property owner may subsequently commission a certified wetland/natural resource inventory delineating protected resource boundaries and establishing a new NRO boundary and respective protective setback consistent with Table A (Natural Resource Protection Setbacks) in the city of Cornelius natural resource protection plan, and in conformance with Clean Water Services regulations.

18.95.020 Permitted uses.

The following uses are permitted outright in the natural resources overlay:

(A) Resource enhancement and restoration activities.

(B) Land divisions per Chapter 17.05 CMC.

(C) Removal of nonnative or invasive vegetative species.

(D) Dedication of rights-of-way.

(E) Temporary emergency procedures necessary for the protection of property.

(F) Actions taken by the city to correct or abate a nuisance.

(G) Approved storm water discharge.

(H) Existing lawn within the riparian area may be maintained, but not expanded into the resource area.

(I) Existing utility lines.

(J) Existing legal nonconforming structures. Replacement of nonconforming structures shall comply with Chapter 18.135 CMC.

18.95.030 Administrative review approval.

The following uses are permitted in the natural resources overlay, subject to a Type I design review approval, including compliance with other natural resource agencies:

(A) Repair, maintenance and replacement of existing utility lines.

(B) Fencing.

(C) Removal of a hazardous tree.

(D) Maintenance of streambank stabilization and flood control structures.

(E) ESEE Analysis Findings and Conclusion. The ESEE analysis findings and conclusions identified in the natural resource protection plan provide site specific exceptions to protection measures based on conflicting uses and mitigating consequences of implementation. The sites are specific to the 2002 Natural Resources Inventory and Map.

18.95.040 Conditional uses.

The following uses are permitted in the natural resources overlay, subject to approval of a conditional use permit, Chapter 18.105 CMC:

(A) Streets, roads, recreational trails and paths in the riparian area.

(B) Fill, grading and/or alteration of topography in the riparian area.

(C) New drainage facilities, utilities and pump stations.

(D) Water related recreational facilities.

(E) New construction or expansion of streambank stabilization and flood control structures.

(F) New development on property with significant natural resources per Chapter 18.110 CMC, Planned Unit Development (PUD) Conditional Use, and CMC 18.95.060, Resource protection exception process.

(G) Resource protection exception process per CMC 18.95.060.

18.95.050 Prohibited uses.

(A) New development on significant natural resource sites and property, except as identified in CMC 18.95.040.

(B) Removal of native trees and vegetation from resource areas.

Findings: Exhibit A, Sheet EX-000, shows the extent of Goal 5 Resources on the Site. In addition, Exhibit B includes a Tier 2 Natural Resources Assessment conducted by AKS Engineering & Forestry; this Assessment identifies the Goal 5 resources observed during a site-wide survey. Per 18.95.010(B) this Goal 5 boundary shall serve as the NRO zoning on the Site. Consistent with CMC Sections 18.95.010.B and 18.95.010.E, the NRO overlay includes significant natural resources and applicable protection setbacks as established in Table A of the City's adopted Natural Resource Protection Plan.

Per Section 18.95.040.F, PUDs are allowed in the Natural Resources Overlay Zone through the Conditional Use process. As explained earlier in this staff report, the project consists of an 11-phase, 871-lot PUD that will consist of single-family detached and attached homes, duplexes, townhomes, access streets, stormwater facilities, neighborhood parks, a 10-foot wide pedestrian trail, and open space.

The pedestrian trail and residential lots will not encroach into the NRO and site grading will not occur nearer to the NRO than the 10-foot wide trail easement. Permanent encroachments into the NRO are necessary to accommodate storm water quality facilities, stormwater outfall pipes, and new public streets and associated improvements. The public improvements will result in minor permanent and/or temporary encroachments into the NRO. Additional details regarding encroachments into the NRO are found in Exhibit B.

Project work that will encroach into the NRO area will be subject to approval by all pertinent jurisdictional agencies including but not limited to Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Division of State Lands and Clean Water Services. This shall be a condition of approval. In addition, temporary and permanent impacts to the NRO area shall be subject to restoration and/or mitigation in conformance with Clean Water Standards. This shall be a condition of approval.

18.95.060 Resource protection exception process.

When planned development can occur that provides for the protection of the resource and permitted use through increased densities, clustered development or the transfer of development rights, a plan shall be submitted and approved through the administrative review, Type II process. Any associated partition, subdivision or design review applications that are required with the planned development shall be processed as a Type III application and reviewed by the planning commission.

(A) New residential, commercial and industrial development or substantial redevelopment requests involving deviation of natural resource protection requirements shall be reviewed through the conditional use permit/planned unit development process.

(B) Transfer of development rights (TDR) may be applied for as a conditional use permit/planned unit development (PUD). Development rights shall only be transferred between residential zones within the city.

(C) Proportional Increase in Density on an Individual Parcel. Increased density requests shall provide for a development equal or better than required by the base zone.

(1) Residential PUD. If a parcel loses between 10 and 50 percent of its area to natural resource protection setbacks, then the developer may apply for a conditional use permit/planned unit development (PUD).

(a) Meet the required setback and develop to the existing development standards and lot sizes of the underlying zone; or

(b) Meet the required setback and decrease the minimum lot size by 10 to 50 percent. The reduction in lot size, at a maximum shall be equivalent to percentage of the site lost to the natural resource protection setback.

(c) If a parcel loses more than 50 percent of its area to natural resource protection setbacks, then the developer shall only decrease the minimum lot size by a maximum of 50 percent.

(2) Commercial or Industrial PUD. Natural resource protection setbacks may be applied to meet private landscaping requirements. New development or substantial redevelopment of properties where natural resource protection setbacks are required may request approval of a conditional use permit (CUP) and/or a planned unit development (PUD) to permit a 1:1 ratio exchange for square footage of native landscaped protection setback area in lieu of required private on site landscaping.

Findings: This PUD has been designed to minimize impacts and encroachment into the NRO while simultaneously showcasing these natural features as an amenity to future residents. Less than four percent of the total on-site NRO will experience either permanent or temporary encroachment. Because this NRO permit application is being submitted concurrently with a PUD and Conditional Use application, the NRO permit application will be heard by the Planning Commission in a Type III review. The application does not request any of the transfer of development rights or density allowances provided here. This land use application includes the establishment of a Natural Resource Overlay on all Water Quality Sensitive Areas and applicable protective buffers, subject to Clean Water Services standards, consistent with the findings and conclusion from the Laurel Woods Planned Unit Development Tier 2 Natural Resource Assessment, dated July 11, 2016.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Chapter 18.95 are met.

Chapter 18.105 Conditional Use Permit

18.105.030 Procedures.

(B) Approval Criteria. The approval, approval with conditions or denial of an application for conditional use or to enlarge or to alter a conditional use shall be based on findings of fact with regard to each of the following approval standards:

(1) The proposed development will comply with the comprehensive plan;

Findings: The Cornelius City Council approved Ordinance No. 2015-06 on November 16, 2015, which amended the City's Comprehensive Plan and supporting documents to identify the desired development type and density (Residential R-7 and A-2) in the southeast Cornelius Urban Growth Boundary area as well as the infrastructure improvements that would be necessary to support future residential development in this area. Subsequently, through Ord. 2016-003, the City annexed and adopted residential R-7 and A-2 zoning designations for Laurel Woods. As part of their decision to approve Ord. 2016-003, the Cornelius City Council found the annexation and zoning map amendment to be in compliance with the City's Comprehensive Plan, the City's Municipal Code, the Statewide Planning Goals, the Oregon Administrative Rules, and the Metro Code.

As explained above, this Conditional Use PUD and Tentative Subdivision implements the applicable criteria from the residential use districts located on site.

While the Cornelius Comprehensive Plan does not contain criteria that are specifically applicable to the subdivision of land, there are a number of related policies that direct the City to require or

encourage certain development considerations at this time. The following specific Comprehensive Plan Policies are potentially applicable to this proposal:

Chapter 4, Land Use:

Residential, Policy 2: Residential development shall coincide with the provision of public streets, curbs, sidewalks, water, storm drainage, and sanitary sewerage facilities. These public facilities shall be capable of adequately serving all intervening properties as well as the proposed development. They will be designed to meet zoning, subdivision, and public works standards.

Findings: As shown in Exhibit A, all new residential lots will be served by public streets, curbs, sidewalks, water service, stormwater service, and sanitary sewage service in compliance with the City's Zoning Ordinance and adopted Public Works Standards. Further, these public facilities have been sized and located so as to provide service to all intervening properties at such time it is desirable by those properties.

Because the applicant has been unable to negotiate an agreement with the property-owner to the west (Yafa Trust and Said Sedghi) to provide public utilities to serve the Site, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City to pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue. As a condition of approval, construction of this connection with the existing stub at S 20th Avenue will be required prior to the issuance of any building permits. This policy is met.

Residential, Policy 3: A storm water drainage plan will be submitted with all proposed subdivisions and land partitions to show how storm water will be handled to avoid effects on other property. Storm sewers consistent with Unified Sewerage Agency (USA) standards for water quality and quantity shall be required as a condition of approving subdivisions or land partitions. Further, development designs shall be coordinated with ISA to insure compliance with new METRO Title 3 criteria for Federal Clean Water Act standards

Findings: As shown in Exhibit A, and further detailed in Exhibit B, the application includes a comprehensive stormwater drainage and management plan which demonstrates how stormwater runoff will be appropriately conveyed, treated, and then released, in accordance with all applicable local, regional, and state stormwater requirements. This policy is met.

Medium Density, Policy 2: Residential subdivisions will be developed according to zoning and subdivision regulations.

Findings: As explained in this narrative and the accompanying exhibits, this Conditional Use PUD and Tentative Subdivision has been developed in accordance with all applicable zoning and subdivision regulations. This policy is met.

Medium Density, Policy 4: Residential development shall coincide with the provision of public streets, curbs, sidewalks, water, storm drainage, and sanitary sewerage facilities. These public facilities shall be capable of adequately serving all intervening properties as well as the proposed development. They will be designed to meet zoning, subdivision, and public works standards.

Findings: As shown in Exhibit A, all new residential lots will be served by public streets, curbs, sidewalks, water service, stormwater service, and sanitary sewage service in compliance with the City's Zoning Ordinance and adopted Public Works Standards. Further, these public facilities have been sized and located so as to provide service to all intervening properties at such time it is desirable by those properties.

Because the applicant has been unable to negotiate an agreement with the property-owner to the west (Yafa Trust and Said Sedghi) to provide public utilities to serve the Site, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City to pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue. As a condition of approval, construction of this connection with the existing stub at S 20th Avenue will be required prior to the issuance of any building permits. This policy is met.

