



CITY OF REDMOND
Community Development Department

411 SW 9th Street
Redmond, OR 97756
541-923-7724

www.redmondoregon.gov

REDMOND URBAN AREA PLANNING COMMISSION

411 SW 9th Street-COUNCIL CHAMBERS Redmond, OR 97756

Wednesday, June 12, 2024 5:30 pm

Oral comments can be provided in-person or virtually. For those who plan to provide oral comments virtually during the meeting, pre-register at planredmond@redmondoregon.gov (must pre-register before 3:00 p.m. on June 12th)

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Agenda

**UAPC
Members**

Ben
Schimmoller,
Chair

Norman
Schultz, Vice-
Chair

Heather DeWolf

Joseph
Zampko

Mercedes
Cook-Bostick

Michael Rogers

Tom Kuhn

Ex-Officio
Ray Randall

I. CALL TO ORDER / INTRODUCTIONS

II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

III. APPROVAL OF MINUTES

a. April 3, 2024

IV. PUBLIC HEARING

a. Pacific Star Estates: Master Development Plan and Tentative
Subdivision (File Nos.: 711-23-000227-MD and 711-23-000228-SP)

V. Next Meeting – July 17, 2024

VI. COMMISSION MEMBER COMMENTS

VII. ADJOURN

Please note that these documents are also available on the City's website www.redmondoregon.gov; click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 541-923-7751 or email Kelly.morse@redmondoregon.gov

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CITY OF REDMOND
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REDMOND URBAN AREA PLANNING COMMISSION

Council Chambers

MINUTES

April 3, 2024

Commissioners Present: Chair Ben Schimmoller, Mercedes Cook-Bostick, Heather DeWolf, Tom Kuhn, Michael Rogers, Joseph Zampko, *Absent: Vice Chair Norman Schultz (excused)*

Youth Ex Officio: Ray Randall (*absent*)

City Staff: Kyle Roberts, *Planning Director*; John Roberts, *Deputy City Manager*; Jamie Buddenbohn, *Planning Permit Coordinator*.

Visitors: Carmen Arriaga-Bucher, *BRS Architecture*; Colin McArthur, *Cameron McCarthy Landscape Architecture and Planning*; Chad Franke, *HMK Company*; Katie Hammer, *RAPRD*

Media: None

(The 3 digits after a motion title show the number of commissioners voting in favor/opposed/abstaining.)

I. CALL TO ORDER – INTRODUCTIONS

Chair Schimmoller called the meeting of the Redmond Urban Area Planning Commission to order at 5:30 pm, April 3, 2024, with a quorum present (6 of 7 commissioners).

II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

III. APPROVAL OF MINUTES

A. February 21, 2024

Motion 1 (6/0/0): Commissioner Rogers moved to approve the February 21, 2024, minutes as corrected to reflect that Commissioner DeWolf was present, seconded by Commissioner Zampko. The motion passed unanimously.

IV. PUBLIC HEARING

A. RAPRD Redmond Regional Recreation Center: Comprehensive Plan & Zone Map Amendment, and Site & Design Review (Files Nos. 711-23-000278-PA1 & 711-23-000279-SP)

Chair Schimmoller read the public hearing procedure into the record.

When asked if any Commissioners had pre-hearing contacts, ex parte observations, or conflicts of interest to disclose, Commissioner Cook-Bostick stated she currently served on the Redmond Area Park and Recreation Board of Directors and recused herself. Commissioner Rogers said he sat on a summary budget committee for Redmond Area Park and Recreation District (RAPRD); he had not had any direct oversight or hand in any of the planning. He recused himself due to the Commission having enough majority.

Seeing no challenges to the qualifications of any Planning Commissioner present, Chair Schimmoller opened the public hearing.

Planning Director Kyle Roberts presented the Staff report (included in the meeting packet) regarding the Redmond Area Park and Recreation District's Regional Recreation Center, inclusive of a proposed comprehensive plan and zone map amendment and site and design review at 3515 SW Lava Avenue (Tax Lot 1513180003100) in Redmond, Oregon 97756. The property owner was RAPRD. The applicant was RAPRD and Colin McArthur, Cameron McCarthy Landscape Architecture and Planning, both in attendance.

Staff recommended that the Planning Commission make a recommendation of approval of the project, subject to 12 conditions. Two written public comments were received which were in support of the proposed project.

Questions from the Commission were addressed regarding the annexation of the property if City Council approved the project, the conditions of approval being sent to RAPRD about a week ago, the timeline between Phase 1 and Phase 2, the requirement to submit an infrastructure allocation analysis to the Engineering Division, landscaping planted at 3 ft to see screening achieved as soon as possible, and the calculation of the 199 parking spaces.

Colin McArthur, Applicant's Representative, presented an overview of the proposed new Regional Recreation Center, seeking land use approvals as outlined by Staff earlier in the meeting, noting their two modifications to the conditions regarding requiring a bus stop on 35th and a multi-use path in the BPA (Bonneville Power Administration) easement were forwarded to Mr. Kyle Roberts, and addressing the Redmond Bicycle and Pedestrian Advisory Committee's public comment regarding providing additional bike racks along 35th.

Further questions from the Commission were addressed with input from Chad Franke, HMK Company, Owner's Representative, and Katie Hammer, Executive Director, RAPRD, confirming they were comfortable with the project cost now that pricing had leveled off and regarding vehicles getting across Highway 126 let alone bikes and pedestrians, the bus stopping on 35th Street to unload, a big bus going into the facility's parking lot with children about, and whether ADA regulations would significantly increase construction costs to put the bus stop on 35th.

The question of whether the facility would have enough parking was a major concern for the Commission.

Chair Schimmoller opened the public comment period.

Karen Stauder, Redmond resident, expressed concerns about the facility's parking as well as the intersection at 35th Street. Waiting until 2028 to put in a stoplight at the intersection was not an option. The proposed 199 parking spaces would not be sufficient. As a former swimmer, she would want to have her meets at the new facility.

Mr. Kyle Roberts said that Staff was fine with the proposed amendments to the two conditions presented by Mr. McArthur.

Further concerns of the Commission were addressed regarding funding Phase 1 and of the operations of the facility in Phase 2, how extra cars on the streets for a swim meet would impact 35th Street, if the traffic impact analysis considered outside traffic coming into the area, and the safety of being able to pull out to get onto 35th Street if cars were parked on the street.

Seeing no further comments, Chair Schimmoller closed the public hearing.

Mr. Kyle Roberts clarified that the Commission would evaluate the project based on the criteria in the Development Code; Deputy City Manager John Roberts addressed the three options available to the Commission in considering their recommendation.

Motion 2 (4/0/2): Commissioner DeWolf moved to recommend that City Council approve the proposed RAPRD Regional Recreation Center comprehensive plan and zone map amendment and site and design review subject to the 12 conditions with the two modifications proposed that Staff accepted and conduct a deeper analysis of the Highway 126 and 35th Street intersection, bus safety, and parking, seconded by Commissioner Zampko. The motion passed with Commissioners Cook-Bostick and Rogers abstaining.

V. Next Meeting – April 24, 2024

Mr. Kyle Roberts said the next meeting on April 24th would also be a public hearing, for the CORE3 (Central Oregon Ready Responsive Resilient) center project. It would be a large application before the Commission, so the expectation would be the public hearing would be opened but no action taken. The public hearing would be continued to May 1st where the Commission would vote on a formal recommendation. Mr. John Roberts addressed the complexity of the CORE3 application.

VI. COMMISSION MEMBER COMMENTS

Commissioner DeWolf thanked everyone for attending; Chair Schimmoller agreed, adding his thanks to Staff and encouraging anyone with comments about the proposal to go before City Council to voice their thoughts. Mr. Kyle Roberts added the public hearing with City Council was scheduled for May 14th at 6:00 pm.

VII. ADJOURN

With no further business, Chair Schimmoller adjourned the meeting at 7:02 pm.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this _____ day of _____, 2024.

ATTEST:

_____/s/
Ben Schimmoller
Chair

_____/s/
Kyle Roberts
Planning Director

STAFF RECOMMENDATION FOR PACIFIC STAR ESTATES MASTER DEVELOPMENT PLAN AND TENTATIVE SUBDIVISION

HEARING DATE: June 12, 2024 at 5:30 PM in Redmond City Hall Council Chambers and via digital conference (GoTo Meeting)

HEARINGS BODY: Redmond Urban Area Planning Commission (RUAPC)

FILE NUMBER(S): 711-23-000227-PLNG (MD) and 711-23-000228-PLNG (SUB)

PROJECT NAME: Pacific Star Estates

REQUEST: Approval of a master development plan and a nine-phase tentative subdivision on 34.2 acres.

LOCATION: 2098 Northwest Way (T15S, R13E, Section 5, Tax Lots 400 and 403)

APPLICANT: Terry Vollertsen

PROPERTY OWNER: Vollertsen Living Trust

RECOMMENDATION: Approval with Conditions

Figure 1 - Vicinity Map



I. BACKGROUND

Site Description:

According to Deschutes County DIAL, the subject tract is approximately 34.2 acres in size and consists of two contiguous properties, identified on the tax assessor's map as T15S, R13E, Section 5, Tax Lots 400 and 403. The two subject properties were once part of a larger property totaling approximately 79 acres in size. Approximately 44.8 acres were conveyed separately by 1974, reducing the property to the current subject tract size and configuration of approximately 34.2 acres (Deschutes County Official Records 1972-1900974 and 1975-2160500). One of the subject properties (T15S, R13E, Section 5, Tax Lot 403) was then conveyed separately by a Notice of Sale recorded in Deschutes County Official Record 1975-2150321, leaving the subject property located at 2098 Northwest Way (T15S, R13E, Section 5, Tax Lot 400) as a remainder parcel that was not described until it was later conveyed by a quitclaim deed, recorded in Deschutes County Official Record 1982-3590359. The subject properties reentered and have remained in common ownership since the recording of Deschutes County Official Record 1992-043532. The subject properties are currently described in a quitclaim deed recorded in Deschutes County Official Record 2013-42800 and are each legal lots of record pursuant to the Redmond Development Code (RDC).

Approximately 31.7 acres of the subject tract has been approved for annexation upon the satisfaction of certain requirements, see Attachment E for the existing annexation agreement recorded as Deschutes County Official Record 2022-42616, dated December 6, 2022. This annexation request is associated with planning file 711-21-000259-PLNG. The annexation agreement was extended to December 6, 2024, pursuant to the annexation amendment recorded in Deschutes County Official Record 2023-29877. The applicant has submitted additional information into the record demonstrating intent to amend the annexation agreement to include the entirety of the subject tract.

According to the City of Redmond Geographic Information Systems (GIS) map and the Comprehensive Plan map, the subject tract is entirely located within the Redmond Urban Growth Boundary (UGB), the Urban Holding (UH-10) Zone, and is subject to review for compliance with the Redmond Urban Area Framework Plan (RUAFP) and the Northwest Area Plan (NAP). Approximately 4.4 acres of the subject tract is located within the Limited Residential (R-3) comprehensive plan designation, approximately 24.65 acres is located within the General Residential (R-4) comprehensive plan designation, and approximately 5.15 acres is located within the High Density Residential (R-5) comprehensive plan designation. Based on staff review of the City of Redmond Transportation System Plan (TSP), the subject tract is adjacent to a planned roadway project to widen and improve Northwest Way (project S7), adjacent to a proposed shared-use path that follows along Northwest Way (project B17), and adjacent to a planned quiet street along future NW Quince Avenue (project B8).

According to City of Redmond and Deschutes County Community Development Records, the subject tract contains an existing manufactured dwelling established in 2002 that is served by a domestic well, a septic system, and access off of Northwest Way. Based on staff review of the City of Redmond GIS map and Google Earth 2024 Aerial Imagery, the subject tract contains four accessory structures, a Central Oregon Irrigation District (COID) canal, multiple irrigation ditches, and approximately 1,150 feet of frontage along Northwest Way, a designated arterial. The subject tract appears to be primarily covered by native vegetation including juniper trees and grasses and does not appear to be irrigated or used for farm activity of any kind. The

surrounding properties to the south and west are developed with low density rural residential and located with the UH-10 zone, while the properties to the north and east are developed with suburban residential and are located within the R-4 and the Limited Residential (R-1) zone.

Area Planning:

With the adoption of Deschutes County Ordinance 2006-018, a total of 2,299 acres of “urbanizable” land along the City’s western and northern boundaries were included into the UGB, including the subject tract. As part of this urbanization process, the City adopted the RUAFP to provide general guidance for future land uses, densities, neighborhood amenities and the necessary public facilities and services to serve the parcels. The RUAFP envisioned a number of neighborhood centers distributed throughout the newly urbanized lands. These centers called for high density residential and mixed use, transitioning to lower residential density moving outward and to the periphery.

To further refine the community’s vision for growth and provide more specificity for development, the City adopted the NAP in 2007. The NAP established a land use concept, Comprehensive Plan map designations, and related public facility projects for approximately 540 acres in the northwest portion of the UGB. Redmond’s area plans, including the NAP, are adopted into the Comprehensive Plan and serve as a quasi-conceptual land use master plans for a specific region of the UGB. Proposals for development are required to comply with the designations, policies, and improvements identified within the applicable area plan upon annexation and conversion from county zoning (UH-10 zone) to city zoning. Development proposals which include a request to deviate from an applicable area plan are typically reviewed as a proposal for an amendment to the Comprehensive Plan, the Comprehensive Plan and Zone Map, or the Development Code.

Proposal:

The application package, submitted by Terry Vollertsen, is a request for master development plan approval and to subdivide the entire subject tract. The master development plan proposes to establish residential neighborhood consistent with the NAP and to apply city zoning consistent with the underlying comprehensive plan designations. The subdivision proposes nine phases, 149 residential lots, a lot for a private park, and a remainder lot that would contain the existing manufactured dwelling. Of the residential lots proposed, 111 are proposed to be developed with single-family detached dwellings, 37 are proposed to be developed with townhouses, and one is proposed to contain a multi-family development. Additional amenities proposed include a multi-use pathway adjacent to Northwest Way, a lot for use as a private alley, three lots for pedestrian circulation and access, improvements to Northwest Way, extension of NW Quince Avenue, extension of NW 25th Street, and the dedication and construction of six local streets.

Additionally, because city zoning cannot be applied to land located outside of City Limits, the applicant’s proposal is contingent upon annexation of the subject tract. Currently, approximately 31.7 acres of the subject tract is approved to be annexed, subject to the satisfaction of certain requirements (attachment E). The applicant has submitted additional information into the record demonstrating intent to amend the annexation agreement to apply to the entire subject tract. As such, the findings and analysis further below evaluate the application package as if the entire subject tract is able to be annexed. Subsequently, staff recommends a condition of approval that city zoning shall not be applied to the subject tract until the entire subject tract has been annexed into City Limits.

Finally, the application package was initially submitted with requests for site and design review for the multi-family residential lot (711-23-000229-PLNG) and a property line adjustment (711-23-000230-PLNG); however, those applications have since been withdrawn.