Medium Density, Policy 5: A storm water drainage plan will be submitted with all proposed subdivisions and land partitions to show how storm water will be handled to avoid effects on other property. Storm sewers consistent with Unified Sewerage Agency (USA) standards for water quality and quantity shall be required as a condition of approving subdivisions or land partitions. Further, development designs shall be coordinated with ISA to insure compliance with new METRO Title 3 criteria for Federal Clean Water Act standards.

Findings: As shown in Exhibit A, and further detailed in Exhibit B, the application includes a comprehensive stormwater drainage and management plan which demonstrates how stormwater runoff will be appropriately conveyed, treated, and then released, in accordance with all applicable local, regional, and state stormwater requirements. This policy is met.

Chapter 5, Housing:

Policy 2: Promote and encourage housing types and densities throughout town, available at various prices and rents, to households of all incomes, age, sex, and race

Findings: As described elsewhere in this narrative, the application includes a total of 871 new residential lots ranging in size from approximately 1,700 square feet to just over 10,000 square feet. The housing types that will be located on these lots include single-family detached, two-family attached, and townhouse residential units. As shown throughout Exhibit A, great care has been taken to distribute these various lot and housing types throughout the site for the purpose of creating a cohesive and diverse community which achieves multiple objectives. Generally speaking, larger single-family detached lots are located at the perimeter of the site to complement existing residential development and limit impacts to significant natural resources in these areas. Higher density single-family detached, duplex, and townhouse units are located at the interior of the site. This configuration of lots and housing types promotes a variety of prices and rents that will be available to households of all incomes, age, sex, and race.

The 2009 Economic Opportunities Analysis & Long-Term Urban Land Needs Assessment, prepared for the City of Cornelius by Johnson Reid Land Use Economics identifies a deficit of 767 units of owner-occupied housing in the price range of \$230,000 - \$460,000. This project, which includes 871 units within a variety of housing product from townhouses to detached single-family homes, will serve to fill the current and a portion of the future demand for housing that will serve a wide spectrum of income levels. This policy is met.

Policy 3: Promote and encourage open spaces and buffers in new subdivisions and other housing developments.

Findings: As shown in Exhibit A, the site includes 10 acres of parks and open space. These new open spaces come in the form of smaller, passive-oriented parks, to riverside pathways, to large, community-scale and active-oriented parks. The policy is met.

Policy 4: Develop strategies for promoting higher end housing options.

Findings: As mentioned above, to complement existing single-family residential development and significant natural resources near the perimeter of the site, the PUD has been designed to locate larger single-family detached residential lots in these locations. Given their proximity to the Tualatin River and the long-term buffer from development further south that is afforded by the floodplain and other protected resource habitat, single-family residential lots abutting the natural resource areas along the site's south boundary are anticipated to fall within the "higher end" category of housing. In addition to limiting impacts to wildlife and other riparian habitat in this area, reduced density (larger lot sizes) serves the added benefit of providing additional area for

larger homes that may promote options for above-market-rate housing as is consistent with this policy. This policy is met.

Policy 5: Develop minimum density standards that comply with regional mandates

Findings: The City's A-2 and R-7 zoning districts provide density standards that comply with the minimum density thresholds established in Metro's Urban Growth Management Functional Plan. This PUD distributes the density allowed by the underlying zones, throughout the site, to achieve a net residential density of approximately 11 units per acre. The policy has been met.

Chapter 7, Natural and Cultural Resources:

Policy 6: The City will designate identified, significant cultural, historic, and natural resources on the Comprehensive Plan Map. Management of these resources will be guided by adding appropriate resources protection sections to the development code.

Findings: The Natural Resources Assessment located in Exhibit B identifies the location of all Goal 5 resources on the Site. These Goal 5 resources and the associated vegetated corridor areas serve to delineate the extent to the City's Natural Resources Overlay (NRO) boundary in this area. Consistent with the City's NRO regulations, development will not occur within the NRO boundary. Additional discussion regarding compliance with the City's NRO can be found earlier in this narrative. The policy is met.

Chapter 8, Public Facilities and Services:

Policy 3: The city shall encourage development of local recreation options.

Findings: As mentioned above, the application includes a total of approximately 10 acres of active and passive-oriented park space on this site. At the heart of the site exists a nearly 6.4 acre active-use community park that will accommodate soccer fields, a children's playground, and related facilities. This community park is consistent with the adopted 2009 Cornelius Parks Master Plan, and will include ADA-compliant features. The policy is met.

Policy 4: The city shall continue to maintain an adequate water supply and improve the overall water distribution system.

Findings: With the passage of Ord. 2016-003, the Cornelius City Council found that adequate water supply was in place to provide service to future homes on this site. Additionally, and as

shown in Exhibit A, the application will result in significant water system infrastructure investment on this site as well as upgrades to existing water infrastructure in the site vicinity. The policy is met.

Chapter 9, Transportation System Plan:

Goal 1: Provide public street standards that recognize the multipurpose nature of the street right-of-way (utilities, vehicles, pedestrians).

Goal 2: Provide transportation facilities that through design and location enhance the livability of Cornelius.

Goal 3: Provide connectivity to each area of the City.

Goal 5: Establish rights-of-way at the time of development and where appropriate officially secure them by dedication of the property.

Findings: As shown in Exhibit A, the application includes a robust network of new streets and accessways that have been designed to accommodate the full range of users anticipated in this area. New streets throughout the site will, or may in the future, connect with existing abutting streets should future urban development warrant, and are arranged in a quasi-grid that respects the presence of significant natural resources features on and near the site. Through a combination of safe walking, bicycling, and motor vehicle facilities, and short block lengths, the transportation layout included in this application will promote walking and bicycling for a greater number of daily trips as compared to typical suburban and auto-oriented subdivision layouts. This enhanced pedestrian and bicycle access will in turn provide greater opportunities for passive and active recreation and will directly contribute to enhanced livability for Cornelius' residents. The Goals are met.

(2) The applicable requirements of the zoning district are satisfied; and

Findings: As explained throughout this narrative and accompanying exhibits, all applicable zoning criteria have been met.

(3) That the location, size, design, and functional characteristics of the proposed use are such that it can be made reasonably compatible with and have a minimum impact on the livability and appropriate development of other properties in the surrounding neighborhood;

Findings: The 871 lot residential Conditional Use PUD included in this application is located at the southeast corner of the City of Cornelius and abuts existing single-family residences along the

site's north and east boundaries. Agricultural uses are present outside of the UGB along the site's east, west and south boundaries. To promote compatibility between adjacent uses, the PUD has been designed to place the largest single-family detached lots abutting all existing uses at the perimeter of the site.

The PUD also includes a robust network of streets and public parks that will ensure offsite impacts are reasonable. Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

As shown in Exhibit A, new collector, neighborhood, and local streets, as well as alleys, will promote convenient and efficient opportunities for walking, bicycling, and motor vehicle use. New on-site roadways will connect with the existing roadway network at three locations; S. 20th Avenue, S. 26th Avenue, and S. 29th Boulevard. Additional street stubs are located at the south end of S. 29th Boulevard, S. Quartz Drive, S. Nectarine Street, S. Magnolia Drive, S. Kodiak Street, S. Jasper Drive, S. 32nd Avenue, S. 31st Avenue, S. Ivy Street, S. Heather Street, and S. 30th Street, and will accommodate future extensions should future urban expansion to the east or south warrant such requirements. Construction of the new street system to align with existing rights-of-way and providing stubs to adjoining properties to accommodate future development shall be a condition of approval.

As is supported by the Traffic Impact Analysis, located in Exhibit B, with implementation of the recommended mitigation measures, traffic impacts generated from new development on this site are anticipated to be within acceptable levels adopted by City and State transportation agencies.

Additionally, the application includes approximately 10 acres of new public parks and open space. These new recreational opportunities are provided in the form of public pathways, smaller neighborhood parks, as well as a large 6 acre plus active-oriented park at the center of the site.

(4) The granting of the proposal will provide for a facility that is consistent with the overall needs of the city.

Findings: With the passage of Ord. No. 2015-06 (SE Cornelius UGB Concept Plan and associated plan amendments) and later Ord. No. 2016-03, the City acknowledged its desire to accommodate the demand for new residential housing on this site. Ord. No. 2016-03 established two residential zoning districts over the entirety of this site: Low-density Residential (R-7), and Medium-density

Residential (A-2). This application implements the City's desire to create new residential housing opportunities in this area by providing 871 new residential units within a mix of single-family attached and detached, duplex, and townhouse units.

In addition, the 2009 Economic Opportunities Analysis & Long-Term Urban Land Needs Assessment, prepared for the City of Cornelius by Johnson Reid Land Use Economics identifies a deficit of 767 units of owner-occupied housing in the price range of \$230,000 - \$460,000. This project, which includes 871 units within a variety of housing product from townhouses to detached single-family homes, will serve to fill the current and a portion of the future demand for housing that will serve a wide spectrum of income levels. As illustrated above, this PUD is consistent with City's need for a variety of new housing.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Chapter 18.105 are met.

Chapter 18.110 Planned Unit Development (PUD) Conditional Use

18.110.010 Purpose.

It is the purpose of these provisions to allow a planned unit development as a conditional use in any residential, commercial or industrial zoning district. Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The planned unit development concept supports a growing urban area by encouraging a more creative approach in the development of land, while at the same time enhancing and preserving the value, spirit, character and integrity of surrounding areas which have developed or are developing under conventional district regulations. Deviations from specific site development requirements and a mixture of combinations of residential, commercial and industrial uses is allowable, subject to the provisions of the comprehensive plan, as long as the general purposes for the requirements are achieved and the general provisions of the zoning regulations are observed. It is further the purpose of authorizing planned unit developments to take into account any or all of the following:

(A) Advances in technology and design;

(B) A comprehensive development equal to or better than that resulting from traditional lot-by-lot land use development, in which the design of the overall unit permits flexibility in the placement and uses of structures and the location of open spaces, circulation facilities, off-street parking areas and other facilities;

(C) The potential of the site characterized by special features of geography, topography, size or shape; and

(D) The height and bulk characteristics of structures can vary as long as the ratio of site area to uses and openness of the site will be in harmony with the area in which the proposed development is located.

Findings: This application includes a PUD on approximately 133 acres of vacant land annexed into the City on May 23, 2016, by Ord. 2016-003. This site comprises nearly 10% of the total area of the City of Cornelius. Rather than develop the site in strict compliance with the configuration of the R-7 and A-2 Zoning Districts adopted by Ord. 2016-003, the application proposes to mix residential densities throughout the site, as permitted through the PUD and Conditional Use processes, to create a more interesting, livable, and functional neighborhood.