Attachments:

The following attachments are included in this staff recommendation by reference:

- Attachment A – Master Development and Subdivision Plan (rev. May 23, 2024)
- Attachment B – Applicant’s Narrative
- Attachment C – Engineering Comments
- Attachment D – TSA Approval Memo
- Attachment E – Annexation Agreement
- Attachment F – Draft Declaration of CC&Rs

Application Procedure and Timeline:

The application package was submitted to the Redmond Community Development Department on November 27, 2023, and notice of application was sent pursuant to RDC 8.1310 on December 7, 2023. The application was deemed incomplete and notice of incompleteness was sent pursuant to RDC 8.1015 on December 26, 2023. The applicant later submitted additional information, and the application package was deemed complete on April 11, 2024.

Pursuant to RDC 8.1335 and ORS 197.797, notice of public hearing for RUAPC review was sent to surrounding property owners within 250 feet of the subject property on May 6, 2024, was posted on the subject property on May 8, 2024, and was published in the Redmond Spokesman on May 23, 2024. This staff recommendation will be published by June 5, 2024, and the RUAPC public hearing will be held on June 12, 2024. As of the time of writing, the public hearing date for the City Council public hearing has not yet been set.

Comments:

As of June 5, 2024, only the City of Redmond Engineering Division has submitted comments into the record. The Engineering Division’s full comments are included in attachment C.

Applicable Criteria:

The City of Redmond adopted new RDC provisions when Ordinance 2023-07 was adopted on December 19, 2023. These new provisions went into effect on January 18, 2024. This application package was submitted prior to when the new provisions went into effect and thus is being evaluated for compliance with the provisions that were in effect at the time the application package was submitted in accordance with ORS 227.178.

The following provisions of the Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR), the City of Redmond Comprehensive Plan, and the RDC, are applicable to the application package:

- Oregon Revised Statutes (ORS), Chapters 92, 197, 227
- Oregon Administrative Rules (OAR), Chapter 660:
 - Division 12, Transportation Planning Rule
 - Division 15, Statewide Planning Goals and Guidelines

- Division 18, Post Acknowledgement Amendments
- City of Redmond Comprehensive Plan 2040
 - City of Redmond Framework Plan
 - City of Redmond Northwest Area Plan (NAP)
 - City of Redmond Transportation System Plan
 - City of Redmond Public Facility Master Plans
- Redmond City Code, Chapter 8 Development Regulations
 - Article I – Zoning Standards
 - Section 8.0065: Establishment of Zones and Districts
 - Section 8.0070: Location of Zones
 - Section 8.0075: Zoning Maps
 - Section 8.0080: Zone Boundaries
 - Section 8.0085: Zoning of Annexed Areas
 - Section 8.0130: Urban Holding UH-10 Zone
 - Section 8.0135: Table A, (Residential Zones), Uses Permitted
 - Section 8.0140: Table B, Minimum Standards
 - Section 8.0141: Single Family Detached Dwellings and Plexes
 - Development and Design Standards
 - Section 8.0142: Townhouse Development and Design Standards
 - Section 8.0270: Master Development Plan
 - Section 8.0385: Neighborhood Meeting Requirements
 - Section 8.0750: Authorization to Initiate Amendments
 - Section 8.0760: Criteria for Amendments.
 - Section 8.0765: Tentative Approval.
 - Article II – Land Use Procedures
 - Article III – Land Division Standards
 - Section 8.2110: Minimum Standards
 - Section 8.2200: Pre-application Meeting
 - Section 8.2202: Neighborhood Meeting
 - Section 8.2205: Application Submission
 - Section 8.2210: Scale of Tentative Subdivision Plat
 - Section 8.2215 Informational Requirements
 - Section 8.2220: Phased Development Plan
 - Section 8.2225: Approval of Phased Development Plan
 - Section 8.2230: Development Following Approval
 - Section 8.2235: Required Findings for Tentative Subdivision Approval
 - Section 8.2236: Subdivision may be created following two tracks: Track 1 (General) and Track 2 (Clear and Objective Standards)
 - Section 8.2240: Improvement Requirements (For Track 1 and Track 2 Subdivisions).
 - Section 8.2700: Compliance Required
 - Section 8.2705: Blocks, Lots and Parcels
 - Section 8.2710: Streets
 - Section 8.2715: Fundamental Design Elements
 - Section 8.2720: Grading of Building Sites
 - Section 8.2800: Improvement Procedures
 - Section 8.2815: Transportation System Analysis
 - Section 8.2820: Access Management Standards
 - Section 8.2825: Street Dedications

- Section 8.2835: City as Beneficiary to Covenants, Conditions and Restrictions
- Section 8.2840: CC&Rs Middle Housing

II. FINDINGS AND ANALYSIS

Staff findings for all applicable standards are presented below.

ARTICLE I – ZONING STANDARDS > INTRODUCTORY PROVISIONS *RDC Sections 8.0065 through 8.0085*

8.0065 Establishment of Zones and Districts. (Identifies allowable zones and definitions for them):

R-3 Limited Residential Zone. To provide medium density residential neighborhoods with a mix of single-family detached residences, middle housing, and a mix of other housing types.

R-4 General Residential Zone. To provide medium density residential neighborhoods with a mix of single-family detached residences, middle housing, and a mix of other housing types including multi-family residential development. Limited commercial uses such as offices are also conditionally permitted where compatible with surrounding development.

R-5 High Density Residential Zone. To provide high density residential neighborhoods with an emphasis on multi-family development, middle housing, and smaller lot single family developments. Limited commercial uses such as offices are also conditionally permitted where compatible with surrounding development.

8.0070 Location of Zones. The boundaries of the zones listed in these standards shall be as indicated on the most recent City of Redmond Zone Map, as amended, which is hereby adopted by reference. The boundaries shall be modified in accordance with Section 8.0750 et seq (Amendments).

FINDING: The subject tract is currently located within the UH-10 zone. The applicant is proposing to apply city zoning consistent with the existing comprehensive plan designations of the subject tract, which include R-3, R-4, and R-5 designations, and to develop the subject tract with a residential neighborhood of varying densities. The application is evaluated for compliance with RDC Section 8.0750 below. These criteria are met.

8.0075 Zoning Maps. A Zoning Map or Zoning Map Amendment adopted by Section 8.0070 of these standards or by an amendment to said section shall be prepared by authority of the Planning Commission or be a modification by the City Council of a map or map amendment so prepared. The map or map amendment shall be dated with the effective date of adoption of the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the office of the County Clerk, the office of the City Manager and the Planning Department as long as these standards remain in effect.

FINDING: This criterion is directed at City staff. Should the applicant's proposal be granted approval, it will be adopted in compliance with this criterion.

- 8.0080 Zone Boundaries.** Unless otherwise specified, Zone Boundaries are section lines, subdivision lines, lot lines, center lines of streets, alleys, canal, or rights-of-way, water courses, ridges or rimrocks, other readily recognizable or identifiable natural features, or such lines extended. Whenever any uncertainty exists as to the boundary of a zone as shown on the Zoning Map or amendment thereto, the following regulations shall control:
1. Where a boundary line is indicated as following a street, alley, canal, or right-of-way, it shall be construed as following the center line of such right-of-way.
 2. Where a boundary line follows or approximately coincides with a section, lot, or property ownership line, it shall be construed as following such line.
 3. When a lot is divided by a zone boundary and the property owner disputes the location of the boundary, the owner may file a declaratory ruling to determine the exact location of the zone boundary. In this case, the determination shall be made by the Hearings Body, subject to appeal by the City Council.
 4. Where a public street, alley, canal, or railroad right-of-way is officially vacated, the zoning regulations applicable to abutting property on each side of the center line of such right-of-way is officially vacated, the zoning regulations applicable to abutting property on each side of the center line of such right-of-way on each respective side thereof. If the right-of-way is vacated in total to one property owner, the zoning of that abutting property shall apply to the total vacated property.

FINDING: The applicant is proposing to apply city zoning consistent with existing comprehensive plan designations, which themselves represent legal and identifiable boundaries. Furthermore, upon review of the applicant's plan, it appears that proposed lots and rights-of-way are proposed to align with these existing boundaries to the greatest extent possible. Staff finds these criteria have been met.

8.0085 Zoning of Annexed Areas. Property annexed to the city shall be zoned in compliance with approved Urban Area Master Plans or with a zoning classification that is compatible with planned land use designations in the Comprehensive Plan, the Redmond Urban Area Framework Plan, as determined by the City.

FINDING: The applicant is proposing to annex the entire subject tract prior applying city zoning that is consistent with existing underlying comprehensive plan designations. This criterion is met.

ARTICLE I – ZONING STANDARDS > RESIDENTIAL USE ZONES
RDC Sections 8.0130 through 8.0142

8.0130 Urban Holding UH-10 Zone. The City shall administer the provisions of Title 20 Redmond Urban Area Zoning Ordinance of the Deschutes County Code for this County zoning district.

1. **Master Development Plans.** The development and approval of an Urban Area Master Plan subject to the provisions of RDC 8.0270 is required as a condition of annexation, prior to or concurrent with rezoning from UH-10 to City zoning districts.

[...]

FINDING: The applicant has submitted a master development plan for review. This criterion is met.

8.0135 Table A, Residential Zones, Uses Permitted. The following uses are allowed outright or conditionally in each of the Residential zones as follows:

“O” means Permitted Outright

“C” means Permitted Conditionally

“N” means Not Allowed

Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Multi Family Complex (5 + units)	C	C	C	O	O	
Single Family Detached Dwelling, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	O	O	O	O	O	
Non Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Multi-Use Trail	O	O	O	O	O	
Park	O	O	O	O	O	

FINDING: Approximately 4.4 acres of the subject tract is located within the R-3 designation, approximately 24.65 acres is located within the R-4 designation, and approximately 5.15 acres is located within the R-5 designation. Within the R-3 designation, the applicant proposes to establish 15 single family detached lots. Within the R-4 designation, the applicant proposes to establish 96 single family detached lots, 31 townhouse lots, and a lot for use as a park. Within the R-5 designation, the applicant proposes to establish six townhouse lots. Additionally, the applicant proposes to establish a multi-family residential lot, a multi-use path, and a remainder lot containing an existing dwelling in both the R-4 and R-5 designation. All of the uses proposed are outright permitted in their respective designations. This criterion is met.

8.0140 Table B, Minimum Standards. The following minimum standards apply in each of the Residential zones:

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Minimum Lot size - Square Feet					
Single Family, Duplex, Triplex	9,000	9,000	7,500	5,500	5,500
Quadplex, Cottage Clusters	9,000	9,000	7,500	7,000	7,000
Townhouse	1,500	1,500	1,500	1,500	1,500
Multi-family Complex: 5+ units	No Minimum Lot Size Must Meet Density Standards				
Density - Units/Net Acres					

Minimum Density: All	4	4	5	5	8
Maximum Density: Single Family	5	5	5.8	8	8
Maximum Density: Duplex, Triplex, Quadplex, Cottage Cluster	No Maximum Density Must Meet Minimum Lot Size				
Maximum Density: Townhouses	20	20	23.2	25	25
Maximum Density: Multi-family Complex 5+ units	N/A	N/A	N/A	14.5	17.4
Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Planned Unit Developments (PUDs) and Cottage Developments (COD) densities in Section 8.0275 et seq.					
Minimum Setback Distance - Feet					
Front Façade, excluding garage	10	10	10	10	10
Interior Side	5/10	5/10	5	5	5
Interior side yards must be a minimum of 5 feet on one side and 10 feet on the other side for single family, duplex, triplex, and quadplex residences. Where alley access is provided, both interior side yards may be reduced to 5 feet. Exceptions to the 10-foot setback are allowed (1) when the residential lot was created prior to the adoption of this standard (November 9, 2006); (2) on cul-de-sac lots; or (3) on flag lots.					
Street Side	10	10	10	10	10
Rear	20	20	20	15	5
Attached Garage, access from alley or street	20	20	20	20	20
Setbacks:					
ADUs: Specified in Section 8.0325					
Detached Accessory Structures: Specified in Section 8.0323					
Cottage Clusters: Specified in Section 8.0143					
Cottage Developments: Specified in Section 8.0285 et seq.					
Multi-family Complexes: Specified in Section 8.3035.4E. Table A.					
Townhouses: Specified in Section 8.0142					
Maximum Building Height - Feet					
	32	32	32	45	45
Minimum Street Frontage - Feet					
Standard Street	50	50	50	50	40
Cul-de-sac	30	30	30	30	30
Flag Lot	20	20	20	20	20
Townhouse	20	20	20	20	20

FINDING: The applicant proposes 149 residential lots and one remainder lot. Aside from the existing dwelling and four accessory structures on the subject property located at 2098 Northwest Way, the subject tract is vacant of structural development.

Based on staff measurements taken using the City of Redmond GIS map and the applicant’s plans, the residential lots are all adequately sized to ensure compliance with applicable lot size and frontage requirements, which will be reviewed again when building permits for each individual dwelling are submitted. The remainder lot would be located within the R-4 and R-5 zones, and contain approximately 2.9 acres, over 210 feet of street frontage, and the existing dwelling. The proposed property line that would represent the rear property line would be setback approximately 20 feet from the closest structure, while the proposed property line that would represent the interior side property line would be setback approximately 30 feet from the closest structure. Based on these measurements, staff finds that the remainder lot could comply with lot size, setback, and frontage requirements.

As development of the multi-family residential lot and the remainder lot are not yet proposed, density is not yet applicable and will be evaluated once a proposal for development is received. The single family detached housing within the R-3 zone is proposed at a density of 5.49 dwelling units per net acre, and the single family detached housing within the R-4 zone is proposed at a density of 7.4 dwelling units per acre. The townhouses within the R-4 zone are proposed at a density of 14.5 dwelling units per acre, and the townhouses within the R-5 zone are proposed at a density of 12 dwelling units per acre. All of the housing proposed by the applicant meets both the minimum and maximum density standards for the respective zoning designations. To ensure continued compliance, staff recommends a condition of approval that all proposed residential lots shall meet the minimum standards of RDC Section 8.0140 prior to final plat approval. With this condition, the application meets the above criteria.

8.0141 Single Family Detached Dwellings and Plexes Development and Design Standards.

[...]

FINDING: These criteria pertain to the development of individual single family detached dwellings rather than the development of lots for future single family detached dwellings and will be evaluated when building permits are submitted.

8.0142 Townhouse Development and Design Standards.

- 1. **Procedure.** New townhouses shall be reviewed for conformance with the requirements listed in this section.

- 2. **Table A: Minimum Standards.**

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Maximum Density (Units/Net Acre)	20	20	23.2	25	25
Minimum Lot Size (Square Feet)	1,500	1,500	1,500	1,500	1,500
Minimum Street Frontage (Feet)	20	20	20	20	20

[...]

- 4. **Areas Owned in Common.** For townhouse projects, common areas must be maintained by a homeowner’s association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the

City prior to issuance of a building permit.

[...]

FINDING: As discussed earlier, the townhouse lots meet the lot size, frontage, and density standards. The subdivision proposal includes a lot for park use, a lot for a private alley to serve 30 of the townhouse lots, and three lots for pedestrian access and circulation. The applicant has proposed to establish a homeowner's association (HOA) for the subdivision and has submitted a draft HOA declaration of covenants, conditions and restrictions (CC&Rs) (attachment F). The draft CC&Rs require common areas to be maintained, consistent with the requirements of this section. To ensure compliance with these criteria, staff recommends a condition of approval stating that the applicant shall submit the HOA CC&Rs for City review and approval prior to the approval of the phase one final plat. The HOA CC&Rs shall be recorded with the phase one final plat and include standards for the maintenance of the private alley and all other common areas. The remainder of the criteria in this section pertain to the development of individual townhouses rather than the development of lots for future townhouses and will be evaluated when building permits are submitted.

**ARTICLE I – ZONING STANDARDS > MASTER DEVELOPMENT PLANS & PLANNED
UNIT DEVELOPMENTS**
RDC Section 8.0270

8.0270 Master Development Plans. A Master Development Plan is required as a condition of annexation, or after annexation, but prior to or concurrent with rezoning from Urban Holding-10 to other City zoning districts. The specific requirements for a Master Development Plan are:

1. **Applicability.** This section applies to properties proposed for annexation or rezoning from Urban Holding-10, except that in the event that an applicant has applied for a Planned Unit Development application prior to or concurrent with rezoning from Urban Holding-10, the Master Development Plan approval criteria shall be those used for the Planned Unit Development application and the Great Neighborhood Principles.
2. **Purpose.** The purpose of Master Development Plan is to provide:
 - A. Orderly and efficient development of the City consistent with the City of Redmond Framework Plan and adopted Area Plans.
 - B. Compatibility or transitions with adjacent developments and the character of the area.
 - C. A complementary mix of uses and activities.
 - D. An interconnected transportation network (streets, bicycle routes, and pedestrian trails) within the master plan area and to existing and planned City streets, routes, and trails.
 - E. A range of housing choices and densities for areas planned to have residential components.
 - F. A range of open spaces and recreation facilities, as needed to facilitate the Framework Plan and an adopted Area Plan.
 - G. Public and semi-public facilities and services.
 - H. Preservation of historic buildings, scenic views, and natural resources to the greatest extent possible.
 - I. Transitions or buffers between urban development and rural areas.
 - J. Implementation of Redmond's Comprehensive Plan, including adopted Area Plans and the Great Neighborhood Planning Principles described in 3(C)(13)

below.

FINDING: The proposal includes a request to apply City zoning to the entire subject tract, which is currently located within the UH-10 zone. The applicant has submitted additional information into the record demonstrating intent to modify the existing annexation agreement to apply to the entire subject tract, in compliance with these criteria. Staff recommends a condition of approval that city zoning shall not be applied to the subject tract until the entire subject tract has been annexed into City Limits. With this condition, the application complies with the above criteria.

3. Procedures for Review.

A. General. Master Development Plans (MDP or PMDP) shall be approved through a quasi-judicial review process. Application procedures and related fees for approval may be streamlined in order to promote timely development of urban planning for land zoned UH-10. The Community Development Director, or designee, shall inform the applicant during the mandatory pre-application stage if the proposed MDP area includes the necessary contiguous properties. The determination for the proposed plan area shall be based on utilizing the following factors:

1. Whether there are properties that abut or are surrounded by the plan boundary that would reasonably fit within the zoning concept for the area plan;
2. Whether the extension of public services and infrastructure would be enhanced by the inclusion of abutting properties;
3. Whether the total acreage of abutting or enclave properties is less than the acreage in the proposed plan area; and
4. There is a community interest that would be served by including additional properties in the plan area.

FINDING: The applicant completed the mandatory pre-application stage on October 31, 2022 as part of pre-development application 711-22-000207-PLNG (PD) and was informed by City staff that the master development plan already included all the necessary property. These criteria have been met.

B. Review and approval criteria for Master Development Plans (MPD) or Partial Master Development Plans (PMDP).

1. **General.** In the review of any application for a Master Development Plan, the Planning Commission and City Council, if required, shall consider the following:
 - A. Whether the proposed Plan is generally consistent with the Framework Plan and is consistent with an adopted Area Plan and Comprehensive Plan in terms of land use, density, transportation systems and networks, adequacy of infrastructure and open space.

FINDING: The NAP established the comprehensive plan designations for the northwest portion of the UGB and was designed to implement the land use concept outlined by the RUAFP; both plans were adopted into the Comprehensive Plan. All three plans were adopted in compliance with post acknowledgment plan amendment criteria and procedures.

The land use concept in the RUAFP shows the subject tract area as residential, Northwest Way as a boulevard, the COID canals as a trail opportunity, and NW Poplar Avenue as a community connection. The NW Poplar Avenue community connection was later reassigned to NW Quince Avenue as part of the NAP. The NAP goes into further detail to plan future public facilities and land uses. It describes Northwest Way as a minor arterial, NW Quince Avenue as an ideal street for enhanced bicycle/pedestrian amenities and connection, and the rerouting of COID canals for multi-use pathways. It also designates future zoning boundaries and expectations, describing the R-3 zone as primarily for single-family dwellings and to serve as a transition buffer between existing lower density and future higher density areas, the R-4 zone as primarily for single-family dwellings and townhouses with an approximate density of 5.6 to 14 dwelling units per net acre, and the R-5 zone as primarily for townhouses and apartments with an approximate density of 10 to 24 dwelling units per net acre. The NAP also states that all residential development shall provide common open space.

The applicant has proposed to apply city zoning to the subject tract consistent with the existing comprehensive plan designations to enable the development of a residential neighborhood containing common open space, the relocation of a COID easement to create a multi-use path adjacent to Northwest Way, and to fully dedicate and improve both NW Quince Avenue and Northwest Way to City standards, which includes constructing the segment of NW Quince Avenue as a quiet street as required by the TSP. Additionally, the proposal includes housing mixtures and densities consistent with the NAP. The R-3 area contains only single-family housing, the R-4 area contains both single-family and townhouses at an average density of 7.6 dwelling units per net acre, and the R-5 area contains primarily townhouses and future multi-family housing at an average density at 12 dwelling units per net acre. Although the density of the 3.06-acre multi-family residential development lot is not yet known, development of the lot would be subject to review for compliance with the NAP as part of the Site and Design review process.

The RUAFP and the NAP do not provide specific guidance for water or wastewater facility projects for the subject tract area. However, the NAP assigned the existing comprehensive plan designations to the subject tract in August 2007, pre-dating all of the City's Public Facility Master Plans. These plans account for future water and wastewater demand based on comprehensive plan designations and their associated density ranges, meaning that develop of the subject tract consistent with the existing designations is reasonably accommodated for in the facility plans. Additionally, the tentative plan demonstrate compliance with the City's "to and through" public facility policy to provide each lot with water and wastewater services. This was as affirmed in comments submitted by the Engineering Division which indicate that the infrastructure configuration proposed is adequate for the uses proposed, provided that construction meets specific standards.

Based on the above facts, staff finds that the proposed master development plan is generally consistent with the RUAFP, the NAP, and the Comprehensive Plan in terms of land use, density, transportation systems and networks, adequacy of infrastructure and open space. To ensure continued compliance with these criteria, staff recommends a condition of approval requiring the development proposal to be established substantially in conformance with the plan evaluated in this application (attachment A), except modifications required to comply with the conditions of this approval. Any substantial changes proposed shall be evaluated and authorized in accordance with RDC 8.1400 or the functionally equivalent standards at the time. With this condition, the application complies with the above criterion.

- B. Whether the proposed Plan is generally suitable for the area in which it is proposed, considering existing and planned neighborhoods, shopping and employment areas; and natural resources and hazards.

FINDING: The subject tract is entirely surrounded by residential zoned lands and contains no natural resources or hazards. The proposed master development plan is generally suitable for the area as it will provide medium-high density residential housing and compatible amenities in the northwest corner of Redmond, as envisioned with both the RUAFP and the NAP. Because the proposed master development is consistent with these plans, staff finds the proposal is suitable for the area and meets this criterion.

- C. Whether the proposed Plan is functionally integrated with developed or planned areas.

FINDING: As previously discussed, the proposal has been found to be consistent with the applicable framework/area plans and the existing comprehensive plan designations, which are the primary mechanisms for guiding development in the UGB over the long-term. As such, staff finds the proposal would be functionally integrated with planned areas to the west and south.

Based on review of Community Development records, it is understood that the construction of NW 25th Street as proposed would align with the segment of NW 25th Street included in the ongoing residential development to the north, known as Dry Canyon Village. Similarly, the construction of the portion of NW Quince Avenue that is located on the subject tract would unlock a new east-west connection to Northwest Way, serving existing residential neighborhoods to the north and east. Additionally, based on review of the City of Redmond GIS maps and the applicant's plan, it appears that the residential lots proposed along the eastern boundary in the R-3 area would be very similar in size, configuration, and function to the existing residential development to the east and serve as an effective transition to more varied residential development to the west. Based on these facts, staff finds it reasonable to conclude that the proposal would be functionally integrated with developed areas to the north and east. This criterion is met.

- D. The proposed Plan meets the applicable Great Neighborhood Principles.

FINDING: Compliance with each Great Neighborhood Principle is addressed below.

- a. **Transportation.** Connect people and places through a complete grid street network and trail system that invites walking and bicycling and provides convenient access to parks, schools, neighborhood service centers, and possible future transit stops. Traffic calming techniques and devices may be required to slow vehicles. Curved streets are encouraged to provide interest and variety in neighborhood design. Trails shall be provided to link with existing or planned pedestrian facilities.

FINDING: The proposal includes the dedication and construction or improvement of Northwest Way, NW Quince Avenue, seven other local residential streets with sidewalks, a private alley, a ten-foot-wide multi-use path, and three tracts for pedestrian circulation. Based on review of

the tentative plan, the streets have all been designed to meet grid design requirements without crowding Northwest Way with excessive connections, and to provide two separate north-south connections between the property to the south and NW Quince Avenue. Additionally, the multi-use path along Northwest Way links the development itself with a park to the north and to the Dry Canyon trail system using the multi-modal amenities of NW Quince Street. The pedestrian access tracts connect the multi-use path and the interior of the neighborhood. In consideration of the multiple forms of circulation provided by the proposal, staff finds that the development would increase the connectivity of the local transportation system. This criterion is met.

- b. **Housing.** A mix of housing unit types and densities shall be integrated into the design of new neighborhoods consistent with zone requirements unless a variance or other planning permit is approved. Housing developments containing more than five attached units must be designed to be consistent with the Higher Density Multifamily Design Guidelines.

FINDING: As discussed earlier, the subdivision proposal includes 148 single-family detached and townhouse lots and one multi-family residential lot, all of which are found to be consistent with the zone requirements of RDC Section 8.0140. Staff has already recommended a condition of approval to ensure continued compliance with the zoning requirements. Once a proposal for development is submitted for the multi-family residential lot, it will be evaluated for compliance with the applicable design standards as part of the Site and Design Review process. This criterion is met.

- c. **Open spaces, greenways, recreation.** All new neighborhoods shall provide useable open spaces with recreation amenities that are integrated to the larger community. Central parks and plazas shall be used to create public gathering places and should be located in or near the center of the project to the extent practicable. New neighborhoods should retain and incorporate significant geological features such as rock outcroppings or stands of clustered native trees into the design and lot layout. Neighborhood and community parks shall be developed in locations consistent with the Redmond's Parks Master Plan.

FINDING: Based on staff review of the City of Redmond GIS map, there are no significant geological features or stands of clustered native trees within the subject tract. According to the NAP and the Parks Master Plan (PMP), there is no identified need for a neighborhood or community park within the area of the subject tract. The proposal includes useable open space in the form of a lot designated for park use approximately 0.65 acres in size and a landscaped ten-foot-wide path. Additionally, future development of the multi-family residential lot will be required to provide useable open space and recreational amenities pursuant to the multi-family residential design standards. To ensure compliance with this criterion, staff recommends a condition of approval that development of the proposed park lot (described as Tract F) and the multi-family housing lot (described as Tract B) will be reviewed for recreational amenities in subsequent development reviews. With this condition, the application complies with the above criterion.

- d. **Integrated design elements.** Streets, civic spaces, signage, and architecture shall be coordinated to establish a coherent and distinct character for the MDP. MDPs may integrate design themes with adjacent developed or planned areas.

FINDING: The development is proposed to be Redmond-typical in character. The narrative submitted with the application (attachment B) states, “The project will have single family homes, with sloped roofs in a varied Pacific Northwest style common in other areas of Redmond. The infrastructure (streets, sidewalks, street trees, streetlights) will all be developed according to City standards and specifications which will provide continuity throughout the development.” Compliance with this criterion will be further evaluated as proposals to develop phases and dwellings are submitted.

- e. **Diverse mix of activities.** A variety of uses are encouraged in order to create vitality and bring many activities of daily living within walking and biking distance or a short drive of homes. Amenities including, but not limited to, trails, recreation areas, and open spaces, shall be constructed before occupancy of any residential unit, unless a phasing plan is approved. Commercial service areas must be supported by a market analysis and phasing program which will be used by the City to determine construction timing.

FINDING: The nine-phase subdivision proposal includes the development of various housing types, a lot for park use, as well as streets and a multi-use path that would facilitate multi-modal connection. The multi-use path would be constructed as part of phase four and the park would be constructed as part of phase nine, as required by the TSA approval memo. Even without commercial type activities, the proposal includes a mix of activities. This criterion is met.

- f. **Public art or artistic feature.** Places for the installation of public art or artistic feature is required to provide focal points, preferably, at the gateways to neighborhoods, in and around the center of neighborhoods, or trailheads.

FINDING: Based on staff review of the tentative plan, the lot for park use, the multi-use path, or the northern corners of the multi-family residential lot are all potential focal points for the installation of public art in the future. Additionally, the applicant has committed to paying a public art fee of \$100 per housing unit that will be paid in lump sum at the time of any plat approval for the property. To ensure continued compliance with this criterion, staff recommends a condition of approval that payment of the public art fee shall be required prior to approval of any plat. With this condition, the above criterion is met.

- g. **Scenic views.** Identify and preserve scenic views and corridors of the Cascade Range, Ochoco Mountains, and Smith Rock, such as in street view sheds or park areas. Streets and common, or public, open spaces should be located and oriented to capture and preserve scenic views for the public. Minimize visual clutter from signs and utilities within scenic corridors.

FINDING: The proposal is designed to provide for the preservation of views of the Cascade Mountains to the greatest extent possible. More than half of the streets proposed to be constructed will have an east-west orientation, allowing for substantial view corridors to the mountains. Additionally, the lot proposed for park use would serve as an ideal viewing and recreating area, as it is adjacent to the western boundary of the subject tract. This criterion is met.

- h. **Urban – rural interface.** Urban development shall interface with rural areas

through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban - rural interface.

FINDING: The subject tract is located within the UGB interior and is not adjacent to any rural lands. This criterion is not applicable.

- i. **Pocket parks/tot lots.** Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash receptable(s) and lighting.

FINDING: Pursuant to this criterion, 15,000 square feet of park area is required for the 148 proposed residential lots. The proposal includes one privately maintained park lot approximately 28,467 square feet (0.65 acres) in size, exceeding this requirement. It is unclear if any park amenities are proposed. To ensure compliance with this criterion, staff recommends a condition of approval that development of the proposed park lot (described as Tract F) and the multi-family housing lot (described as Tract B) will be reviewed for park amenities in subsequent development reviews. With this condition, the application could comply with this criterion.