Ord. 2016-003 established within the Site a band of R-7-zoned land abutting existing R-7 properties and designated the remainder of the site A-2. This application includes new residential lots that satisfy the equivalent density required per the adopted zoning configuration, but in a manner that distributes density throughout the site.

Larger lots, intended for single-family detached homes, will be located adjacent to existing residential development along the site's north end, along SW 345th Avenue, and near protected natural resources. Smaller and attached single-family residential lots will be located nearer the interior of the site. This arrangement of lot sizes is designed to minimize impacts to existing residences and natural resources in the vicinity of the site while simultaneously achieving the City's objective of accommodating anticipated population growth. Finally, this mixed-lot configuration will add a more organic and appealing aesthetic to the future neighborhood, making it a more desirable residential neighborhood for a diverse mix of future residents than if it were configured as homogenous blocks of single- or multi-family housing.

While the PUD Purpose statement in 18.110.010 is not an approval criterion applicable to the City's decision in this matter, this PUD is consistent with Section 18.110.010.B, above, as it provides a comprehensive development that is better than that which would otherwise result from traditional lot-by-lot development.

18.110.020 Development requirements.

The following standards and requirements shall govern the application of a planned unit development and apply in a planned unit development conditional use:

(A) A planned unit development may include any uses and conditional uses permitted in an underlying or abutting zone. Standards governing area, density, off-street parking, or other requirements shall be guided by the standards of the zone that most nearly portrays the character of the zone in which the planned unit development is proposed.

(B) Planned unit developments shall not be less than one acre in area.

(C) Approval compliance, required by CMC 17.05.040(E), for subdivision improvements shall be required to ensure that a development proposal, as submitted, is completed within the required time limit.

Findings: As described above, the application includes a mix of single-family detached, single-family attached, duplex, and townhouse units. These uses are permitted in the R-7 and A-2 Zoning Districts. The lot sizes, dimensions, overall residential density, off-street parking, and all other site design elements included in this application were informed by the applicable standards of the R-7 and A-2 Districts as expressed in Chapters 18.20 and 18.35.

The application satisfies the minimum size criterion for PUD in (B) above as this site is approximately 133 acres in total area. Additionally, CMC 17.05.040(E) ensures that public and private improvements are completed in accordance with approved plans. Prior to issuance of any building permits for a particular project phase, the City will ensure that all necessary public facilities to serve the phase are in place and have been constructed per adopted City standards. This shall be a condition of approval. Finally, as discussed previously, the application satisfies all applicable criteria in Section 17.05.040.E.

18.110.030 Procedures.

The following procedures shall be observed in applying and acting on a planned unit development request:

(A) Application Requirements.

(3) Plans submitted for planned unit developments shall be subject to design review of site plans, which shall include any and all information describing the proposed a lot and street layout, relationship to adjacent properties and major road systems, locations of building masses (size, type, and function) and building design. The applicant may provide an alternative to the building design information by submitting a justification why it is necessary an appropriate to deviate from this requirement. Open spaces, parks and greenways, as well as any recreation facilities, shall be specified.

Findings: At this time, the applicant is unaware of the builders that will ultimately construct homes on these lots. For this reason, it is not possible to provide building elevations and more specific information related to the future homes on these lots. At time of building permit submittal, each new home will be subject to the City's Type I Development Review process whereby the City will ensure all building-related standards are met. Finally, the applicant is committed to providing a

high-quality housing product that contributes to the long-term desirability of this neighborhood and which can accommodate housing demand across a range of age and income levels. As shown in Exhibit A, the plans submitted by the applicant include all other information required by Subsection 18.110.030(A)(3).

B) Approval Criteria. In order to approve a PUD, findings of fact shall be made to support the following conclusions:

(1) There are special physical or geographic conditions or objectives of development which warrant a departure from the standard title requirements.

Findings: Special physical conditions and development objectives exist which warrant a departure from the standard requirements in the underlying zoning districts. First, the UGB, which makes up the site's south boundary, generally follows along the boundary of the Tualatin River floodplain, wetlands, and other protected natural resources. This UGB boundary results in an odd-shaped development site that is nearly split in half about its center. The resulting peninsula and narrow corridor linking the site's east and west halves warrant flexibility in the application of development standards in order to develop the site in an efficient and attractive manner. Nonetheless, given these physical constraints, the PUD closely respects the standard requirements applicable to subdivisions in the A-2 and R-7 zoning districts.

Second, Ord. No. 2016-03 approved a homogenous zoning arrangement on this site with the R-7 District abutting existing residential uses at the site's north and east boundary and the A-2 District elsewhere. This PUD provides the opportunity to mix allowable density throughout the site to create a more organic, interesting, and cohesive arrangement of lot sizes, and eventually housing types, that will in turn promote a mix of residents whom are expected to exhibit a broad range of ages, incomes, and other demographic characteristics.

(2) Resulting development will be consistent with overall planning and zoning objectives of the city.

(3) The area around the development can be planned to be in substantial harmony with the proposed plan.

Findings: This application satisfies the minimum and maximum residential density thresholds established for development on this site while simultaneously providing parks and open space, transportation infrastructure, and other public improvements that will support the long-term health, safety, and well-being of new and existing residents in the City of Cornelius. Additionally, through the creation of ample parks and open space, situating larger single-family lots near the perimeter of the site, and a robust transportation network, this PUD ensures that new development on this

site will minimize adverse impacts to existing adjacent properties while also providing ideal opportunities for the future development of intervening and adjacent properties that are likely to develop at some point in the future.

(4) If the applicant is proposing phasing the project, then identify the schedule for phasing. If the applicant is not proposing to phase the project, then identify the time frame for completion.

Findings: As shown in Exhibit B, the project is anticipated to be completed over the course of 11 independent phases. As mentioned previously, the order of phases, phase boundaries, and phase areas is subject to change. It is also worth noting that mass grading will occur throughout the site during each phase in order to move fill between various locations across the site.

Phase 1 is anticipated to commence in the fall of 2017 with Phase 11 expected to wrap up by 2022. The application requests that the City approve site development through 2027 to accommodate any unforeseen delays in site development. City staff recommends a five-year approval window between the approval of the preliminary plat and the submittal of the final plat for the final phase of this PUD/Subdivision application. At the end of the five-year window, the applicant may apply for a two-year extension. This extension, to be granted by the Community Development Director, shall not be unreasonably withheld. The applicant may apply for extensions in two-year increments up to and including 2027. This shall be a condition of approval. The purpose of this more constrained approval time frame is to allow City staff to regularly evaluate and respond to conditions over the life span of this large and complex development project.

(5) Provide findings that economically justify a proposed commercial or industrial development.

Findings: This residential PUD does not include any commercial or industrial development. The criterion does not apply.

(6) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

Findings: This application consists of 871 residential units, including single-family residential homes, townhomes, and duplexes. Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes

the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

Access to the proposed development is planned via extensions of S 20th Avenue and S 26th Avenue, in conjunction with initial site development and a future extension of 29th Boulevard south to the project site. This shall be a condition of approval. Construction of the proposed development is expected to begin in 2017, with full build out and occupancy of all 11 Phases by 2022. The applicant would like to request that the City approve a phasing plan that extends through 2027 in order to accommodate any unanticipated delays during the development of this site. City staff recommends a five-year approval window between the approval of the preliminary plat and the submittal of the final plat for the final phase of this PUD/Subdivision application. At the end of the five-year window, the applicant may apply for a two-year extension if conditions justify such an extension. This extension, to be granted by the Community Development Director, shall not be unreasonably withheld. The applicant may apply for extensions in two-year increments up to and including 2027. This shall be a condition of approval. The purpose of this more constrained approval time frame is to allow City staff to regularly evaluate and respond to conditions over the life span of this large and complex development project.

As described in greater detail in the Traffic Impact Analysis found in Exhibit B, the streets, with the recommended mitigation measures, are adequate to support the anticipated traffic and development will not overload streets outside of the planned area.

(7) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

Findings: As shown in Exhibits A and B proposed utility and drainage facilities have been designed to accommodate development on this site as well as adjacent properties at the level of density adopted by the City.

(D) Approval of Plan and Time Limitation on Development.

(1) Before a planned unit development shall be approved by the commission, a preliminary subdivision plat shall be prepared to be considered in conjunction with the planned unit development plan. This requirement shall not apply in the event subdivision of the land would not be required under the subdivision regulations of the city.

Findings: As shown in Exhibit B and described throughout this narrative, this PUD is accompanied by a tentative subdivision plat that shall be considered in conjunction with the PUD.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Chapter 18.110 are met.

Chapter 18.143 Transportation Facilities

18.143.020 General provisions.

(A) All transportation facilities shall be designed and improved in accordance with the standards of this code and the public works public utilities design standards. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the city shall condition the development to obtain permits required by the other agencies.

Findings: As illustrated in Exhibit A, and described elsewhere in this narrative, all new public street improvements have been designed to comply with the standards of this Code and the City's Public Works Standards. Although the site abuts SW 345th Avenue, which is under the jurisdiction of Washington County, access to this roadway is not planned at this time.

(B) In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in proportion to the identified impacts of the development.

Findings: The Traffic Impact Analysis found in Exhibit B confirms that with appropriate mitigation, traffic capacity and safety, per adopted local and State standards, will be maintained on all affected City and ODOT roadways.

(C) For applications that meet the threshold criteria of CMC 18.143.030(B), Analysis Threshold, this analysis or limited elements thereof may be required.

Findings: CMC Section 18.143.030.B requires a TIA when the proposed land use change will generate 200 vehicle trips or more per day. The project exceeds the threshold for a TIA, which has been included in Exhibit B. The TIA has been prepared with feedback from City staff and per the Cornelius Municipal Code.

(D) The decision-making authority may impose development conditions of approval per this title. Conditions of approval may be based on the traffic impact analysis.

(E) Dedication of rights-of-way shall be determined by the decision-making authority.

Findings: As shown in Exhibit A, the application includes a number of new public streets and alleys within rights-of-way intended to be dedicated to the City of Cornelius. Additionally, the applicant is aware of the Planning Commission’s ability to impose reasonable conditions that are related to new impacts created by this PUD.

(F) Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the area of influence or any additional locations identified by the city engineer. Traffic calming measures shall be designed to city standards.