- j. **Canal trails.** If canals or laterals are present, multi-use trails at least 10 feet wide shall be provided, subject to the Central Oregon Irrigation District’s review and approval. Pedestrian amenities such as benches and trash receptacles shall be provided at appropriate locations (e.g., every 500 feet, at trailheads or intersections with public streets).

FINDING: The subject tract contains an existing canal. In coordination with the COID, the applicant is proposing to relocate and pipe the canal such that it will be adjacent to Northwest Way and buried beneath a ten-foot-wide multi-use path, which will be built in compliance with multi-use path requirements in the Public Works Standards and Specifications. This criterion is met.

- k. **Green Design.** Energy-efficient design through solar access setbacks, xeriscaping, and planting of drought-resistant trees to minimize water usage and provide shade.

FINDING: The applicant’s narrative states that the neighborhood orientation provides for solar access leading to decreased energy consumption, and that the landscaping the park area will be landscaped with drought tolerant vegetation, which would result in increased water conservation. To ensure compliance with this criterion, staff recommends a condition of approval that development of the proposed park lot (described as Tract F) and the multi-family housing lot (described as Tract B) will be reviewed for green design elements like native vegetation, including tree preservation and replacement in compliance with RDC Section 8.2236(2)(E), in subsequent development reviews. With this condition, the application could comply with this criterion.

- C. Master Development Plan (MDP) or Partial Master Development Plan (PMDP) Submittal Requirements and Approval Process.** An application for approval shall include the submittal requirements set forth in the City's Land Use Review application form as well as the elements described below.
1. **Narrative.** A narrative shall set forth the goals and objectives of the plan and describe the urban characteristics of the planned area.
 2. **Neighborhood Meeting.** Proof a neighborhood meeting was conducted to provide an opportunity for the applicant to meet with surrounding property owners discuss the proposal. See Section 8.0385 for meeting requirements.
 3. **Development Plan Map.** A map of the plan area and surrounding vicinity shall indicate planned land uses for each land parcel in the area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan map designations and zoning. The plan shall include a list of all affected properties with tax lot numbers, current ownership, parcel size, and other information that is pertinent to the plan.
 4. **Land Use Diagram.** The land use diagram shall generally indicate the distribution and location of planned land uses for the master plan area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan designations, zoning, and density.
 5. **Significant Resources Inventory.** An inventory of significant natural resources, scenic and historic resources, and open space areas including those identified on the City's adopted inventory and those that have the potential to qualify for protection under Redmond's Goal 5 resource protection program. When significant resources are present, the proposed plan shall include a management plan to protect resource sites.
 6. **Parks and Open Space.** Identify land suitable for park and recreation use in accordance with the needs analysis in the City of Redmond Park Master Plan (Park Plan) and an adopted Area Plan. In particular, where the Park Plan indicates there is a need for neighborhood or community park, the master plan shall identify sites that may be suitable for park development using the design and location criteria from the Park Plan or an adopted Area Plan. Density transfers, SDC credits, dedication, and other value consideration may be identified in the planning process to compensate property owners for land dedicated to public use.
 7. **Air, Noise, and Water Resources.** Review air, noise and water resources that may be impacted by planned development and address how adverse impacts will be avoided or mitigated in compliance with applicable local, state, and federal regulations. The analysis may use City public facility plans, technical studies, and policies to meet this requirement when those plans address how urban development in the plan area can be served. In these instances, the Master Development Plan must show that the envisioned land uses in the plan area are consistent with the land use assumptions in the public facility plans. This requirement is particularly important for storm water management.

8. **Natural Hazard Areas.** Inventory areas subject to natural hazards, particularly steep slopes, and program urban development that is suitable for the identified hazard areas.
9. **Residential Uses.** Identify areas planned for housing development, if any, and the proposed zoning districts to be applied. The housing plan must identify a mix of housing types and densities so that the overall density in the area meets or exceeds the housing density objectives for the area that are identified in the Redmond Urban Framework Plan, adopted Area Plans, and the Comprehensive Plan. The Framework Plan and adopted Area Plans provide general guidance on housing densities that need to be achieved in order to meet future housing needs. Where proposed residential land uses differ from those shown in the Redmond Urban Framework Plan or adopted Area Plans, the master plan shall demonstrate how it meets the overall housing objectives of the Redmond Urban Framework Plan or adopted Area Plans. Applicants may propose new zoning districts when the proposed district(s) in total achieve the housing densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.
10. **Employment Uses.** Identify areas planned for employment use and/or mixed uses and the proposed zoning for these areas. Applicants may propose new zoning districts in cases where existing districts are not suitable for the planned development provided the proposed district(s) achieve similar land improvement values and/or employment densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.
11. **Transportation Analysis and Diagram.** Prepare a Transportation Impact Analysis (TIA) including a grid street plan that is consistent with street spacing and connectivity guidelines in the Redmond Transportation System Plan (TSP) and adopted Area or Framework Plans. The TIA shall identify and show:
 - a. The proposed classification for all streets.
 - b. The location of approved TSP improvement projects.
 - c. Any capital improvements that may need to be added to the TSP in order to serve the plan area.
 - d. Proposed bicycle pedestrian, and trail routes.
 - e. Demonstrate how planned transportation facilities will connect to transportation facilities in adjacent urban areas.
12. **Public Facilities Analysis and Diagram.** The plan shall include a conceptual layout of public facilities, (including sanitary sewer, water, and storm drainage) needed to support the planned uses. The Public Facilities Analysis must be consistent with the city's adopted Public Facility Plan (PFP) and related facility master plans, including improvements related to the adopted Area Plan that may require amending the PFP.
13. **North Redmond US 97 Interchange Area Management Plan (IAMP) Compliance.** The master plan shall comply with the following policies, if applicable:
 - a. Any property newly annexed within the IAMP area shall have:
 - i. Direct Access to a local public street other than a state highway consistent with the Local Street Connectivity Plan; and,

- ii. Any property to be annexed to the City shall relinquish all direct access rights to a state highway as a condition of development approval (when a legal alternative access exists).
14. **Great Neighborhood Principles.** MDPs shall address applicable Great Neighborhood Principles below. In instances where the property proposed for a MDP is located within the boundary of an adopted Area Plan, the MDP shall also address the Great Neighborhood Principles according to the specificity provided in the Area Plan.

[...]

FINDING: The subject tract does not contain any inventoried significant resources or natural hazards, has not been designated for employment lands or for neighborhood or community parks, and is not located within the North Redmond US 97 Interchange Area Management Plan area. The applicant's plans (attachment A) include a public facilities diagram, development plan map, and land use diagram depicting the proposal. The applicant has also submitted narrative addressing the Great Neighborhood Principles and other applicable criteria (attachment B), neighborhood meeting materials, and a transportation impact analysis (TIA) associated with public works file 711-23-000030-PW, which culminated in the issuance of a TSA Approval Memo (attachment D). These criteria have been met.

- D. **Implementation.** Upon approval, all subsequent development located within the MDP boundaries shall be consistent with the approval.
- E. **Amendment/Modification to Master Development Plan.** Any modifications to the approved MDP shall be subject to the standards and procedures in Article II, "Modifications", and subject to the review criteria contained in this section.
- F. **Expiration of Master Development Plan.** An approved MDP or PMDP shall be subject to the requirements of Section 8.1605 concerning expiration, unless a specific timeline is approved through the land use review process.

FINDING: Staff has already recommended a condition of approval that the development proposal shall be established substantially in conformance with the plan evaluated in this application (attachment A), except modifications required to comply with the conditions of this approval. Additionally, because approval of the master development plan request is contingent upon approval of the subdivision request, staff recommends a condition of approval that the master development plan authorization (711-23-000227-PLNG) shall only become void with the subdivision authorization (711-23-000228-PLNG).

ARTICLE I – ZONING STANDARDS > SUPPLEMENTARY PROVISIONS

RDC Section 8.0385

8.0385 Neighborhood Meeting.

1. **Purpose and Intent.** The purpose of the neighborhood meeting is to provide a forum for the applicant, surrounding neighbors, and interested members of the community to meet and consider a proposed land use application, and to discuss issues/concerns regarding the proposal prior to application submittal. Neighborhood meetings encourage citizen participation early in the development process, and an opportunity to revise the land use application to address the issues prior to application submittal.

2. **Applicability.** Neighborhood meetings are encouraged prior to submitting any land use application. The following application types or development proposals shall be subject to the neighborhood meeting requirements:
 - A. Master Development Plans.
 - B. Residential or mixed use development proposals that generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, where a Transportation Impact Analysis (TIA) is required.
 - C. Wireless and Broadcast Communications Facilities.
3. **Requirements and Procedures.** The neighborhood meeting must be held after a pre-development meeting with City Staff, but before submittal of a land use application. The applicant shall be required to hold only one meeting prior to submitting an application for a specific site but may hold more if desired. If the development proposal is revised after the neighborhood meeting, and a major modification is requested, a second neighborhood meeting with a new notice shall be required before the revised application is submitted.
 - A. **Location and Time.** Neighborhood meetings shall be held in person at a location in reasonable proximity to the subject site. The meeting shall be held at a location open to the public., City Staff, and at a facility that is ADA accessible. The meeting shall be held on a weekday evening, or weekends at any reasonable time. Applicants may provide a virtual component for participants to join in the meeting. The virtual component shall not be done in lieu of the in-person requirements. ADA accommodations when requested by attendee must be provided.
 - B. **Notice – Mail.** Mailed notice of the meeting shall be provided by the applicant to the neighboring property owners (within 750 feet outside city limits and 250 feet within city limits) and the Community Development Department between ten and 30 calendar days prior to the meeting. Notices must be sent first class and shall include the date, time, and location of the meeting, as well as a brief description of the development proposal and property location. The description shall take into consideration information provided by City staff at the pre-development meeting, include project contact information, a copy of the tax map or a GIS map that clearly identifies the location of the proposed development, and a conceptual site plan.
 - C. **Notice – Signage.** The applicant shall also post notice of the neighborhood meeting on the subject site or on an access easement to the site within clear view of a public street at least seven days in advance of the meeting. The sign must display the meeting date, time, and address as well as project contact information.
 - D. **Meeting Requirements.** The developer must provide a sign-in sheet for attendees to provide their name, address, telephone number, and email address. At the meeting, the applicant shall provide a conceptual site plan and describe the major elements of the proposal. Depending on the type and scale of the particular application, the applicant should be prepared to discuss proposed land uses and densities; traffic impacts; proposed building size and height; proposed access and parking; and proposed landscaping, buffering and/or protection of natural resources as applicable. Attendees will have an opportunity to speak at the meeting and may identify any issues that they believe should be addressed. If no one arrives within 30 minutes of the scheduled start time for the meeting,

the applicant may close the meeting and this requirement will be considered met upon the applicant's submittal of the documentation to that effect.

- E. **Materials Submitted with Application.** The neighborhood meeting notes that identify the major points discussed about the development, list of parties notified, signed affidavits of mailing and posting notices, copies of all materials provided by the applicant, and a signature sheet of attendees shall be included with the development application upon submittal.
- F. **Validity Period.** The land use application shall be submitted to the City within 180 days of the neighborhood meeting. If an application is not submitted in this timeframe, the applicant shall be required to hold a new neighborhood meeting.
- G. **Denial.** Failure of the applicant to hold a neighborhood meeting in accordance with these provisions prior to submittal of a land use application shall result in an incomplete application and the application may be rejected.

FINDING: As this application package contains a master development plan proposal, the applicant has conducted a neighborhood meeting and has submitted those materials into the record. The meeting notes show that the mailed notice and sign posting contained the necessary information and were mailed and posted in the required time frame, and that the meeting was conducted as required.

ARTICLE I – ZONING STANDARDS > AMENDMENTS

RDC Sections 8.0750 through 8.0765

8.0750 Authorization to Initiate Amendments. An amendment to the text of this chapter (Redmond Development Code), to the Comprehensive Plan, or an amendment to the Comprehensive Plan Map may be initiated by City Council, Planning Commission, or Community Development Director. A property owner may initiate a request for a map or text amendment by filing an application with the Community Development Department.

FINDING: The applicant has submitted a proposal that contains a request to amend the comprehensive plan and zoning map to the Community Development Department. The applicant submitted the proposal on behalf of the property owner and did so by filing the appropriate application forms. The application package complies with this criterion.

8.0760 Criteria for Amendments. The burden of proof is upon the applicant. The applicant shall show the proposed change is:

1. In conformity with all applicable State statutes;

FINDING: Staff has determined the following State statutes that directly apply to this application include:

ORS 197.610: *Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development*; ORS 197.797: *Local Quasi-Judicial Land Use Hearings* – these statutes are procedural. The application package has been and will continue to be processed in accordance with these regulations.

ORS 197.250: *Compliance with Goals Required* – compliance with all applicable Statewide Planning Goals is addressed in criterion #2 below.

ORS 227.175 Application for permit or zone change; fees; consolidated procedure; hearing; approval criteria; decision without hearing; ORS 227.178 Final action on certain applications required within 120 days; procedure; exceptions; refund of fees – these statutes are procedural. The application package has been and will continue to be processed in accordance with these regulations.

The application meets this criterion.

2. In conformity with the State-wide planning goals whenever they are determined to be applicable;

FINDING: As previously discussed, the applicant is proposing to change the zoning of the subject tract from UH-10, the zoning district applied to all lands located within the UGB, to zoning districts that are consistent with the existing comprehensive plan designations, which were established with the adoption of the NAP in 2007. The NAP was designed in accordance with the land use concept outlined by the RUAFP, and both plans were adopted into the Comprehensive Plan. The Comprehensive Plan, RUAFP, and the NAP have all been adopted in compliance with post acknowledgment plan amendment criteria and procedures, including the requirement to comply with the Statewide Planning Goals. Staff finds that by proposing to apply City zoning consistent with the comprehensive plan designations established by the NAP, the applicant's request is generally consistent with all applicable Statewide Planning Goals. Nevertheless, conformance with each State-wide planning goal is addressed below.

Goal 1 – Citizen Involvement: The RUAPC serves as the City's formal citizen advisory commission and is made up of Redmond area residents. The applicant's proposed amendment to the Comprehensive Plan and Zoning Map will be reviewed by both the Planning Commission and the City Council, in accordance with the public hearing and noticing requirements of the RDC. The application package is consistent with Goal 1.

Goal 2 – Land Use Planning: All lands located within the UGB are zoned for urban holding, UH-10. The Redmond Comprehensive Plan and the RDC set out an urbanization process applicable to all UGB properties, namely, that properties must annex into City Limits and then receive master development approval in order to convert from UH-10 to city zoning consistent with existing comprehensive plan designations and begin the development process. The applicant's proposed amendment to the Comprehensive Plan and Zone Map results from following the land use policies and regulations that have been established by the Comprehensive Plan and the RDC. The application package is consistent with Goal 2.

The application package is consistent with Goal 2.

Goal 3 – Agricultural Lands: The City does not contain lands designated for agriculture. This goal is not applicable to the City of Redmond.

Goal 4 – Forest Lands: The City does not contain lands designated for forestry. This goal is not applicable to the City of Redmond.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces: The subject tract does not contain inventoried open space, scenic and historic areas, or natural resources. This goal is not applicable because the proposed amendment would not impact those resources.

Goal 6 – Air, Water, and Land Resources Quality: This goal is not applicable because the proposed amendment would not impact air, water, or land resources.

Goal 7 – Areas Subject to Natural Hazards: The subject tract does not contain identified natural hazards. This goal is not applicable because the proposed amendment would not impact natural hazard planning.

Goal 8 – Recreational Needs: The subject tract does not contain lands identified for recreational uses. This goal is not applicable because the proposed amendment would not impact recreational uses.

Goal 9 – Economic Development: The subject tract does not contain lands identified for economic or employment uses. This goal is not applicable because the proposed amendment would not impact economic development.

Goal 10 – Housing: The subject tract is entirely located within residential comprehensive plan designations, as established by the NAP in 2007. The applicant proposes to change the zoning of the subject tract from UH-10 to match that of the underlying comprehensive plan designations, enabling the property to be developed with well-planned neighborhoods. The application package is consistent with Goal 10.

Goal 11 – Public Facilities and Services: The City's Public Facility Master Plans account for future water and wastewater demand based on the existing comprehensive plan designations and their associated density ranges. The applicant proposes this Comprehensive Plan and Zone map amendment in order to apply city zoning consistent with underlying comprehensive plan designations, which have existed as configured since the NAP was adopted in 2007. The proposed amendment represents a land use action that is consistent with the City's public facility planning efforts. The application package is consistent with Goal 11.

Goal 12 – Transportation: This goal is implemented through the Transportation Planning Rule (TPR), OAR 660-012-0060, and the TSP. The TSP outlines needed transportation system improvements by analyzing existing and future conditions. Existing comprehensive plan designations are used as a basis for measuring anticipated growth. As the applicant's Comprehensive Plan and Zone map amendment does not propose new or reconfigured comprehensive plan designations, the amendment would not impact the transportation system and represents a land use action that is consistent with the City's transportation planning efforts. The application package is consistent with Goal 12.

Goal 13 – Energy Conservation: This goal is not applicable because the proposed amendment would not impact energy resources.

Goal 14 – Urbanization: As previously discussed, the applicant's proposed amendment to the Comprehensive Plan and Zone Map results from following the urbanization process that has been established by the Comprehensive Plan and the RDC. The application package is consistent with Goal 14.

Goal 15 – Willamette River Greenway: This goal is not applicable to the City of Redmond.

Goal 16 – Estuarine Resources: This goal is not applicable to the City of Redmond.

Goal 17 – Coastal Shorelands: This goal is not applicable to the City of Redmond.

Goal 18 – Beaches and Dunes: This goal is not applicable to the City of Redmond.

Goal 19 – Ocean Resources: This goal is not applicable to the City of Redmond.

3. In conformity with the Redmond Comprehensive Plan, land use requirements and policies; and

FINDING: The application package has been found to comply with land use requirements and the Comprehensive Plan, including sub-plans, throughout this document. This criterion is met.

4. That there is a change of circumstances, further studies justifying the amendment or mistake in the original zoning.

FINDING: The applicant proposes to change the zoning of the subject tract from UH-10 to city zoning consistent with the underlying comprehensive plan designations, as is typically required of any development request for land that was not previously located within City Limits. There was no mistake in the original zoning resulting in the zone change; rather, the zone change request is required.

RDC 8.7065 Tentative Approval. Based on the facts presented at the hearing and the recommendation of the Planning Commission, if the Hearings Body determines that the applicant has met all applicable criteria for the proposed change, the Hearings Body shall give tentative approval of the proposed change. Such approval shall include any conditions, stipulations, or limitations which the Hearings Body determines to be necessary to meet the criteria. An appeal of the Hearings Body's decision shall be processed and decided in the manner provided for in Article II of these standards. Upon completion of hearings process, the council shall, by order, effect the zone reclassification of the property. Provided, however, if the applicant fails to abide by the conditions attached to the rezoning the Council may, later, rezone the affected property to its original zoning by order.

FINDING: This criterion is directed to the Hearings Body and will be observed during hearings. Recommended conditions of approval are described throughout this document.

ARTICLE III – LAND DIVISION STANDARDS > GENERAL PROVISIONS *RDC Section 8.2110*

8.2110 Minimum Standards. No proposed subdivision or partition shall be approved unless it complies with the density and underground utility requirements of the Redmond Comprehensive Plan, applicable Zoning Standards, standards below, and ORS Chapter 92.

FINDING: The applicable provisions of ORS 92 are addressed through compliance with the land division criteria found in the RDC and are addressed further as part of the final plat review and approval process. Compliance with the Comprehensive Plan, zoning standards, and underground utility requirements is addressed throughout this document. This criterion is met.

ARTICLE III – LAND DIVISION STANDARDS > SUBDIVISION APPLICATION PROCEDURE
RDC Sections 8.2200 through 8.2240

8.2200 Pre-Application Meeting. Prior to submitting a tentative subdivision plat each applicant or their representative is required to meet with the Community Development Director or a designated staff member(s) to review the proposal.

FINDING: The applicant completed the mandatory pre-application stage on October 31, 2022, as part of pre-development application 711-22-000207-PLNG (PD). This criterion is met.

8.2202 Neighborhood Meeting. Proof of a neighborhood meeting was conducted for residential or mixed use development proposals that generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, where a Transportation Impact Analysis (TIA) is required. See Section 8.0385 for meeting requirements.

FINDING: See finding for Section 8.0385, Neighborhood Meetings, above.

8.2205 Application Submission. Any person, authorized agent, or representatives, proposing a subdivision, shall include with an application and filing fee for a subdivision, a tentative plat together with improvement plans and other supplementary material as may be required.

FINDING: The applicant has submitted the necessary application form, filing fee, tentative plat, and other supplemental information. This criterion is met.

8.2210 Scale of Tentative Subdivision Plat. The tentative plat of a proposed subdivision shall be drawn on a sheet at an engineer's scale not greater than one inch per 100 feet, or as approved by the Community Development staff.

FINDING: The applicant's plan does not exceed one inch per 100 feet. This criterion is met.

8.2215 Informational Requirements. The following information shall be shown on the tentative plat or provided in accompanying materials. No tentative plat shall be considered complete unless all such information is provided:

1. **General information required:**
 - A. Proposed name of the subdivision.
 - B. Names, address, and phone numbers of the owner of record, authorized agents or representatives, engineer or surveyor, and any assumed business names filed or to be filed with the Oregon Secretary of State Corporation Division by the applicant. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
 - C. Date of plat preparation, north and magnetic north and south, scale and gross area of the proposed subdivision.
 - D. Appropriate identification of the drawing as a tentative plat for a subdivision. Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets.

- E. Certified copy of the recorded instrument under which the applicant claims an ownership interest, or copy of a land sales contract, which binds the applicant in the event of tentative approval.
- F. Title report or subdivision guarantee, issued within the last ninety (90) days, and supporting documentation of all easements identified on the property.

2. Information concerning existing conditions:

- A. Location, names, and widths of existing improved and unimproved public or private streets and roads within and adjacent to the proposed subdivision.
- B. Location of any existing features such as section lines, section corners, City and special district boundary lines, and survey monuments.
- C. Location of existing structures, irrigation canals and ditches, pipelines, waterways, railroads, and any natural features such as rock outcroppings, marshes, wooded areas, and natural hazards.
- D. Location and direction of water courses, and the location of areas subject to flooding and high water tables.
- E. Location, width and use or purpose of any existing easement or right-of-way within and adjacent to the proposed subdivision.
- F. Existing sewer lines or septic tanks and drain fields, water mains, wells, fire hydrants, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision together with pipe sizes, grades, and locations.
- G. Contour lines related to some established benchmark or other engineering acceptable datum and having minimum intervals of two feet for slopes of less than five percent, five feet for slopes of five to fifteen percent, ten feet for slopes of fifteen to twenty percent, and twenty feet for slopes greater than twenty percent.
- H. Zoning classification of land within and adjacent to the proposed subdivision.
- I. Names and addresses of all adjoining property owners.
- J. The structures, trees, rock outcroppings or other shade producing objects, if the object will cast shade from or onto the subdivision.
- K. Existing covenants, conditions, and restrictions.
- L. Conditions specified on the approved Transportation System Analysis prepared in accordance with Section 8.2815.

3. Information Concerning Proposed Subdivision:

- A. Location, names, width, typical improvements, cross sections, bridges, culverts, approximate grades, curve radii and centerline lengths and reserve strips of all proposed streets, and the relationship to all existing and projected streets.
- B. Location, width, and purpose of all proposed easements or rights-of-way and relationship to all existing easements and rights-of-way.
- C. Location of at least one temporary bench mark within the proposed subdivision boundary.
- D. Location, approximate area and dimensions of each lot, and proposed lot and block numbers.
- E. Location, approximate area and dimensions of any lot or area proposed for public use, the use proposed, and plans for improvements or development thereof.
- F. Proposed use, location, approximate area, and dimensions of any lot intended for non-residential use.
- G. An outline of the area proposed for partial recording, if contemplated or proposed.

- H. Source, method, and preliminary plans, prepared by a licensed civil engineer, for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities.
 - I. Description and location of any proposed community facility.
 - J. Storm water, drainage facility and grading plans.
 - K. Proposed deed restrictions including access restrictions or protective covenants if such are proposed to be utilized for the proposed subdivision.
 - L. Statement from each utility company proposed to serve the proposed subdivision stating that each company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service.
 - M. Proposed fire protection or fire hydrant system for the proposed subdivision and written approval thereof by the appropriate serving fire protection agency.
 - N. Solar Access. Demonstration of how solar access will be provided.
 - O. Location and type of street trees.
4. Information showing how the applicant has addressing the applicable Great Neighborhood Principles in Section 8.0270(3)(C)(13) and adopted Area Plans.

FINDING: All of the required information has been submitted into the record. These criteria are met.

8.2220 Phased Development Plan. An overall phased development plan shall be submitted for all developments for which phased development is contemplated. The phased development plan shall include but not be limited to, the following elements.

- 1. Overall development plan, including phase or unit sequence.
 - A. For development that includes a commercial component, a surety may be required when the commercial component is not sequenced in the initial phases.
- 2. Show compliance with all applicable land division standards and policies as described in this Article.
- 3. Schedule of improvements initiation and completion.
- 4. Overall transportation and traffic pattern plan showing compliance with grid street standards, and for land within the North Redmond US 97 Interchange Area Management Plan (IAMP), compliance with the Local Street Connectivity Plan (Comprehensive Plan Addendum Chapter 9 Transportation Element figure 1).
- 5. General program for phasing timetable projection.
- 6. Development plans for any common elements or facilities.
- 7. If the proposed subdivision is believed to have an additional impact upon adjacent lands or lands within the general vicinity, the Hearings Body may require an additional impact analysis for various aspects of the development thought to cause such impacts.
- 8. Street tree plan.
- 9. Program for addressing applicable Great Neighborhood Principles in Section 8.0330(3)(C)(13) and adopted Area Plans.

FINDING: The applicant has submitted a tentative plan that describes and depicts the anticipated timing of the nine proposed phases, a street tree plan, and addresses applicable land division criteria including transportation system requirements and design requirements for common facilities. Additionally, the applicant submitted a narrative addressing the Great Neighborhood Principles and applicable area plan. These criteria have been met.

8.2225 Approval of Phased Development Plan. The Hearings Body shall review a phased development plan at the same time a tentative plat for the first phase is reviewed. A phased development plan may be approved before the tentative plat for the first phase is submitted. The Hearings Body may approve, modify, or disapprove the phased development plan and shall set forth findings for such decision. The Hearings Body may also attach conditions necessary to bring the plan into compliance with all applicable land use standards and policies. Any tentative plat submitted for the plan area shall conform to the phased development plan unless approved otherwise by the City.

FINDING: The applicant has submitted both a phased development plan and a tentative plat for all nine phases and a remainder lot for concurrent review. As described in the TSA approval memo and throughout this document, the applicant's phasing was evaluated and determined to comply with applicable criteria. To ensure continued compliance, staff recommends two conditions of approval. A condition of approval shall require that the proposed subdivision be developed in conformance with the TSA approval memo (attachment D) associated with public works file 711-23-000030-PW. Another condition of approval shall require that any final plat submitted for review must, prior to approval, substantially conform to the tentative plan evaluated as part of this application package (attachment A), except for modifications required to comply with conditions of approval. With these conditions, the above criterion is met.

8.2230 Development Following Approval. Once a phased development plan is approved by the City, the plan shall be binding, upon both the City and the developer. The Hearings Body may attach conditions to any changes proposed that are deemed necessary to insure compliance with the Comprehensive Plan and implementing regulations. After five (5) years from the date of approval of the plan, the City may initiate a review of the plan for conformance with applicable City regulations. If necessary, the City may require changes in the plan to bring it into conformance with new applicable city regulations.

FINDING: This criterion is procedural and pertains to continued compliance with applicable criteria following approval of the application package. Staff recommends that this criterion be included as a condition of approval.

8.2235 Required Findings for Tentative Subdivision Approval.

1. The Hearings Body shall approve no application for a subdivision unless the following requirements are met:
 - A. Proposal is in compliance with ORS Chapter 92, the Comprehensive Plan, the Transportation System Plan (TSP), applicable zoning and the applicable Track in Section 8.2236.

FINDING: The applicable provisions of ORS 92 are addressed through compliance with the land division criteria found in the RDC and are further addressed as part of the final plat review and approval process. Compliance with the Comprehensive Plan, the TSP, zoning standards, and RDC Section 8.2236 is addressed throughout this document. This criterion is met.

- B. Proposal does not conflict with acquired public access easements within or adjacent to the subdivision.

FINDING: No public access easements (PAEs) are currently proposed for the master development plan and subdivision, nor are there any known nearby PAEs adjacent to the subject tract. This criterion is met.

- C. Each lot is suited for the use intended or offered.

FINDING: As discussed earlier, each proposed lot is able to meet the applicable zoning and dwelling dimensional standards of RDC Section 8.0140. Staff has already recommended a condition of approval that all proposed residential lots meet the minimum standards of RDC Section 8.0140 prior to final plat approval. As a result, staff finds it reasonable to conclude that each proposed residential lot would be suited for the use intended. This criterion is met.

- D. The subdivision will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.

FINDING: Compliance with the TSP, the Water Master Plan (WSMP), and the Wastewater Master Plan (RWSMP) is evaluated in detail further below with RDC Sections 8.2240, 8.2710, and 8.2815. As previously discussed, the applicant's proposal is consistent with existing comprehensive plan designations that were established with the adoption of the NAP in August of 2007, predating all of the City's current public facility plans. Additionally, as demonstrated by communications from the Engineering Division submitted into the record, the Engineering Division has waived the requirement to submit an Infrastructure Allocation Analysis, stating, "the areas on the Vollertsen property that can gravity to the existing City sewer in Quince Ave to the east were allocated in 2008 by Council per attached plan, so additional sewer allocation is not necessary." And "The water allocation analysis can be waived as well. Expansion of the City's existing water system and public water main extensions 'to/through' the project per WSMP and will suffice." As discussed in further detail below, with certain conditions of approval, the development could provide adequate infrastructure to serve water and wastewater needs. Based on this, staff finds that the subdivision would not exceed the operational capacity of water and wastewater facilities. This criterion is met.