(G) Intersection performance shall be determined using the Highway Capacity Manual 2000 published by the Transportation Research Board. The city engineer may approve a different intersection analysis method prior to use when the different method can be justified. Terms used in this subsection are defined in the Highway Capacity Manual 2000.

(H) City street intersections shall maintain a level of service (LOS) of “D” during the p.m. peak hour of the day. An LOS of “E” may be accepted for local street approaches or driveway access points that intersect with collector or arterial streets, if these intersections are found to operate safely.

Findings: The TIA in Exhibit B was prepared using the Highway Capacity Manual 2000. This analysis reveals that all City street intersections will operate within an acceptable LOS during all times of day. The applicant and City executed a development agreement on April 1, 2016, to ensure the timely provision of public improvements necessary to serve this development and maintain an acceptable level of service throughout the affected local and regional street network. One of the provisions included in this agreement obligates the City to initiate the public bidding process for the construction of a new southerly extension of 29th Avenue from Baseline Street to a realigned SW 345th Avenue at such time as the City has received fees for the Transportation Development Tax (TDT) equivalent of 300 new homes on this property.

18.143.030 Traffic impact analysis.

For each development proposal that exceeds the analysis threshold of subsection (B) of this section, the application for land use or design review approval shall include a traffic impact analysis as required by this code. The traffic impact analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

(A) Engineer Certification. The traffic impact analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the state of Oregon.

(B) Analysis Threshold. A traffic impact analysis is required when the proposed land use change or development will generate 200 vehicles or more per day (vpd) in average weekday trips as determined by the city engineer.

(C) A traffic impact analysis or some elements of a traffic impact analysis may be required when projects that generate less than 200 average daily vehicle trips and the volume threshold under subsection (B) of this section is not met, but the city engineer finds that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.

(D) Study Area. The traffic impact analysis shall evaluate the area of influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow. At a minimum, the analysis will consider all road segments, access points, and intersections within the influence area. The city engineer may identify additional locations for study if existing traffic operation, safety, or performance is marginal or substandard. Prior to report preparation, the applicant shall submit the proposed scope and analysis assumptions of the traffic impact analysis. The city engineer shall determine whether the scope and analysis assumptions are adequate.

(E) Traffic impact analysis shall be based on the type and intensity of proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

Findings: The TIA in Exhibit B includes all of the applicable requirements listed in this Section.

18.143.040 Street design cross-sections per transportation system plan.

Street designs, including minimum right-of-way widths, were approved in the city transportation system plan. Street cross-sections include the right-of-way, paved section, sidewalk and planter strip widths. The functional classification of a street as designated in the transportation system plan shall determine its design and width.

...

(E) Deviations to Adopted Street Cross-Sections. A deviation from the adopted street cross-sections and/or widths or both shall require demonstration of a hardship or other exceptional circumstances resulting from conditions of the property. Hardship or exceptional circumstances may include, but are not limited to, unique topographic conditions, environmental protection requirements, and existing development and buildings. A request for a deviation shall comply with this title and, where applicable, the Transportation Planning Rule (TPR).

Findings: Per conversations with and guidance provided to the applicant by City Engineering staff, new street cross sections included in this application are based on the recently adopted City of Cornelius Public Works Standards or as otherwise allowed by the City Engineer. Utilization of these standards will ensure that current state-of-the-practice design solutions to promote safety and long-term performance are implemented throughout this new neighborhood. Additionally, the application includes substantial traffic calming measures through the use of curb extensions at all intersections, street trees on most new roadways, and on-street parking.

18.143.050 Access standards.

Access standards establish requirements and regulations for safe and efficient vehicle access to and from a site and enhance general circulation within a site.

(A) Access Spacing. All modes of transportation shall be provided with safe access to land uses that improve the efficiency of the transportation system. The city transportation system plan minimum access spacing standards shall be applied to all new access points (streets or driveways) on city and state facilities. State facilities shall comply with ODOT standards and requirements for access.

...

(2) The minimum access spacing of streets/roadways on collector streets is 100 feet.

(3) The minimum access spacing of streets/roadways on neighborhood routes is 100 feet.

(4) The minimum access spacing of streets/roadways on local streets is 100 feet.

...

(6) Access spacing for all state facilities shall be coordinated with the Oregon Department of Transportation (ODOT).

Findings: All new local and collector streets included in this application will satisfy the minimum access spacing requirements of this Section or as otherwise allowed by the City Engineer. The application includes a number of new public alleys that will accommodate vehicular access to the rear of a number of residential lots. Although in most cases the intersections of these public alleys are spaced less than 100 feet from the nearest adjacent local street intersections, these alleys will eliminate individual residential driveways on the adjacent local street for all homes served by the alleys and will therefore provide an even greater safety and performance benefit to the City's street network than would be realized without the use of these alleys.

(B) An access report shall be submitted with all new development and/or redevelopment proposals that demonstrates the street/driveway is safe as designed and meets adequate stacking, site distance, deceleration distance, on-site circulation and deceleration requirements as set by

the city, American Association of State Highway and Transportation Officials (AASHTO), and relevant agencies.

Findings: All new streets included in this application have been designed in accordance with all applicable AASHTO standards and subsequently meet adequate stacking, site distance, deceleration distance, and other safety requirements. Because new home construction is not included as part of this application, corner vision clearance cannot be determined at this time. At the time of new home construction, the City will ensure that adequate corner vision is provided on each lot to ensure safe access and egress.

(C) Driveway/Access Points. The location and number of driveways or access points has a direct effect on safe and efficient traffic flow. The following access management standards shall apply toward new driveways:

(1) Driveways shall not be permitted to be placed in the influence area of collector or arterial street intersections. The influence area of collector or arterial street intersections is that area where queues of traffic commonly form on approach to an intersection. The minimum driveway setback from a collector or arterial street intersection shall be 150 feet measured from the right-of-way line of the intersecting street to the throat of the proposed driveway. The setback may be greater depending upon the influence area, as determined by city engineer review of a traffic impact report submitted by the applicant's traffic engineer. If the Site has less than 150 feet of street frontage, the applicant shall first investigate a shared access as an option. If a shared access is not possible, the driveway shall be placed as far from the intersection as possible.

Findings: A small number of lots in the west half of the site will require direct access onto the new S 20th Avenue collector due to the location of the existing terminus of S 20th Avenue and the vegetated corridor. Driveways serving these lots will be located as far as possible from the affected street intersection and will adhere to all clear vision requirements at the time of building permit approval. This shall be a condition of approval. Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this property to the west for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

(2) Based on the applicants' proposal and its compliance with the comprehensive plan, transportation system plan and the development and zoning code, the city shall require the closing or consolidation of existing driveways or other vehicle access points, the recording of

reciprocal access easements (i.e., for shared driveways), and installation of traffic control devices or other measures as a condition of approval to mitigate the impacts of the development.

(3) Driveway accesses on neighborhood routes and local streets shall be a minimum of 25 feet from a curb return, stop bar or crosswalk at a street intersection.

Findings: A number of lots accessing local and neighborhood streets will have driveways that are within 25 feet of a curb return, stop bar, or crosswalk at an adjacent street intersection. In all cases, these driveways will be located as far as possible from the affected street intersection.

(4) New developments shall provide cross-over easements to ensure potential shared driveway access points where existing conditions (i.e., surrounding land uses, lot configurations, physical characteristics, etc.) warrant consideration.

Findings: The application does not include any shared driveways. All duplex lots will be accessed by paired driveways utilizing a shared curb cut. Each of these lots will be served by an individual driveway and, therefore, this criterion does not apply.

(5) Access to arterials shall only be from public streets. When a site that has private access onto a principal arterial is redeveloped, the private access shall be eliminated if alternate access exists or can be developed to the site.

Findings: No arterial roadways will provide direct access to this site. The criterion does not apply.

(6) Direct access to a collector street shall only be considered if there is no alternative way to access the site. If direct access is permitted by the city, the applicant shall be required to mitigate for any safety or neighborhood traffic management impacts deemed applicable by the city engineer. In no case shall the design of driveways, drive aisles or service drives require or encourage the backward movement or other maneuvering of a vehicle within a street, except for single-family and duplex residences.

Findings: A small number of lots in the west half of the site will require direct access onto the new S 20th Avenue collector due to the location of the existing terminus of S 20th Avenue and the vegetated corridor. Driveways serving these lots will be located as far as possible from the affected street intersection and will adhere to all clear vision requirements at the time of building permit approval. This shall be a condition of approval. Because the applicant has been unable to negotiate an agreement with the property owner to the west (Yafa Trust and Said Sedghi; Tax Lot ID Nos. 1S303C000100 & -101) to provide public utilities to serve the Site and meet the transportation and utility plan objectives established in Ordinance No. 2015-06, on October 17, 2016, the City of Cornelius passed Resolution No. 2016-032, declaring the need to acquire certain portions of this

property to the west for street and public right-of-way improvements. This resolution authorizes the City pursue actions necessary to obtain public rights-of-way necessary to connect the Site with S 20th Avenue.

18.143.060 Transit supportive amenities.

(A) New commercial, industrial and institutional buildings developed on sites adjacent to major transit stops shall provide transit-related improvements. The developer shall provide:

(1) An ADA accessible transit passenger landing pad, if one does not exist; and

(2) An easement or dedication for the passenger shelter and underground utility connection from the new development to the shelter; and

(3) Lighting at the transit stop, if it does not currently exist.

The city shall consider the type of use, development size, customer base and employment when applying this section.

Findings: The application does not include the construction of a new commercial, industrial, or institutional building. Further, the site is not adjacent to a major transit stop. The criteria do not apply.

(B) For an existing use or proposed use on a site located along an existing transit route where at least 10 off-street parking spaces are required, the applicant may apply for a reduction in the number of required spaces by 10 percent through the provision of a transit pedestrian plaza and connection, subject to city approval.

Findings: The Site is not adjacent to a major transit stop. The criterion does not apply.

18.143.070 Intelligent transportation systems.

Intelligent transportation systems (ITS) manage and enhance operational performance through advanced technologies and management techniques to help relieve congestion, promote safety and provide suitable transportation strategies.

In order to provide for efficient installation of future intelligent transportation systems (ITS), all roadway improvement projects, including private development with frontage improvements, shall install three-inch conduit to support local interconnect infrastructure. The location, design and type of conduit shall be approved by the city engineer.

Findings: At such time as the City reviews plans for public improvements on this site, the City Engineer will ensure that 3-inch conduit for the future installation of ITS infrastructure is included on the construction drawings where appropriate.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Chapter 18.143 are met.

Chapter 18.145 Off-Street Parking and Loading

18.145.010 General provisions.

(A) The provision and maintenance of off-street parking and loading spaces are continuing obligations of the property owner. No building or other 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 as required by this title. 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 for the specific use. Use of property in violation of the off-street parking and loading requirements located herein shall be a violation of this code. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be a violation of this code to begin or maintain the altered use until the required increase in off-street parking or loading is provided.

(B) Unless otherwise provided, required parking and loading spaces shall not be located in a required yard.

(C) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap; provided, that satisfactory legal evidence is presented to the community development director in the form of deeds, leases, or contracts to establish the joint use.

(D) A plan drawn to scale, indicating how the off-street parking and loading requirement is to be fulfilled, shall accompany the request for a building permit, site plan review, or certificate of occupancy. The plan shall show all those elements necessary to indicate that these requirements are being fulfilled and shall include but not be limited to:

(1) Delineation of individual parking and loading spaces and their dimensions;

(2) Circulation area necessary to serve spaces;

(3) Access to streets, alleys and properties to be served;

(4) Curb cuts;

(5) Location and dimensions of all landscaping, including the type and size of plant material to be used, as well as any other nonliving landscape material incorporated into the overall plan, excluding single- and two-family residences; and

(6) Specifications as to signs and bumper guards, excluding single and two-family residences.

(E) Requirements for types of buildings and uses not specifically listed herein shall be determined by the community development director, based upon the requirements of comparable uses listed.

18.145.020 Off-street parking.

(A) At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure within any zone in the city, off-street parking spaces shall be provided in accordance with CMC 18.145.030. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is specified in the standards of this section when applied to the entire use. In cases of enlargement of a building or use of land existing on the effective date of the ordinance codified in this title, the number of parking spaces required shall be based only on floor area or capacity of such enlargement.

(B) Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises during the largest shift at the peak season, including proprietors.

(C) In the Main Street district (MSD), change of use of an existing commercial structure will not require additional parking to be constructed. However, construction of a new building or addition to an existing building will require the provision of off-street parking as required in CMC 18.145.030.

(D) If 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 with a reduction of 10 percent to account for cross-patronage and shared parking benefits. Where

the peak hours of operation of two or more uses do not substantially overlap, such uses may share off-street parking spaces as required by this title.

(E) Parking spaces in public streets or alleys shall not be eligible as fulfilling any part of the parking requirements, except as allowed in the MSD.

(F) Required parking spaces shall be available for the parking of operable motor vehicles for residents, customers, patrons, and employees only, and shall not be used for the storage or sale of vehicles or other materials and shall not be rented, leased or assigned to any other person or organization not using or being directly served by the use.

(G) Off-street parking spaces for dwellings shall be located on the same lot with the dwelling, unless specified elsewhere in the code.

18.145.030 Required off-street parking spaces.

(A) Off-street parking shall be provided based on the primary use of the site according to the following standards and regardless of the zone in which the use is located.

Table 4: Minimum and Maximum Required Off-Street Vehicle and Parking Requirements				
Residential				
Land Use	Minimum Parking Standards	Maximum Parking Standards		
		Zone A	Zone B	Bicycle Parking Standards
Single units, Attached	See multi-family	None	None	None
Single units, Detached	1/DU	None	None	None
Multi-family units	<500 sf = 1/DU 1 bedroom = 1.25/DU 2 bedroom = 1.5/DU 3 bedroom =	None	None	1/2 DUs

Findings: Although the application does not include the construction of any new dwelling units at this time, each lot will include at least one off-street parking space via a garage and/or driveway.

The City’s zoning ordinance (Section 18.195.040) defines similar, but slightly different, terms for the residential housing types listed above:

- Dwelling, Multi-family: “Means a building containing three or more dwelling units.”

- Dwelling, Single-family: “Means a detached building containing one dwelling unit.”
- Dwelling, Duplex or Dwelling, Two-family: “Means a detached building containing two dwelling units.”

Each of these terms and the corresponding housing type anticipated for development on this site are included in Table 5, below, to calculate the total anticipated off-street parking requirement. As shown in Table 5, ample off-street parking will be provided via a garage and driveway on each lot.

Table 5: Minimum Required Off-street Parking, by Housing Type/Use				
CCC 18.195.040 Term	Term from Table 1	Housing Type in Exhibit A	Min. Parking Rate	Min. Parking Proposed
Dwelling, Single-family	Single units, Detached	Detached	1/DU	2/DU
Dwelling, Duplex or Dwelling, Two-family	Single-units, Attached	Duplex	1.75/DU ¹	2/DU
Dwelling, Multi-family	Multi-family units	Townhouse	1.75/DU ²	2/DU

18.145.050 Design and maintenance standards for off-street parking and loading facilities.

(A) Except as otherwise defined in this code, “one standard parking space” means a minimum of a parking stall of nine feet in width and 20 feet in length. To accommodate compact cars more efficiently, up to 25 percent of the available parking spaces may have a minimum dimension of eight feet in width and 16 feet in length, so long as they are identified as compact car stalls and are not readily accessible to large cars.

(B) Excluding single-family and duplex residences, groups of two or more parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way would be required.

(C) Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress consistent with CMC 18.150.070, and maximum safety of pedestrians and vehicular traffic on the site.

(D) Each parking and/or loading space shall be accessible from a street and the access shall be of a width and location as described in this section.

(E) Parking space configuration, stall and access aisles shall be of sufficient width for all vehicles turning and maneuvering, and according to the minimum standard as shown in Figures 1 and 2 (following this chapter).

(F) Except for single- and two-family residences, any area intended to be used to meet the off-street parking requirements as contained in this title shall have all parking spaces clearly marked using a permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.

(G) Except for single- and two-family residences, all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of city streets. Off-street parking spaces for single- and two-family residences shall be improved with an asphalt or concrete surface to specification as approved by the building official.

(H) Parking spaces along the outer boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located three feet back from the front of the parking stall as defined in Figure 1 (following this chapter). The facilities and design review committee or the planning commission may approve parking spaces without wheel stops, provided the abutting sidewalk is increased by three feet in width and/or the appropriate landscaping is planted where the bumper would overhang.

(I) Off-street parking and loading areas shall be drained in accordance with specifications approved by the city engineer.

(J) Artificial lighting on all off-street parking facilities shall be designed to deflect all light away from surrounding residences and so as not to create a hazard to the public use of any road or street.

(K) Signs which are provided on parking lots for the purpose of meeting this section shall be as prescribed by the building official.

(L) All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly, and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

(M) Bicycle parking spaces shall be conveniently located with respect to the street, bicycle path/lane and building entrance. Bicycle parking spaces shall be located not more than 75 feet from a building entrance and where possible shall not conflict with off-street vehicle parking

spaces and drive aisles. There shall be at least 36 inches of clearance between parked bicycles and other obstructions or buildings.

Findings: All required off-street parking will be accommodated within a driveway and/or garage on each of the lots included in this application. The application also includes 60 on-street vehicle parking spaces immediately east of the community park to accommodate future park users. All parking has been designed to City standards and in coordination with the City Engineer.

18.145.060 Landscaping required.

(A) Purpose. The purpose of this section is to improve the appearance of off-street parking and open lot sales and services areas in Cornelius and to protect and preserve the appearance, character, and value of the surrounding neighborhoods and thereby promote the general welfare by providing for installation and maintenance of landscaping for screening, buffering and aesthetic qualities, finding that the particular characteristics and qualities of Cornelius justify regulations to perpetuate its aesthetic appeal on a city-wide basis. It is also the purpose of this section to allow for increased seepage by providing openings in the impervious surface, increased safety by breaking up large expanses of pavement, and increased shading to reduce overheating of car interiors, and reduce glare and radiation from large numbers of vehicles.

(B) Minimum Requirements. All areas used for the display and/or parking of any and all types of vehicles, trailers, boats or heavy construction equipment, whether such vehicles traverse the property as a function of the primary use, hereinafter referred to as "other vehicular uses," shall conform to the minimum landscaping requirements provided in this section. Activities that are of a drive-in nature such as, but not limited to, filling stations, grocery and dairy stores, banks, restaurants, and the like shall conform to the minimum landscaping requirements also. The following areas are not required to meet the landscaping standards:

(1) Where all of the parking or other vehicular uses are located under, on or within buildings; and

(2) Parking areas serving single- and two-family uses as normally such residential areas shall not be required to meet.

Findings: All on- and off-street parking included in this application is intended to serve single-, two-family, and townhouse residential uses and is therefore not required to meet these landscaping standards.

Additionally, the application includes approximately 60 head-in vehicle spaces that will be located immediately east of the community park and have direct access from S Quartz Drive. In the context

of these landscape design standards, the City may consider these spaces as on-street parking. The criteria do not apply.

(C) Installation. All landscaping shall be installed in a sound workmanship like manner and according to accepted good planting procedures with the quality of plant materials as hereinafter described. All elements of landscaping exclusive of plant material except hedges shall be installed so as to meet all other applicable ordinances and code requirements. Landscaped areas shall require protection from vehicular encroachment as herein provided in CMC 18.145.050(H). The community development director or the building official shall inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided.

(D) Maintenance. The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All plant growth in interior landscaped areas shall be controlled by pruning, trimming or otherwise so that:

(1) It will not interfere with the maintenance or repair of any public utility;

(2) It will not restrict pedestrian or vehicular access; and

(3) It will not constitute a traffic hazard because of reduced visibility.

Findings: At the time that such public improvement plans are reviewed and approved by the City, the City Engineer will ensure that all street trees and other parking-related landscaping are installed and maintained and will not create a traffic hazard in accordance with this Section.

18.145.070 Parking lot design standards.

(A) Required Landscaping Adjacent to Public Right-of-Way. A strip of land at least five feet in width located between the abutting right-of-way and the off-street parking area or vehicle use area which is exposed to an abutting right-of-way, except in required vision clearance areas as provided in CMC 18.150.070.

Findings: The application includes approximately 60 head-in vehicle spaces located immediately east of the community park with direct access from S Quartz Drive. As these are head-in spaces, a separate landscape buffer will not be provided between S Quartz Drive and the parking spaces. In the context of these parking design standards, the City may consider these spaces on-street parking. The criterion does not apply.

(B) Perimeter Landscaping Relating to Abutting Properties. *On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting property, a five-foot landscaped strip shall be between the common lot line and the off-street parking area or other vehicular use area exposed to abutting property.*

(C) Where the boundary of a parking lot in a nonresidential zone adjoins a residential district, a 10-foot landscaped strip shall be provided along the entire length abutting the residential zone, and shall be landscaped with evergreen plant material and maintained at a minimum height of 36 inches.