- E. A water rights division plan has been approved by the applicable irrigation district.

FINDING: The applicant has stated that the subject property located at 2098 Northwest Way contains water rights. It is staff's understanding that no water rights division plan has yet been approved by COID, and that any existing water rights would be removed upon annexation of the subject tract unless otherwise authorized by COID, pursuant to the annexation agreement. Staff recommends a condition of approval stating that the applicant shall be required to furnish a copy of any applicable water rights division plan to the City and the City shall confirm the plan with COID prior to phase one final plat approval. With this condition, the above criterion could be met.

- F. The subdivision contributes to orderly development and land use patterns in the area, and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.

FINDING: According to staff review of the City of Redmond GIS map, the subject tract does not contain natural features or resources. Additionally, the subdivision proposal was found to contribute to orderly development and land use patterns in the area as part of RDC Section 8.0270 above. This criterion is met.

2. Access Management proposals comply with the standards set forth in Section 8.2820 and all other applicable standards.

FINDING: Compliance with RDC Section 8.2820 is evaluated further below.

8.2236 Subdivisions may be created following two tracks: Track 1 (General Criteria) and Track 2 (Clear and Objective Standards)

[...]

Track 2 – Subdivision, Tentative Plan Approval Criteria (‘Needed Housing’ & Clear and Objective Standards). The planning division shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions, shall be based on compliance with the following criteria:

- A. The applicant has demonstrated that the proposed housing is needed housing as defined by State statutes.

FINDING: Pursuant to ORS 197.303, “needed housing” includes all housing. This criterion is met.

- B. The proposed land uses and densities are consistent with the comprehensive plan, in this code, and as refined in any applicable area plan, master plan, or framework plan.

FINDING: As discussed previously, the land uses and densities proposed by the applicant comply with the Comprehensive Plan, inclusive of the RUAFP and the NAP. The density of the multi-family residential lot is not yet known but will be evaluated for compliance with the Comprehensive Plan and RDC as part of the Site and Design Review process. This criterion is met.

- C. The proposed subdivision complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone. The proposed subdivision will:
 1. Not create risk of fire, flood, geological hazards, or other public health and safety concerns;
 2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities consistent with City Standards and Specifications.

FINDING: The adequate provision of public utilities is addressed in detail further below. Redmond Fire and Rescue (RFR) evaluates development proposals for possible fire and safety risks and mitigation. Therefore, staff recommends a condition of approval that the proposed development shall be designed and constructed to comply with the Oregon Fire Code and any other Redmond Fire and Rescue (RFR) requirements. With this condition, these criteria are met.

- D. The proposed subdivision provides direct bicycle and pedestrian access to any adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment areas.

FINDING: According to the TSA approval memo and comments provided by the Engineering Division, a transit stop must be installed along Northwest Way in consultation with CET. The development proposal includes a meandering ten-foot-wide separated multi-use path within the Northwest Way ROW and separate lots for pedestrian access on Tracts C, D, and G. The location of the multi-use path and pedestrian access lots would facilitate bicycle and pedestrian access between the future transit stop along Northwest Way and the neighborhood interior. To ensure that the pedestrian access provided is adequate, staff recommends a condition of approval requiring that the pedestrian access proposed for Tracts C, D, and G shall be constructed to a width of ten feet and shall meet the requirements for a sidewalk or multi-use path in compliance with the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). To ensure that the multi-use path provided is adequate, staff recommends a condition of approval requiring that a ten-foot-wide meandering and separated multi-use path (TSP Project B13), shall be constructed within the Northwest Way ROW adjacent to the eastern boundary in compliance with the multi-use path requirements of the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). With these conditions, the above criterion is met.

- E. The proposed subdivision is designed and sited such so roads, infrastructure, utilities, and future development of proposed lots will minimize impacts to the natural landscape by addressing the following:
1. Tree Preservation. The proposed project shall be designed and sited to preserve trees having the following characteristics:
 - a. Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;
 - b. Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;
 - c. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;
 - d. Trees that provide a buffer between potentially incompatible land uses;
 - e. Trees located along the perimeter of the lot(s) and within building setback areas;
 - f. Trees and stands of trees located along ridgelines and within view corridors;
 - g. Trees with significant habitat value;
 - h. Trees adjacent to public parks, open space, and streets.
 - i. Trees along water features.
 - j. Heritage trees.
 2. Restoration or Replacement.
 - a. For areas not included on the City's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in

criteria (a) above, through the restoration or replacement of natural features such as:

- i. Planting of replacement trees within common areas; or
- ii. Re-vegetation of slopes, ridgelines, and pedestrian corridors; or
- iii. Restoration of native plant habitat.

[...]

FINDING: The applicant has proposed to create but not develop Tracts A and B, representing an approximate combine 5.4 acres that will be largely left undisturbed until a future development. Additionally, according to staff review of City of Redmond GIS maps, the subject tract contains sparse populations of existing trees clustered primarily along the open canal that is proposed to be piped and relocated. Most of the trees would need to be removed in order to relocate the canal. Staff finds that the proposal is already configured to preserve as many trees as possible. To ensure continued compliance with these criteria, staff recommends a condition of approval that the development of the park proposed for Tract F and the multi-family housing proposed for Tract B must be reviewed for tree preservation and replacement in compliance with RDC Section 8.2236(2)(E) in all subsequent development reviews. With this condition, these criteria have been met.

- F. On any Residential zoned property, if the subdivision results in a lot greater than twice the minimum lot size in the underlying zone, the application shall indicate the location of lot lines and other details of layout that show future division of the lot may be made without violating the requirements of this code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways.

FINDING: The proposal only includes three lots large enough to qualify as twice the minimum lot size for their underlying zoning standards, exclusive of the townhouse minimum lot size standard. The lot described as Tract F is designated for use as a privately owned park, and the applicant has provided draft site plans for the lots described as Tracts A and B into the record to demonstrate that future division and development is possible. This criterion has been met.

- G. Lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.

FINDING: As shown on the tentative plan, all side lot lines are at or near right angles except side lot lines along curved streets, which are radial to the curve. This criterion is met.

- H. There shall be no proposed grading on portions of the development site that meet or exceed 15% slope.

FINDING: The subject tract does not contain slopes at or exceeding 15%. This criterion is not applicable.

- I. The proposed subdivision complies with the Transportation System Analysis review provisions per Section 8.2815.

FINDING: Compliance with RDC Section 8.2815 is discussed further below.

- J. The proposed subdivision street layout shall disperse motor vehicle traffic onto more than one public local street unless approved by the City Engineer.

FINDING: The traffic impacts of the proposal have been analyzed and mitigation strategies have been required as part of the TSA approval memo. See the findings for compliance with RDC Section 8.2815 further below for more information. This criterion is met.

- K. Urban development shall interface with rural areas (rural areas are those that lie within areas outside of the UGB or UAR) through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban - rural interface, or utilize other appropriate and equivalent transitional elements.

FINDING: The subject tract is located within the UGB interior and is not adjacent to any rural lands. This criterion is not applicable.

- L. Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash receptable(s) and lighting.

FINDING: Pursuant to this criterion, 15,000 square feet of park area is required for the 148 proposed residential lots. The proposal includes one privately maintained park lot approximately 28,467 square feet (0.65 acres) in size, exceeding this requirement. To ensure compliance with this criterion, staff recommends a condition of approval that development of the proposed park lot (described as Tract F) and the multi-family housing lot (described as Tract B) will be reviewed for park amenities in subsequent development reviews. With this condition, the application could comply with this criterion.

- M. No site grading of the site shall occur until the City has approved the subdivision application.

FINDING: No grading has occurred to date and the applicant does not intend on conducting any grading activities until the tentative plan is approved.

- O. The proposed subdivision does not contain any Through/Double Frontage lots or parcels.

FINDING: Pursuant to RDC Section 8.2020, the definition Through/Double Frontage Lot is, “An interior lot having frontage on more than one street, or a corner lot having frontage on more than two streets.” The proposal includes one double frontage lot, described as Tract B on the tentative plan, containing approximately 3.06 acres. According to a draft multi-family site plan submitted into the record for this lot, access could be located along the otherwise uninterrupted frontage along Local Street A and NW 25th Street providing for points of ingress and egress off lower ordered streets interior to the subdivision, rather than off of Northwest Way or NW

Quince Avenue. Given this, the size of the lot, and the lack of double frontage lots throughout the rest of the subdivision, staff finds that the creation of this one double frontage lot is acceptable. This criterion is met.

8.2240 Improvement Requirements (For Track 1 and Track 2 Subdivisions).

1. In the approval of a subdivision, the Community Development Director or Hearings Body shall consider the need for street and other improvements. All streets in new subdivisions, except for private streets, shall be dedicated to the public without reservation or restriction.

FINDING: The need for streets and other improvements is discussed throughout this document.

2. Private Alley Access. The Community Development Director or Hearings Body may require the applicant to improve a private alley access easement serving two or more lots according to the adopted City of Redmond Public Works Standards and Specifications, as amended.
 - A. Such access easements shall include provisions for permanent, long-term maintenance, including: maintenance measures to be employees; responsible parties; funding; design; timing; and, enforceability. These provisions shall be included as recorded Covenants, Conditions and Restrictions (CCR's) appurtenant to the affected properties.

FINDING: According to the tentative plan, the proposal includes a twenty-foot-wide private alley in phase nine intended to serve thirty of the townhouse lots and an HOA to provide for the ownership and maintenance. The applicant has submitted a draft HOA declaration of covenants, conditions and restrictions (CC&Rs) (attachment F). The draft CC&Rs require common areas to be maintained, consistent with the requirements of this section. To ensure compliance with these criteria, staff recommends a condition of approval stating that the applicant shall submit the HOA CC&Rs for City review and approval prior to the approval of the phase one final plat. The HOA CC&Rs shall be recorded with the phase one final plat and include standards for the maintenance of the private alley and all other common areas.

Additionally to ensure that the alley is adequate, in consideration of the substantial number of dwelling units proposed to be served by the private ally and of comments provided by the Engineering Division, staff recommends a condition of approval that private alley proposed for Tract E shall be paved, privately owned and maintained, and constructed to be twenty feet wide prior to the issuance of phase eight certificate of occupancy or the recording of the phase nine final plat, whichever occurs first. With this condition, the above criterion is met.

3. The subdivider shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement, as may be applicable, with the Deschutes County Clerks office at the time of recording of the final subdivision plat.

FINDING: The applicant does not propose shared access, shared wells, or other private agreements for public improvements. However, a shared access agreement could be required to serve the private alley, subject to review and approval by the Engineering Division. Staff recommends this criterion be included as a condition of approval.

4. Paved access is guaranteed to each lot.

FINDING: Given that all lots meet minimum street frontage requirements, all lots will be required, and are guaranteed, to have paved access. This criterion is met.

5. Each lot is to be connected to the City water and sewer system pursuant to Section 4.007 of the Code of the City of Redmond.

FINDING: As shown on the applicant's plan set, water and sewer mains are proposed to extend throughout the site. Additionally, water and sewer service laterals are proposed to be extended to serve each proposed lot. To ensure compliance, staff recommends a condition of approval that all lots in a project phase shall be provided access to water/sewer services prior the approval of the final plat for that phase in compliance with the Public Works Standards and Specifications. With this condition, the above criterion is met.

6. All required public utilities are available.

FINDING: As noted by the Engineering Division, two projects from the Water System Master Plan are identified on or adjacent to the subject tract: A twelve-inch public water main (project P4572) and an eight-inch public water main (project P-2). Additionally, gravity sewer must first be brought to the Northwest Way and NW Quince Avenue intersection by others, to then be extended during the installation of the Northwest Way street improvements prior to the recording of the phase four final plat. According to the applicant's tentative plan, the development proposes to meet the "to and through" public facility requirement, thus demonstrating the adequacy and available capacity of infrastructure to serve the development.

To ensure that all required public utilities will be available and adequate, staff recommends a condition of approval that all utility infrastructure shall be constructed in compliance with the Public Works Standards and Specifications, the Water System Master Plan (WSMP), and the Redmond Wastewater System Master Plan (RWSMP). With this condition, the application complies with the above criterion.

ARTICLE III – LAND DIVISION STANDARDS > DESIGN STANDARDS & IMPROVEMENTS *RDC Sections 8.2700 – 8.2720*

8.2700 Compliance Required.

1. Any land division or development shall be in compliance with the design and improvement standards and requirements of this section, and all other applicable provisions, as set forth in this Chapter.

8.2705 Blocks, Lots and Parcels.

1. **Blocks.** The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.
 - A. No block shall be more than 660 feet in length between street center lines unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception and is so approved by the reviewing authority. In MUN, MUE and MULW zones, block lengths shall be an average of

330 feet, except where required to meet grid street or access management requirements.

FINDING: Pursuant to RDC Section 8.0020, the definition of blocks is, “An area of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-ways or lines, shorelines or waterways, natural topographical barriers, or corporate boundary lines of a city.” The applicant proposes to annex and apply city zoning to the subject tract, and then proceed with the subdivision development. The development would create seven blocks, of which, only one would be adjacent to an arterial street. Of the six other blocks, none would exceed a length greater than 660 feet. This criterion is met.

- B. The recommended minimum length of a block along an arterial street is 1,320 feet, except that along such blocks, a public right-of-way for pedestrian and bicycle access shall be dedicated at or nearest the mid-point of the block length as is practical. The right-of-way shall be a minimum of 10 feet wide, with an all weather surface a minimum of 5 feet wide, constructed and centered within the right-of-way.

FINDING: As discussed above, of the seven blocks proposed, one would be adjacent to an arterial. According to the tentative plan, that block would exceed the minimum 1,320 feet in length and a ten-foot-wide pedestrian access is proposed midway through the block. To ensure that the pedestrian access is constructed to standard, staff recommends a condition of approval that The pedestrian access proposed for Tracts C, D, and G shall be constructed to a width of ten feet and shall meet the requirements for a sidewalk or multi-use path in compliance with the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). With this condition, the above criterion is met.

- C. A block shall have sufficient width to provide for 2 tiers of lots unless topography, the location of adjoining streets, or adjacency to an arterial street justifies an exception.

FINDING: All blocks within the subdivision are proposed to provide for two tiers of lots. Only the portion of development along the eastern edge provides a single tier of lots. However, this was designed in order to account for the single tier of lots provided on the adjacent property to the east and prevent the creation double frontage lots or the conversion of existing lots on the neighboring property into double frontage lots. This criterion is met.