Findings: The application includes approximately 60 head-in vehicle spaces located immediately east of the community park with direct access from S Quartz Drive. In the context of these parking design standards, the City may consider these spaces on-street parking. Additionally, this parking area is located in a residential zone. The criteria do not apply.

(D) Parking Area Interior Landscaping. *Landscaped islands shall be provided a minimum of every 10 parking spaces with a depth equivalent to the depth of the adjacent parking spaces and a minimum width of six feet to break up large expanses of pavement, improve the appearance and climate of the site, improve safety, and delineate pedestrian walkways and traffic lanes. Except for industrial development within industrial zones, the following interior landscaping shall be met:*

(1) Sight Distance for Landscaping at Points of Access. *When an accessway intersects a public right-of-way or when the Site abuts the intersection of two or more public rights-of-way, all landscaping within vision clearance areas pursuant to CMC 18.150.070 shall provide unobstructed cross-visibility at a level between three feet and 10 feet above the curb line; provided however, visibility areas shall be allowed, provided they are so located so as not to create a traffic hazard. Landscaping except required grass or ground cover shall not be located closer than three feet from the edge of any accessway pavement.*

(2) Parking lots that are more than three acres in size shall provide street features along major drive aisles. These features shall include at a minimum curbs, sidewalks and street trees and/or planter strips or both.

(3) Access to and from parking spaces/areas shall not permit backing onto a public street and/or a public vehicle travel lane or both, except for single-family or duplex dwellings.

Findings: The application includes approximately 60 head-in vehicle spaces located immediately east of the community park with direct access from S Quartz Drive. In the context of these parking design standards, the City may consider these spaces on-street parking. While this parking configuration does result in vehicles backing onto a public street, the PUD provisions of this code provide sufficient flexibility to allow the City Engineer to authorize such a parking layout. Further, given the projected low speeds and future traffic volumes on S Quartz Drive, City staff has indicated their support for this head in parking arrangement serving the community park. Finally, this parking area will include landscape islands that will break up vehicle parking spaces into groups of 10 or less. This shall be condition of approval. To the extent these criteria apply, they can be met through flexibility afforded by the City’s PUD provisions.

18.145.080 Drainage of off-street parking and loading facilities.

Except single- and two-family residences, off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks.

Findings: The application does not include off-street parking areas. The criterion does not apply.

18.145.090 Security required.

(A) Completion Time for Parking Lots. Required parking spaces shall be improved and available for use before the final inspection. An extension of time may be granted by the community development director, provided a security equal to 150 percent of the cost of the parking lot is posted with the city of Cornelius and the parking space is not required for immediate use. If the parking improvements are not completed within six months, the city shall have access to the security to complete the installation and/or revoke occupancy. Upon completion of the installation, any portion of the remaining security shall be returned to the owner. Costs in excess of the posted security shall be assessed against the property and the city shall thereupon have a valid lien against the property, which shall become due and payable

Findings: The application does not include off-street parking areas. The criterion does not apply.

Conclusion: Based upon the findings above, and through the application of relevant conditions of approval, staff concludes the criteria for Chapter 18.145 are met.

Chapter 18.155 Solar Access for New Development

18.155.010 Purpose.

The purpose of this chapter is to ensure that land is divided so that structures can be oriented to maximize solar access and to minimize shade on adjoining properties from structures and trees.

18.155.020 Applicability.

The solar design standard in this chapter shall apply to applicants for a development to create lots in all single-family residential zones and for single-family detached dwellings in any zone, except to the extent the approval authority finds that the applicant has shown one or more of the conditions listed in this chapter exist, and exemptions or adjustments provided for therein are warranted.

(A) Design Standard. At least 80 percent of the lots in a development subject to this chapter shall comply with one or more of the options in this section.

(1) Basic Requirement (see Figure 9 following Chapter 18.165 CMC). A lot complies with this chapter if it:

(a) Has a north-south dimension of 90 feet or more; and

(b) Has a front lot line that is oriented within 30 degrees of a true east-west axis.

(B) Protected Solar Building Line Option (see Figure 10 following Chapter 18.165 CMC). In the alternative, a lot complies with this chapter if a solar building line is used to protect solar access as follows:

(1) A protected solar building line for the lot to the north is designated on the plat, or documents recorded with the plat; and

(2) The protected solar building line for the lot to the north is oriented within 30 degrees of a true east-west axis; and

(3) There is at least 70 feet between the protected solar building line on the lot to the north and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and complies

(4) There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80 percent of their south-facing wall will not be shaded by structures or nonexempt vegetation.

(C) Performance Option. In the alternative, a lot complies with subsection (A) of this section if:

(1) Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis and at least 80 percent of their ground floor south wall protected from shade by structures and nonexempt trees; or

(2) Habitable structures built on that lot will have at least 32 percent of their glazing and 500 square feet of their roof area which faces within 30 degrees of south and is protected from shade by structures and nonexempt trees.

(D) Exemptions from Design Standard. A development is exempt from this chapter if the planning commission finds the applicant has shown that one or more of the following conditions apply to the site. A development is partially exempt from this chapter to the extent the planning commission finds the applicant has shown that one or more of the following conditions apply to a corresponding portion of the site. If a partial exemption is granted for a given development, the remainder of the development shall comply with this chapter.

(1) Slopes. The site, or a portion of the site for which the exemption is sought, is sloped 20 percent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor.

(2) Off-Site Shade. The site, or a portion of the site for which the exemption is sought is within the shadow pattern of off-site features, such as, but not limited to, structures, topography, or nonexempt vegetation, which will remain after development occurs on the site from which the shade is originating.

(a) Shade from an existing or approved off-site dwelling in a single-family residential zone and from topographic features is assumed to remain after development of the site.

(b) Shade from an off-site structure in a zone other than a single-family residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed the closest setback on adjoining land, whether or not that structure now exists.

(c) Shade from off-site vegetation is assumed to remain after development of the site if the trees that cause it are situated in a required setback; or they are part of a developed area, public park, or legally reserved open space; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law.

(d) Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.

(3) On-Site Shade. The site, or a portion of the site for which the exemption is requested, is:

(a) Within the shadow pattern of on-site features such as, but not limited to, structures and topography which will remain after the development occurs; or

(b) Contains nonexempt trees at least 30 feet tall and more than six inches in diameter measured four feet above the ground which have a crown cover over at least 80 percent of the site or relevant portion. The applicant can show such crown cover exists using scaled survey or an aerial photograph. If granted, the exemption shall be approved subject to the condition that the applicant preserve at least 50 percent of the trees that cause the shade that warrants the exemption. The applicant shall file a note on the plat or other documents in the office of the county recorder binding the applicant to comply with this requirement. The city shall be made a part of any covenant or restriction created to enforce any provision of this code. The covenant or restriction shall not be amended without written city approval.

(E) Adjustments to Design Standard. The planning commission shall reduce the percentage of lots that must comply with this chapter to the minimum extent necessary if it finds the applicant has shown one or more of the following site characteristics apply:

(1) Density and Cost. If the design standard in this chapter is applied, either the resulting density is less than that proposed, or on-site development costs (e.g., grading, water, storm drainage and sanitary systems, and roads) and solar related off-site development costs are at least five percent more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with this chapter would reduce density or increase per lot costs in this matter. The applicant shall show which if any of these or other similar site characteristics apply in an application for a development.

(a) The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site by a professional land surveyor.

(b) There is a significant natural feature on the site, identified as such in the comprehensive plan or development and zoning code, that prevents given streets or lots from being oriented for solar access, and it will exist after the site is developed.

Findings: Of the 871 total lots included in this PUD application, 626 lots are intended for the future development of single-family detached homes and are subject to the solar standards. Per the Basic Solar Access Option, at least 80% of these lots must have a minimum depth of 90 feet and their front lot line oriented within 30 degrees of a true east-west axis. The Site, particularly the large peninsula of Urban Growth Boundary and vegetated corridor that splits the site into east and west halves, does not permit a site layout meeting these solar access standards while also permitting an efficient use of this site.

Adherence to this standard would require a significant portion of the site to be laid out in a grid pattern, with blocks oriented primarily east to west. The Urban Growth Boundary and vegetated corridor on this site preclude such a layout and require a number of blocks to have a north-south orientation. The layout in Exhibit A allows a total of 47% of the single-family detached lots to satisfy the standard, which falls short of the required 80% under the basic option. Staff finds that this layout achieves an acceptable level of conformance with these solar access standards while simultaneously accommodating the degree of residential density planned for this site and respecting the natural resources on site and nearby.

(c) Existing road patterns must be continued through the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets or lots in the development from being oriented for solar access.

(i) An existing public easement or right-of-way prevents given streets or lots in the development from being oriented for solar access.

(ii) Development Amenities. If the design standard in this chapter applies to a given lot or lots, significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with this chapter is relevant to whether a significant development amenity is lost or impaired.

Findings: In addition to the natural resource constraints discussed above, the application must continue the pattern of existing roads from termini located north of the site and provide efficient opportunities for future connections to abutting properties to the south and near the center of the site.

(2) Existing Shade. Nonexempt trees at least 30 feet tall and more than six inches in diameter measured four feet above the ground have a crown cover over at least 80 percent of the lot and at least 50 percent of the crown cover will remain after development of the lot. The applicant can show such crown cover exists using a scaled survey of nonexempt trees on the site or using an aerial photograph.

(a) Shade from nonexempt trees is assumed to remain if the trees are situated in a required set back; or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law; and they do not need to be removed for a driveway or other development.

(b) Also, to the extent the shade is caused by on-site trees or off-site trees on land owned by the applicant, it is assumed to remain if the applicant files in the office of the county recorder a covenant binding the applicant to retain the trees causing the shade on the affected lots.

(F) Protection from Future Shade. Structures and nonexempt vegetation must comply with Chapter 18.160 CMC (solar balance point for existing lots) if located on a lot that is subject to the solar design standard in this chapter or if located on a lot south of and adjoining a lot that complies with this chapter. The applicant shall file a note on the plat or other documents in the office of the county recorder binding the applicant and subsequent purchasers to comply with the future shade protection standards in this chapter. The city shall be made a party of any covenant or restriction created to enforce any provision of this title. The covenant or restriction shall not be amended without written city approval.

Findings: The application does not seek approval for any new structures. 47% of the applicable lots in this PUD are able to satisfy the solar design standard. No additional shade protection is proposed.

Conclusion: Based upon the findings above, staff concludes the criteria for Chapter 18.155 are met.