- D. Where appropriate at approved cul-de-sacs, dead-end streets, or along blocks approved at more than the maximum block length standard, pedestrian and bicycle access corridors shall be required to be constructed between lots to minimize travel distance between subdivisions, parks, school, and collector or arterial streets. Access corridors shall be located to provide a reasonably direct connection between likely pedestrian destinations and shall be consistent with the City of Redmond Bicycle Refinement Plan where applicable. A reasonably direct connection is a route which minimizes out of direction travel for people likely to use the connection considering terrain, safety, and likely destination. The Community Development Director, or Hearings Body, may determine based on evidence in the record that construction of a separate access corridor is inappropriate or impractical. Such evidence may include but is not limited to:

1. When the nature of abutting existing development makes construction of an access corridor impractical.
2. When the access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values.
3. When the access corridor would cross topography where slopes exceed 30% or where path grade would exceed 12% slope; or
4. When a cul-de-sac or dead-end street abuts rural resource land at the urban growth boundary. In industrial zones, this standard may be waived at the discretion of the Community Development Director, or Hearings Body, when it is determined that the City's grid street standards should not be applied to the industrial development.

FINDING: The proposed master planned subdivision does not include any cul-de-sacs, dead-end streets, or blocks longer than the maximum block length standard. Therefore, these criteria are not applicable to the application.

2. **Lots and Parcels.** The size, width, and orientation of newly created lots and parcels shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots and parcels shall be generally rectangular in shape and shall be consistent with the lot size provisions of the zoning standards and the density requirements as established in the City of Redmond Comprehensive Plan. Notwithstanding these requirements, the following exceptions may apply:

[...]

FINDING: The proposal contains 154 lots, including 149 residential lots, three lots designated for pedestrian access, one lot designated for park use, and one remainder lot. All of the lots are generally rectangular in shape and meet lot size requirements, and all of the residential lots were found to meet the applicable density standard of the zone. This criterion is met.

3. **Frontage.** Each newly created lot and parcel shall abut upon a public street other than an alley for at least 50 feet (at least 25 feet in Mixed Use zones). Lots fronting on the bulb of a cul-de-sac the minimum frontage shall be 30 feet. Flag lots shall have no less than 20 feet of street frontage measured at the property line. Townhouse frontage shall be at least 20 feet. Vehicular access shall be provided as specified in Section 8.2820, Access Management Standards, of this Chapter, or as specified in Section 8.2705(6) below, for residential lots and parcels abutting collector and arterial streets. All lot and parcels shall be addressed from the primary public street frontage, not including alleys.

FINDING: All the proposed single-family detached dwelling lots abut a public street for at least 50 feet, and all proposed townhouse lots abut a public street for at least 20 feet in length. The proposal does not include any cul-de-sac lots or flag lots. This criterion is met.

4. **Side Lot or Parcel Lines.** All side lot lines shall be at right angles to street lines or radial to curved streets wherever practical except as provided for in subsection (10) of this section.

FINDING: As shown on the tentative subdivision plan, all side lot lines are at or near right angles except side lot lines along curved streets, which are radial to the curve. This criterion is met.

5. **Through/Double Frontage Lots and Parcels.** Through lots or parcels, and lots or parcels with double frontage shall be avoided whenever possible, including lots or parcels created adjacent to Collector and Arterial Streets, but not including alley frontage as described in Section 8.2705(6) below, except when they are necessary due to an irregular parent lot or parcel configuration, or are necessitated by topography or other unique circumstance.

FINDING: Pursuant to RDC Section 8.2020, the definition Through/Double Frontage Lot is, “An interior lot having frontage on more than one street, or a corner lot having frontage on more than two streets.” The proposal includes one double frontage lot, described as Tract B on the tentative plan, containing approximately 3.06 acres. According to a draft multi-family site plan submitted into the record for this lot, access could be located along the otherwise uninterrupted frontage along Local Street A and NW 25th Street providing for points of ingress and egress off lower ordered streets interior to the subdivision, rather than off of Northwest Way or NW Quince Avenue. Given this, the size of the lot, and the lack of double frontage lots throughout the rest of the subdivision, staff finds that the creation of this one double frontage lot is acceptable. This criterion is met.

6. **Residential Lots and Parcels Abutting Collector and Arterial Streets.** Lots and parcels created adjacent to Collector and Arterial streets shall be oriented so that the front elevation of the residential development faces the Collector or Arterial Street. Vehicular access shall be provided pursuant to Section 8.2820, Access Management Standards, of this Chapter. In instances where direct vehicular driveway access to lot or parcel from the Collector or Arterial Street is not permissible, alley access shall be provided to the rear of the lot or parcel in accordance with the design standards included in Section 8.2710(3) of this Chapter.

FINDING: Compliance with RDC Section 8.2820 is discussed in detail further below. Townhouse lots 134 through 148 abut designated arterial Northwest Way, and pursuant to RDC Section 8.0142 Townhouse Development and Design Standards, the townhouses will be required to orient the front elevation facing Northwest Way, and to take vehicular access from the private alley adjacent to the rear. This criterion is met.

7. **Corner Lots and Parcels.** Corner lots and parcels shall be 5 feet more in width than other lots and parcels and also shall have sufficient extra width to meet the additional side yard requirements of the zoning district in which they are located.

FINDING: The proposal contains 26 corner lots planned for single-family detached dwellings and one corner lot proposed for a townhouse. All 27 lots have are provided at least five additional feet in width when compared to the adjacent interior lots or are already of sufficient size to meet the side yard requirements of a corner lot. This criterion is met.

8. **Special Building Setback Lines.** If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.

FINDING: No special building setback lines are needed or proposed as part of this proposed subdivision. This criterion does not apply.

9. **Large Building Lots; Re-division.** In the case where lots or parcels are of a size and shape that future redivision is possible, the Community Development Director, or Hearings Body, may require that the blocks be of a size and shape so that they may be redivided into building sites, and the development approval and site restrictions may require provision for the extension and opening of streets at intervals which will permit a subsequent redivision of any tract of land into lots or parcels of smaller sizes than originally platted, and in conformance with the density provisions established in the City of Redmond Comprehensive Plan for the existing or intended Zone. A plan indicating the ability for re-division according to these standards may be required as part of the initial land division process.

FINDING: The proposal includes three lots are of size where future redivision could be possible, however, one is designated for use as a private park, and another is already designated for the development of multi-family housing. The third, described in the tentative plan as Tract A, would be rectangular in shape, contain approximately 2.36 acres in size, and contain frontage along both Northwest Way and NW 26th Street. The Engineering Division has submitted comments into the record indicating that additional information is required prior to being able to determine if the proposal complies with this criterion. In consideration of this, staff recommends a condition of approval that the applicant shall be required to submit a plan demonstrating the ability for re-division and impact to the adjacent property to the south prior to approval of the phase one final plat. With this condition, the above criterion has been met.

10. **Solar Access.** As much solar access as feasible shall be provided each lot and parcel in every new subdivision or partition considering topography, development pattern, and existing vegetation. The boundary lines of lots and parcels, as far as feasible, shall be oriented to provide solar access at ground level at the southern building line of the adjoining lot to the north two hours before and after the solar zenith from September 22 to March 21. If it is not feasible to provide solar access to the southern building line the solar access, if feasible, shall be provided at 10 feet above ground level at the southern boundary line two hours before and after the solar zenith from September 22 to March 21, and three hours before and after the solar zenith from March 22 to September 21. This solar access shall be protected by solar height restrictions on burdened properties for the benefit of lots receiving the solar access pursuant to Section 8.0370, of the City of Redmond Development Code, Solar Access Standards. If the solar access for any lot, either at the southern building line or at 10 feet above the southern building line, is not feasible, supporting information may be required with the application.

FINDING: As shown on tentative plan, the majority of the lots of the proposed subdivision have the longest dimension in a north-south orientation, which provides opportunities for as much solar access as possible. This criterion is met.

11. **Curvilinear Street and Block Design.** Although a basic grid street design with minimum and maximum block lengths are requirements of this section, a curvilinear street/block design is encouraged for the purpose of adding interest to new subdivision development.

FINDING: This criterion is elective. Curvilinear streets are not proposed nor required.

12. **Flag Lots.** A flag lot shall be considered as a “flag lot” if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:
[...]

FINDING: The proposal does not include flag lots. This criterion does not apply to the application.

8.2710 Streets.

1. **General.** Streets shall be in conformance with the City of Redmond Transportation System Plan as specified herein.

- A. Except along Arterial Street, public streets shall be spaced a maximum of 660 feet between centerlines. The purpose is to provide a street grid pattern of through streets to facilitate traffic movement. Street designs shall conform to topography and other existing natural and man-made conditions. Illustrative examples of other conditions include the dry canyon, main COI canal, Highway 97, and the Burlington Northern Railroad tracks.

FINDING: As discussed earlier, only the block adjacent to an arterial street exceeds the maximum length of 660 feet. This criterion is met.

- B. All proposed streets, sidewalks, bike lanes and pedestrian pathways shall connect to other streets, sidewalks bike lanes and pedestrian pathways within a development and to existing and planned streets, sidewalks, bike lanes and pedestrian pathways outside the development. Such facilities shall serve existing and planned parks, schools, or other public lands within a neighborhood.

FINDING: The tentative plan demonstrates connectivity of streets, sidewalks, and multi-use paths throughout the development. The proposed multi-use path along Northwest Way and the sidewalk system along NW Quince Avenue would provide connectivity to the private park within the development and to existing trails, allowing access to Spruce Park and the Dry Canyon. Additionally, the park and the designated pedestrian access across Tracts C and D would provide circulation between the multi-use path and the neighborhood interior. Staff finds that this criterion has been met.

- C. To the maximum extent possible, new local streets shall align and connect with existing local streets and collectors, and in certain special cases arterial streets. Cul-de-sac streets shall be permitted only where no feasible connection with an adjacent street exists, or if the local street connection would be to an arterial street and the function of the arterial street may be diminished as determined through the land use review process, or the block length would be less than that which is permitted by Section 8.2705(1)(B).

FINDING: The proposal does not include cul-de-sac streets. The subject tract abuts only two existing or planned local streets, NW Quince Avenue and NW 25th Street respectively, and the tentative plan demonstrates that these streets would be extended in alignment with the

centerline. As configured, NW 25th Street meets grid street requirements and would allow for extension into future development to the south. This criterion is met.

- D. Consideration should be given to alternative street designs other than required herein in the City's non-residential land use zones to allow for more effective developments. Such designs may be considered and approved during the subdivision or partition process without need for variance.

FINDING: The subject tract is entirely located within residential designations and the proposal does not include alternative street designs. This criterion is not applicable to the application.

- E. All proposed or required streets and alleys shall comply with Section 8.2820 Access Management Standards, the Transportation System Plan, and with Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan.

FINDING: Compliance with RDC Section 8.2820 and the TSP is discussed in detail further below.

- 2. **Existing Streets.** Whenever existing streets, adjacent to or within a tract, are of inadequate width per City of Redmond Standards and Specifications and the City's approved Transportation System Plan additional right-of-way shall be provided at the time of the land division by the applicant. During consideration of the tentative plat for the subdivision or partition, the Hearings Body shall determine whether the improvements to existing streets, adjacent to or within the tract, are required. If so determined, such improvements shall be required as a condition of approval of the tentative plat. Improvements to adjacent streets shall be required where traffic on said streets shall be directly affected by the proposed subdivision. Notwithstanding these provisions, off-site improvements to streets not within or adjacent to the development may be required when impacts resulting from the development necessitate such improvements as demonstrated through a transportation impact analysis.

FINDING: Compliance with the TIA and the resulting TSA approval memo are discussed in RDC Section 8.2815 below. Existing streets adjacent to or within the proposed development include Northwest Way to the west and NW Quince Avenue to the north. According to comments submitted by the Engineering Division, both streets are of inadequate ROW width and insufficient improvements pursuant to both the Public Works Standards and Specifications and the TSP. Currently, the applicant's plans do not demonstrate intent to dedicate adequate ROW width to meet the requirement for NW Quince Avenue. The applicant has provided information into the record stating that the northern half of the NW Quince Avenue ROW will be dedicated by the adjacent landowner prior to the applicant's construction of NW Quince Avenue. However, to ensure compliance with criteria, staff recommends two conditions approval requiring the full dedication and construction of Northwest Way, and the full or partial dedication and construction of NW Quince Avenue to meet the requirements of the Standards and Specification, the TSP, and the TSA approval memo. With these conditions, the application could comply with the above criterion.

3. **Minimum Right-of-Way and Roadway Width.** The street right-of-way and roadway surfacing widths shall be in conformance with the standards as specified in Table 1 below:

Table 1 - City of Redmond Right of Way and Roadway Design and Cross-Section Standards

Functional Class	Width (ft)			Travel Lanes	Sidewalks	Bike Lanes**	Parking**
	Pavement Standard	Pavement (minimum)	Right-of-Way				
Residential Alley	16 ft		20 ft	n/a	none	shared	none
Commercial Alley	20 ft		20 ft	n/a	none	shared	none
Local Residential*****	36 ft		60 ft	2***	5 ft	shared	both sides (unstripped)
Parking One Side	28 ft*		60 ft	2***	5 ft	shared	one side (unstripped)
No Parking	24 ft*		60 ft	2***	5 ft	shared	none
Local Industrial	40 ft	38 ft	60 ft	2***	5 ft	shared	optional (unstripped)
Industrial Collector	40 ft	38 ft	80 ft	2	5 ft	6 ft	none
Minor Collector	40 ft	36 ft****	60 ft	2	5 ft	shared	both sides (8 ft)
Major Collector	36-50 ft	36 ft****	80 ft	2	5 ft	6 ft	none
Minor Arterial (3-lane)	50 ft	48 ft	100 ft	3	7 ft	6 ft	none
Minor Arterial (5-lane)	74 ft	72 ft	100 ft	5	7 ft	6 ft	none
Notes:							
*May be constructed only in conjunction with the creation of covenants, conditions, and restrictions (CCR's) and the establishment of a homeowners association (HOA) for the development. The CCR's shall provide that the primary responsibility for parking enforcement shall be the HOA, with the City of Redmond also being acknowledged in the CCR's as a beneficiary for such parking enforcement as a violation of the land use decision and/or city code.							
**In certain cases, bike lanes may be reduced to 5 ft, parking may be reduced to 7 ft, and travel lanes to 11 ft at the discretion of the City Engineer.							
***Unstripped travel lanes							
****36 ft in existing built-out areas							
*****All streets less than 28 feet wide shall be no longer than 300 feet in length, unless such streets include at least one (1) parking bay per lot, located along each lot frontage for the entire length of such street, up to the maximum block length. Streets 300 feet or less in length shall not have any direct driveway access. In no case shall any street less than 28 feet wide intersect with any other street less than 28 feet wide.							

FINDING: The subdivision proposal includes improvements to existing streets and the development of multiple roadway types. Development and improvements include a private

residential alley, local grid streets, and a minor arterial. Staff recommends a condition of approval that all proposed streets be dedication and improved pursuant to this standard and the Public Works Standards and Specifications. With this condition, the above criteria have been met.

4. **Future Extension of Streets.** When necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead-end streets may be approved without a permanent turn around if they are 150 feet or less in length, although, an adequate temporary turn around to ensure emergency vehicle access must be provided if such streets are greater than 150 feet in length.

FINDING: The proposal does not include any dead-end streets greater than 150 feet in length. This criterion does not apply to the application.

5. **Collector and Arterial Street Access.** Notwithstanding the provisions of Section 8.2705 of this Chapter, if a land division abuts or contains an existing or proposed collector or arterial street, the Community Development Director, or Hearings Body, may require other treatments, including but not limited to frontage roads, necessary for adequate protection of residential properties and to afford separation of through and local traffic. Provision may be made for emergency access. All frontage roads shall comply with the City of Redmond Transportation System Plan.