RECOMMENDATION

The request is for approval of a Planned Unit Development (PUD) Conditional Use (CUP/PUD-03-16) & Subdivision Preliminary Plat (SUB-03-16) application for a new 871-lot single-family dwelling subdivision, located within the newly adopted southeast Urban Growth Boundary area, totaling approximately 133 acres.

Based on the facts, findings, and conclusions found in this staff report, the Community Development Director recommends that the proposed Conditional Use/Planned Unit Development and Preliminary Plat for a new development to be known as ‘Laurel Woods’ be conditionally approved by the Planning Commission. The proposal (CUP/PUD-03-16 & SUB-03-16), as represented by the applicant/owner, can be reasonably compatible with and have a minimum

impact on the livability and development of surrounding properties with the following recommended conditions of approval:

Final Plat

1. The proposed lot sizes and configuration as approved by the Planning Commission on the preliminary plat shall be reflected to the final plat for each phase of the project.
2. Applicant shall have a five-year approval window between the approval of the preliminary plat and the submittal of the final plat for all phases of this PUD/Subdivision application. At the end of the five-year window, Applicant may apply for a two-year extension. This extension, to be granted by the Community Development Director, shall not be unreasonably withheld. Applicant may apply for extensions in two-year increments up to and including 2027.
3. The proposed subdivision name shall be reflected on the Final Plat for review and recordation.
4. Prior to recordation of the final plat for the first project phase, Applicant will furnish copies of the HOA agreement and any other applicable documents to the City Attorney for review and approval.
5. The City will not accept a final plat application to review unless this preliminary plat application is approved by the Planning Commission. The approved final plat will bear the Planning Commission chair's signature and Community Development Director's (or assigned designee's) signature.
6. Prior to final plat approval, Applicant will work with the City to prepare a design locating mailboxes in compliance with the area Post Master's locational criteria. The use and placement of a mailbox cluster, appropriately spaced and installed in cooperation with the US Postal Service, shall be required for the subdivision.
7. Applicant shall dedicate right-of-way to the City with final plat recordation of each phase as indicated in Exhibit A.
8. The Final Plat/Mylar shall have all required ROW notations upon it as required by the County Surveyor's Office and applicable Oregon Revised Statutes (ORS).

9. Applicant shall dedicate an 8-foot wide public utility easement (PUE) adjacent to all public rights-of-way with plat recordation of each phase. All private utilities shall be underground and located within the PUE. The 8-foot PUE shall be noted and shown on the Final Mylar.
10. To accommodate a potential mini-roundabout, the lot lines for lots 358, 359, 363, and Tract N, located at the intersection of S 29th Blvd and S Kodiak Street shall be adjusted to remove a 10'x10' triangle out of the corner of each parcel as shown in the City Engineer's comments (Exhibit C).
11. Any significant proposed changes, alterations or enlargements to this approved preliminary or final subdivision plat (other than what has been conditioned for modification) shall require a new request for approval through the Type II process, subject to the provisions in CMC Section 17.05.040.

Building Permits

12. Prior to construction of each new dwelling, a Type I Site Design review application is required. The City of Cornelius currently contracts its building services with the City of Forest Grove Building Division. All building permits are reviewed, issued, and inspected through the City of Forest Grove Building Division. Electrical Permits are reviewed and approved through Washington County. Applicant/owner shall obtain all appropriate Building and Electrical Permits and all applicable Building Code requirements for construction of each new home. Applicant/owner shall also comply with any and all applicable requirements for development as required by the Building Official.
13. Prior to submittal of any building permit applications, Applicant shall provide a Geotechnical Investigation Report for each phase for which building permits are requested, or the entire project site.
14. No buildings within the proposed subdivision shall be taller than 35-feet in height, unless approved by the Planning Commission.
15. All buildings within the subdivision shall meet the front yard, rear yard and side yard setback requirements, subject to the exceptions approved within this PUD application and the approved site plan.
16. All lots with their homes and accessory buildings shall meet the required lot coverage requirements for the respective zone or as otherwise approved under the Planned Unit Development.

17. Future accessory structures shall comply with all development standards of the Accessory Structure code. No accessory structures shall be located in the public right-of-way.
18. When homes are constructed, they will be required to be addressed as approved by the Fire Department. Applicant/owner shall also comply with any and all applicable requirements for development as required by the Fire Department.
19. Driveways serving lots located on collector streets shall be located as far as possible from the affected street intersection and will adhere to all clear vision requirements at the time of building permit approval.
20. All proposed off-street parking and vehicle maneuvering areas shall be an approved impervious surface.
21. All residential buildings shall be provided with final grading such that surface water will drain away from the building to the public way, and not be discharged across adjoining properties. Lots shall be constructed so that storm water will not run across public sidewalks.
22. Every building in which plumbing fixtures are installed shall have a connection to a public or private sewer.

Public Improvements

23. Prior to issuance of any building permits, the extension of right-of-way improvements along future S 20th Ave from the existing terminus to future S Heather Street, and the extension of future S Heather Street from S 20th Ave into and through Phase 1 shall be constructed. This includes public street, water, storm sewer, and sanitary sewer systems, constructed to City and Clean Water Services Standards and in accordance with Exhibit A.
24. Prior to the commencement of work on the site, Applicant shall apply for and obtain the applicable necessary permits and plan approvals for that phase of work from the Building, Engineering, and Community Development Departments and from Clean Water Services. All state and federal permits required for construction within sensitive areas, such as those from the US Army Corps of Engineers, Oregon Dept. of Forestry, and the Oregon Department of State Lands, shall also be obtained prior to any work in those areas. All work done in sensitive areas shall be done in accordance with City and Clean Water Services (CWS) standards. All temporary and permanent impacts to the NRO area shall be subject to restoration and/or mitigation in conformance with CWS standards and the CWS Service Provider Letter (included in Exhibit B).

25. After receiving land use approval, Applicant shall submit final engineering plans for each phase for the City Engineer to review and approve. Final engineering plans are required to comply with these Conditions of Approval.
26. Prior to approval of engineering plans by the City Engineer, Applicant shall submit a storm drainage report documenting how storm water quality is provided for this development. An analysis of the downstream system shall be included in the report to determine if storm water detention will be required.
27. Prior to approval of engineering plans by the City Engineer, grading plans shall clearly show no negative impacts such as the impoundment of water, concentrated flow, or erosion with regard to storm water drainage and the adjacent properties. Improvements shall not increase concentrated flows or result in the impoundment of water where it did not previously exist.
28. Engineering plans submitted to the City Engineer for review and approval shall include cost and time estimates for completion of the improvements. All securities shall be submitted as necessary.
29. Applicant shall submit a revised street tree plan to the City Engineer for review and approval. The approved street trees shall be placed in appropriate locations in conformance with the Cornelius Public Works Standards and as required by the City Engineer. Applicant will work with the City to locate street trees in a manner that satisfies the objectives of the street tree program, while respecting competition from utilities and other infrastructure improvements located in this area of the public right-of-way. The final street tree plan shall include evergreens in the tree mix for areas where appropriate.
30. The construction of the storm water system shall comply with all applicable Clean Water Services standards.
31. Prior to final plat approval, Applicant will submit engineering plans for review and approval by the City engineer to install street lighting in compliance with applicable lighting design standards from Section 5.12 of the City of Cornelius Public Works Standards.
32. All traffic control and directional signs shall comply with the City of Cornelius Public Works Standards, as approved by the City Engineer.

33. The parking area on S Quartz Drive adjacent to the Community Park (Phase 5) shall include landscape islands that will break up vehicle parking spaces into groups of 10 or less.
34. Public improvement construction will not be authorized by the City until the final plat for each phase is submitted to and approved by the City.
35. Prior to substantial completion of public improvements for each phase, fire hydrants will be placed per Fire District requirements.
36. Prior to submitting building permits for individual house construction within a phase, applicant shall obtain engineering plan approval for the public improvements of said phase, financially guarantee construction of the public improvements for said phase, and record the plat for said phase. Prior to the issuance of building permits for individual house construction within a phase, Applicant shall obtain engineering plan approval and construct public street improvements for the same phase consistent with those identified in Exhibit A. Improvements shall include public streets, curb and gutter, landscape strip with street trees, sidewalks, 12-foot concrete multi modal paths along one side of all collector streets, and Option "C" LED street lighting. Applicant shall provide photometric analysis or street lighting with first submittal of public infrastructure plans. Public street construction shall be substantially completed such that all public streets within a particular phase are fully constructed to City standards, and are completed to the extent that future phases in the project and future development outside the project are accommodated.
37. Final engineering plans shall show ADA ramps at all corners in accordance with the City's Public Works Standards, unless driveway locations make the ADA ramp placement very difficult or impossible.
38. Issuance of building permits and occupancy of houses will be allowed for lots that can be serviced by gravity sewer if the proposed sanitary sewer pump station is not completed and accepted by CWS and/or the City assuming the following: engineering plans have been approved by all the applicable agencies for the public improvements necessary for servicing the lots within said phase(s); a financial guarantee is in place for the sanitary sewer pump station; the plat has been recorded for said phase(s); and the public improvements necessary to serve the lots have been constructed and approved by the City.
39. Prior to the issuance of building permit applications for each phase, Applicant shall obtain engineering plan approval and construct public storm sewer, sanitary sewer, and water system improvements consistent with those identified in Exhibit A. These utilities shall be sized to accommodate future development of subsequent project phases as well as future development of nearby properties.

40. Applicant shall be required to install all public improvements, consistent with the submitted plans (Exhibit A), and as conditioned by the Planning Commission or as modified by the City Engineer.
41. To accommodate a future mini-roundabout, the lot lines for lots 358, 359, 363, and Tract N shall be adjusted to remove a 10'x10' triangle out of the corner of each parcel as shown in City Engineer's Comments (Exhibit C).
42. The eastern stub of S Kodiak drive shall be closed to all general vehicular traffic, and shall be closed off with a barricade that will only be removable by emergency personnel. This gate shall be marked with 'No Parking' signage.
43. The eastern stubs of S Heather Street, S Jasper Drive, S Magnolia Drive, S Nectarine Street, and S Quartz Drive within the Laurel Woods PUD area shall each be constructed with curb, minor landscaping, and a Type III barricade, subject to the current Cornelius Public Works Standards.
44. S Heather Street, S Jasper Drive, S Kodiak Street, S Magnolia Drive, S Nectarine Street, and S Quartz Drive will not be opened onto and provide vehicular connection to SW 345th until such time as SW 345th is annexed into the City of Cornelius boundary and the road is transferred from County to City jurisdiction. Until this time, S Kodiak Drive shall only provide access to SW 345th Ave for emergency personnel.

Parks and Open Space

45. Applicant shall dedicate no less than six (6) acres of property within the Site for parks and open space purposes, consistent with those areas identified in Exhibit A.
46. In conformance with the signed Parks and Recreation Development Agreement between the City and Applicant, Applicant shall substantially complete, or cause the substantial completion of, the surveying, design, engineering, and construction of each Parks and Recreation Improvement, or portion thereof, no later than the Applicant's substantial completion of the phase of the Subdivision where the Parks and Recreation Improvement, or portion thereof, is located, according to Exhibit A.

Miscellaneous

47. A Natural Resource Overlay shall be established over all Water Quality Sensitive Areas and applicable protective buffers, subject to Clean Water Services standards, consistent with the findings and conclusion from the Laurel Woods Planned Unit Development Tier 2 Natural Resource Assessment, dated July 11, 2016.

48. All Conditions of Approval listed in the Clean Water Services Service Provider Letter, dated October 7, 2016 (CWS File No. 16-002663), attached hereto within Exhibit B, shall be adhered to.

49. Compliance with conditions imposed in granting this approval and adherence to the approved preliminary plat shall be required. Any departure from these conditions of approval and approved plans for CUP/PUD-03-16 & SUB-03-16 constitutes a violation of this ordinance. The Community Development Director may revoke this Conditional Use Permit/Planned Unit Development approval for failure to comply with any prescribed condition of approval or for any other violation of this ordinance.

DATE OF PLANNING COMMISSION DECISION: December 20, 2016



Dave Waffle, Planning Commission Chair



Ryan A. Wells, AICP, Community Development Director

Exhibits:

- A. Laurel Woods Planned Unit Development Preliminary Plans
- B. Copy of Application Submittal
- C. City of Cornelius Department comments
- D. City of Cornelius TSP Map
- E. Copy of Public Notice
- F. Copy of Resolution No. 2016-032
- G. Public and Agency Comments Received
- H. Signed Planning Commission Motion Form

To: City of Cornelius Planning Commission
Re: The Holt Group Planned Unit Development
Date: December 19, 2016

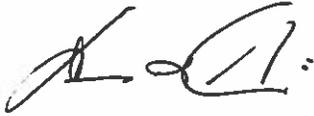
The planned development in the City's southeast corner is on open, farmed land with no trees. There are, however, three significant trees along the proposed 25th Avenue.

A very large fir tree is in the public's right of way on the corner of Ginger Street and Webb Road. This magnificent tree and a smaller neighboring conifer provide the only shade to Dogwood Park, which is heavily used by the community. Further along the proposed street is a statuesque Oregon white oak tree.

We all know how important mature trees are to the health of our environment and for wildlife habitat. Their presence enhances the livability of this neighborhood and the City of Cornelius.

I encourage and beseech you to do everything in your power to ensure that these trees are preserved and protected for the sake of the community, present and future.

Thank you.

A handwritten signature in black ink, appearing to read 'D. Ainslie', with a stylized flourish at the end.

Donna K. Ainslie
1020 S. Webb Rd.
Cornelius, OR 97116

South 29th Avenue EXTENSION

As a concerned neighbor, I'm worried about the significant amount of traffic noise and crime the South 29th Avenue extension will bring just feet from my back fence. The majority of home invasions and break-ins today are crimes of opportunity and having a road, just feet from my fence, will provide plenty of opportunities for criminals to jump or break through my fence and enter my home directly from my backyard. I dread the night when I wake up to a home invasion hoping they are here only to rob my family and take our personal possessions.

I'm recommending that the City of Cornelius build an eight foot concrete sound wall along the South 29th Avenue extension from Alpine to the Laurel Woods development. An eight foot concrete sound wall will reduce traffic noise and crimes of opportunity like home invasions, break-ins and vandalism. An eight foot concrete sound wall is high enough to prevent people from jumping over the wall and breaking into my home. The City of Cornelius has stated a five or six foot fence would be good enough to reduce traffic noise and crime.

The South 29th Avenue extension is similar to Glencoe Road and Evergreen Parkway along Glencoe High and Evergreen Middle schools. These homes have a five or six foot sound wall and these homes are broken into on a regular basis each month. In some cases, these homes have been broken into while the home owners are working in their front yards. I understand these homes have a higher crime rate since they are close to a high school and middle school.

The 40 acres east of my back fence is owned by the Hillsboro School District and the school district stated they will build either a High School, Middle School or Elementary school on the property. An Elementary school doesn't make sense and the City of Cornelius would like a high school be built on the property. The new school will generate additional traffic noise from buses dropping off and picking up students and parents dropping off and picking up their kids each day. There will be young teenagers testing out the limits of their cars just feet from my back fence. Some neighbors have stated that an eight foot sound wall would block their views of Mt. Hood. Once the school is build, the various buildings and a three to four story gymnasium will block our views of Mt. Hood.

The Laurel Woods is an 871 home development which will bring 9,000 to 10,000 vehicle trips per day along my back fence, based on existing ODOT traffic studies. The 871 new homes and school traffic will generate significant amounts of traffic noise and will bring increased crime along my back fence. An eight foot concrete sound wall will reduce the noise and crime. I understand that the City of Cornelius is concerned about gang members painting graffiti on the sound wall. I'm concerned about the same gang members, but my concerns are about them breaking into my home. The City of Cornelius is a safe family town; let us keep it this way as we grow the city.

I'm recommending that the City of Cornelius approve these recommendations as part of the of the South 29th Avenue extension.

- Build an eight foot concrete sound wall from Alpine to the Laurel Woods development. The sound wall will reduce traffic noise from 9,000 to 10,000 vehicle trips per day and reduce the potential of home break-ins a road of this size will bring just feet from my back fence.
- Have a minimum 30 to 40 foot set back from my existing fence line to the west edge of South 29th Avenue to establish an aliquant noise buffer and green space.
- Plant mature trees and vegetation along the set back from Alpine to the Laurel Woods on the west side of South 29th Avenue
- Place pedestrian walk ways on the east side of South 29th Ave and have no pedestrian walk ways, bike trails or sidewalks along the west side of South 29th Ave.
- Post 25mph speed limit on both sides of South 29th Ave from Alpine to the Laurel Woods
- Post No Parking signs on both sides of South 29th Ave from Alpine to the Laurel Woods

Sincerely Yours,

Sam Dalrymple
448 S 28th Ave.
Cornelius, OR 97113

12-20-2016

Submitted by Roy Gibson

83 640-5902

965 S. Webb Rd.

Cornelius OR 97173

Written Comments & Requests for Conditions
relating to CUP/PUD 03-16 & SOB.

03-16. Public Hearing

1. Phase II provide san sewer stub out to S.W. corner of T.L. 401 (965 S. Webb Rd) of sufficient size/capacity and depth to provide for future service to TL 401 & 402 extend the stub out 5' beyond the east curb line of S. 26th Ave. to avoid future Rd cot/repair.
2. ensure the tract on the east side of S. 26th in PH II will allow for use as a utility easement for future public utility extension to the parcels east of this development.
3. develop a shadow plot for TL 401 & 402 to show how the extension of Heather & Ivy Street and connection to S. 26th Ave & Webb Rd will function and allow for future development of said Tax lots.
4. Phase eleven - barricade the west terminus of Heather and Ivy at Webb Rd. to prevent the use of Webb Rd. (an unimproved gravel Rd.) until such time as Webb Rd. is improved and paved. and tied into S. 26th Ave.
5. establish no parking on the Webb Rd 1/2 st. segment along phase eleven west bdy. until such time as Webb Rd is improved/paved and tied into S. 26th Ave (over)

6. There is a large stand of white oaks in ph. eleven east of Webb Rd. These trees are ignored in this plan and should be included in a pocket park or other open space designation.

note.
conflict ≠ visiting site



December 20, 2016

Ryan A Wells, AICP
Community Development Director
City of Cornelius
1355 North Barlow Street
Cornelius, OR 97113

Mr. Wells, *Ryan*

This letter is in response to the December 14 letter and December 16 e-mail provided to Ms. Vogel on my staff regarding the proposed Laurel Woods Planned Unit Development and SW 345th Avenue.

Thank you for addressing the concerns expressed by Washington County staff. The letter and e-mail thoughtfully address the majority of the county's concerns regarding SW 345th Avenue and the proposed Laurel Woods Planned Unit Development. It is important that the City take jurisdiction of SW 345th Avenue at an appropriate time. Washington County staff also has concerns about the management of the barricades once installed and the criteria by which the barricades would be removed.

It would be appropriate to formalize an agreement that specifies when the City will take jurisdiction of SW 345th Avenue. The agreement can also address the management of the barricades and the criteria by which the barricades would be removed. In order to facilitate a mutual agreement, I request the City and County work together to generate and sign a memorandum of understanding regarding SW 345th Avenue. The memorandum of understanding should be signed prior to acceptance of streets and prior to occupancy of any structures within the proposed Laurel Woods Planned Unit Development.

Respectfully

Andrew Singelakis, AICP
Director, Land Use & Transportation

Cc: Rob Drake, Cornelius City Manager
Gary Stockhoff, County Engineer
Andy Back, Planning and Development Services Manager

Department of Land Use & Transportation
Office of the Director

155 N First Avenue, Suite 350, MS 16, Hillsboro, OR 97124-3072
phone: 503-846-6106 • fax: 503-846-3588
www.co.washington.or.us/lut • lutdir@co.washington.or.us

Planning Commission Motion Form

I move that the application for CUP/PUD-03-16 & SUB-03-16, a Type III Planned Unit Development (PUD) Conditional Use Permit & Subdivision Preliminary Plat application for a new 871-lot subdivision:

- (A) **be approved**, based on the facts, findings and conclusions presented in the staff report and public testimony and evidence in this hearing.
- (B) **be approved**, based on the facts, findings and conclusions presented in the staff report and public testimony & evidence in this hearing, **with the following changes:**

with Addition of 44 through 48 condition of approval presented by the city AND Amending # 45 to include no parking at the end of Kodiak street

- (C) **be denied**, based on the facts, findings and conclusions presented in the staff report and public testimony & evidence in this hearing, based on the fact(s) that: _____

- (D) **be remanded** back to city staff for reconsideration, based on the following reasons: _____

- (E) **be continued** to the (date) at (time) in the Cornelius Council Chambers.

If needed, list any Special Instructions to Staff:

Commissioner's Name Bill Bol Date: 12.20.16
Completed motion form is to be turned into staff after motion is made.