FINDING: As already discussed, the subject tract abuts designated minor arterial Northwest Way, however, the closest twenty feet of the Northwest Way ROW is proposed to be occupied by a multi-use path. Additionally, based on comments provided by the Engineering Division and the TSA approval memo, it does not appear that additional treatments have been determined to be necessary to separate the traffic from the dwellings. Therefore, staff finds that this criterion has been met.

6. **Streets Adjacent to Railroads, Freeways and Parkways.** When the area to be subdivided or partitioned is residentially zoned and abuts a railroad, freeway, or parkway, a provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for use of the land between the street and railroad, freeway or parkway. In the case of a railroad, there shall be a land strip of not less than 25 feet in width adjacent and along the railroad right-of-way for screen planting between the railroad right-of-way and residential property. If the intervening property between such parallel streets and a freeway or a parkway is less than 80 feet in width, such intervening property shall be dedicated to park or thoroughfare use. The intersections of such parallel streets, where they intersect with streets that cross a railroad, shall be determined with due consideration as cross streets of a minimum distance required for approach grades to a future grade separation and right-of-way widths of the cross street.

FINDING: The subject tract is not adjacent to a railroad, freeway, or parkway; therefore, this criterion is not applicable to the application.

7. **Continuation of Streets.** Subdivision or partition streets which constitute the continuation of streets in contiguous territory shall be aligned so that their center lines

coincide. Where straight line continuations are not possible, such center lines shall be continued as curves. These streets or the continuation of streets in contiguous territory may be required by the Community Development Director, or Hearings Body, where such continuation is necessary to maintain the function of the street or desirable in the surrounding area. Where solar orientation would not be possible if the street area continued, a new pattern may be started that is solar oriented.

FINDING: As discussed earlier, the subject tract abuts only two existing or planned local streets, NW Quince Avenue and NW 25th Street respectively. The subject tract also abuts Northwest Way and the proposal includes additional dedication and construction of Northwest Way to meet applicable criteria. The tentative demonstrates that the additional dedication and improvements to the three streets are proposed to be extended in alignment with the centerline. Nevertheless, to ensure compliance, staff recommends a condition of approval that street dedication and construction shall match existing centerlines where provided (Northwest Way, NW Quince Avenue, NW 25th Street). With this condition, this criterion is met.

8. **Lot Layout.** Local residential streets should be oriented on an east/west axis to the greatest possible extent to insure solar access for lots within the subdivision or partition.

FINDING: As shown on the tentative plan, the majority of the planned local streets are oriented on an east-west axis and therefore allows for the greatest amount of solar access possible. This criterion is met.

9. **Street Names.** Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street in a nearby city or in the county. Street names and numbers shall conform to the established pattern in the City, including the continuation of street names across intersecting streets, and shall be subject to the approval of the Fire Department or the responsible agency.

FINDING: As shown on the tentative plan, absent existing streets, all proposed streets are only generally referred to. Street names will be finalized prior to final platting of each phase and names will be subject to the approval of Redmond Fire and Rescue and Deschutes County.

10. **Sidewalks.** Sidewalks are required to be installed on both sides of a public street and in any special pedestrian way within the subdivision or partition except that in the case of collectors, arterials, special industrial districts or in steep terrain, the Hearings Body may approve a subdivision or partition without sidewalk if alternative pedestrian routes are available or provided by the developer. Sidewalks shall be required along routes to existing or future school and park sites.

FINDING: The subject tract does not contain routes to schools. However, according to the tentative plat, a ten-foot-wide meandering separated multi-use path is proposed along Northwest Way that would connect the private park to other areas. According to the tentative plan, the applicant is proposing to install sidewalk on both sides of all the streets that are located internal to the development: NW 23rd Street, NW 25th Street, NW 26th Street, as well as on Local Streets A, B, and C. NW Quince Avenue, Northwest Way, and Local Street D are all perimeter streets and are all proposed to install sidewalk on the side of the street adjacent to the development. The opposite side of perimeter streets will be improved with development on the neighboring properties. This criterion is met.

11. **Bicycle Routes.** If appropriate to the extension of a system of bicycle routes, existing or planned pursuant to the City of Redmond Bicycle Refinement Plan, the Community Development Director or the Hearings Body may require the installation of separate bicycle lanes within streets and/or separate bicycle paths.

FINDING: Northwest Way is a designated minor arterial and NW Quince Street is a designated quiet street (project B8). A ten-foot-wide meandering separated multi-use path is proposed to be installed in the easternmost twenty feet of Northwest Way ROW. Staff has already recommended a condition of approval requiring that a ten-foot-wide meandering and separated multi-use path (TSP Project B13), shall be constructed within the Northwest Way ROW adjacent to the eastern boundary in compliance with the multi-use path requirements of the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). This criterion is met.

12. **Intersection Angles.** Street intersections shall be as near right angles as possible except where topography or existing conditions requires a lesser angle, but in no case shall the acute angle be less than as permitted by the adopted City of Redmond Public Works Standards and Specifications.

FINDING: As shown on the proposed tentative subdivision plan, all proposed intersections are designed using right angles. This criterion is met.

13. **Alignment.** Staggered street alignment shall whenever possible, leave a minimum of 200 feet distance between the center line of the streets, but in no case be less than as permitted by Standards and Specifications.

FINDING: According to the tentative plan, all street intersections over 200 feet apart. This criterion is met.

14. **Narrow Streets.** Local residential grid streets designed at widths less than 36 feet as described in Section 8.2710(3)(Table 1), shall be permitted when the subdivision design is found to be in compliance with the following:

[...]

FINDING: The development does not propose nor require narrow streets. This criterion is not applicable to the application.

8.2715 Fundamental Design Elements.

1. **Lighting.** The subdivider or partitioner shall provide underground wiring to the City standards and a base for any proposed ornamental streetlights at locations approved by the affected utility company.

FINDING: The applicant will provide underground wiring in compliance with the Public Works Standards and Specifications as part of the construction process. This criterion will be met.

2. **Multiple Access Points.** Whenever possible, a minimum of two points of access to the subdivision or partition shall be provided to provide assured access for emergency vehicles and ease resident evacuation.

FINDING: Upon completion of the development, the subdivision will contain two access points along NW Quince Avenue. This criterion is met.

3. **Water/Sewer.** All subdivisions and partitions shall provide water and sewer lines constructed to City standards and specifications approved by the City Engineer. All lots or parcels shall be served from the City of Redmond water and sewer systems or by water and sewer systems acceptable to the City. Water and sewer mains and service lines shall be installed prior to the curbing and paving of new streets in all new subdivisions or partitions.

FINDING: As shown on the tentative plan, water and sewer mainlines are proposed to be extended to serve the entire development. Additionally, water and sewer laterals will be extended to each of the proposed lots. Staff has already recommended two conditions of approval to ensure capacity of public utility infrastructure and service to each new lot. With these conditions, the application meets this criterion.

4. **Underground Utilities.** All permanent utility service, cell service, and minor power transmission lines that are within or immediately adjacent to lots in a subdivision or parcels in a partition shall be provided from underground facilities unless otherwise approved by the Community Development Director, or designee, or Hearings Body. The subdivider, partitioner, or developer shall be responsible for complying with requirements of this section and shall:
 - A. Obtain a permit from Public Works for placement for all underground utilities within the public right-of-way.
 - B. Make all necessary arrangements with the utility companies and other persons or corporations affected by the installation of such underground utilities and facilities in accordance with rules and regulations of the Public Utility Commission of the State of Oregon.
 - C. All underground utilities, water lines, sanitary sewer lines and storm drains installed in streets shall be constructed prior to the surfacing of such streets to the extent practicable, and water and sanitary sewer service lines shall be placed to such lengths as will negate the necessity for disturbing the street improvements when service connections are made.

FINDING: The applicant will provide underground utilities in compliance with the Public Works Standards and Specifications as part of the construction process. The applicant has stated that coordination with all utility providers has occurred and has provided information into the record demonstrating willingness to serve from various providers. This criterion will be met.

5. **Preservation of Natural Features.** Existing trees, vegetation, and natural features (i.e., rock outcrops) add character to the development and shall be preserved to the greatest extent practicable. All trees over 8 inches d.b.h. shall be noted and shown on the tentative plat.

FINDING: Staff concurs with the narrative submitted with the application, which states that there are no significant trees or natural features on the proposed site. This criterion is not applicable to the application.

6. **Scenic Views.** Significant views shall be taken into consideration during subdivision design. The establishment of view corridors, building envelopes, building height restrictions or similar methods shall be employed for the retention and protection of views from individual lots and from public spaces to the greatest degree practicable as determined through the land use review process. Such measures shall be shown on the final plat and included in the deed restrictions.

FINDING: The subject tract does not contain any adopted view corridors or view restrictions. The proposal is designed to provide for the preservation of views of the Cascade Mountains to the greatest extent possible. More than half of the streets proposed to be constructed will have an east-west orientation, allowing for substantial view corridors to the mountains. Additionally, the lot proposed for park use would serve as an ideal viewing and recreating area, as it is adjacent to the western boundary of the subject tract. This criterion is met.

7. **Land for Public Purposes.**
[...]

FINDING: The City has not identified the subject tract as containing land needed for a public purpose; therefore, these criteria are not applicable to the application.

8. **Easements.**

- A. **Utility Easements.** Easements shall be provided along property lines when necessary for the placement of underground utilities and to provide the subdivision or partition with electric power, communication facilities, street lighting, sewer lines, water lines, gas lines, or drainage. Such easements shall be labeled "Public Utility Easement" on the tentative and final plat; they shall be at least 12 feet in width and centered on lot lines where possible, unless determined otherwise by the City Engineer or designate. Excepting utility pole guylines easements along the rear of lots adjacent to unsubdivided land may be reduced to 10 feet in width, unless determined otherwise by the City Engineer or designate.

FINDING: The proposal includes public utility easements (PUE) following along the street frontage of lots. To ensure compliance with this criterion, staff recommends a condition of approval that prior to the recording of a final plat, all required PUE areas within the limits of that project phase shall be dedicated and improved in compliance with the Public Works Standards and Specifications. With this condition, the criterion is met.

- B. **Drainage.** If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course or in such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses and drainage ways may be required.

FINDING: The subject tract contains a COID canal, however, the applicant is proposing to relocate and pipe the canal in coordination with COID. This criterion is not applicable to the application.

9. Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Park amenities shall, at a minimum, include: one half of the park dedicated to turf areas, benches, trees, shrubs, ground cover, irrigation, other landscape or decorative features, and acceptable trash receptable(s) and lighting.

FINDING: Pursuant to this criterion, 15,000 square feet of park area is required for the 148 proposed residential lots. The proposal includes one privately maintained park lot approximately 28,467 square feet (0.65 acres) in size, exceeding this requirement. To ensure compliance with this criterion, staff recommends a condition of approval that development of the proposed park lot (described as Tract F) and the multi-family housing lot (described as Tract B) will be reviewed for park amenities in subsequent development reviews. With this condition, the application could comply with this criterion.

8.2720 Grading of Building Sites. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

1. Slopes shall be less than or equal to 3 to 1 (horizontal to vertical) unless slope reinforcement and low maintenance surfaces are provided. Cut slopes as steep as 1 to 1 are permitted in native rock material if that material is suitable to stand at the slope without raveling. Toe of full slopes steeper than 3 to 1 and top of cut slope shall be no closer than 2 feet from the property line.
2. Structural engineering must be provided for retaining walls higher than four feet from the base of the footing to the top of the retaining portion of the wall and for retaining walls of any height that support a surcharge such as a structure, roadway or slope greater than 4 to 1.
3. Stormwater must be controlled in accordance with the City of Redmond Public Works Standards and Specifications to avoid erosion and impacts to adjacent property.
4. Cuts and fills greater than 5 feet from original ground to final grade should be avoided.
5. Foundations should be stepped or other measures used to minimize cuts and fills. Slopes steeper than 3:1 shall be landscaped, terraced, or receive other treatment to reduce the visual impact and minimize the need for maintenance.
6. Areas that require engineered fill to support structures, roadways or for other reasons shall be noted in the grading plan. Design and placement of engineered fill shall be under the direction of a licensed professional engineer. Fill material shall be tested and approved by the engineer prior to placement and tested with suitable methods after compaction. Fill in areas that do not support a structure shall be suitable with a minimum of voids and organic material.
7. The composition of soil for fill and the characteristics of lots and parcels made useable by fill shall be suitable for the purpose intended.
8. When filling or grading is contemplated by the subdivider or partitioner, they shall submit plans showing existing and finished grades for the approval of the City Engineer. In reviewing these plans, the City Engineer shall consider the need for drainage and effect of filling an adjacent property.
9. Grading shall be finished in such a manner as not to create steep banks or unsightly areas to adjacent property.

10. Any land that requires engineered fill shall be so noted on the plat. Design and placement of engineered fill shall be under the direction of a licensed professional engineer.

FINDING: Compliance with the Public Works Standards and Specifications and these criteria will be evaluated as part of the construction process. Staff recommends a condition of approval that all stormwater impacts shall be mitigated, and stormwater drainage systems constructed in compliance with the Public Works Standards and Specifications. With this condition, the above criteria will be met.

ARTICLE III – LAND DIVISION STANDARDS > SUPPLEMENTARY PROVISIONS
RDC Sections 8.2800, 8.2815 – 8.2825, 8.2835, 8.2840

8.2800 Improvement Procedures. In addition to other requirements, public or private improvements to be installed by the applicant either as a requirement of these standards or other applicable regulations or at his or her own option, shall conform to the requirements of this article:

1. **Plan Review and Approval.** Improvement work shall not be commenced until plans thereof have been reviewed and approved by the Community Development Director, or Hearings Body, or a designated representative thereof. To the extent necessary for evaluation of a proposed development, such improvement plans may be required before approval of the tentative plat or preliminary map or drawing.
2. **Public Improvements as Platted.** Public improvements shall be designed, installed, and constructed as platted and approved by the City Engineering Division, and plans shall be filed with the final plat at the time of recordation or upon completion.
3. **Inspection.** Improvements shall be constructed under the inspection and approval of a city Inspector. Expenses incurred thereby shall be borne by the applicant/owner. The inspector may require changes in sections and details of the improvements if unusual conditions arise during construction to warrant such changes.
4. **As-Built Plans.** A map showing the completed public improvements shall be filed with the Community Development Department upon completion of the improvements.

FINDING: Staff recommends a condition of approval that the applicant obtain all necessary authorizations for the construction of improvements. Pursuant to comments received by the Engineering Division (attachment C), a separate set of construction drawings may be submitted directly to the Engineering Division for design review of all required and/or proposed public improvements, utilities and subdivision site grading.

8.2815 Transportation System Analysis. It shall be the burden of the developer to evaluate transportation system impacts when a proposed development involves either a Subdivision, Site and Design Review, PUD, Master Plan, Comprehensive Plan Amendments, a change or expansion of use, or any other development that the City Engineer deems necessary. Transportation system analyses are not required for residential site plan review for up to four units or for partitions up to three lots.

1. The following vehicle trip generation thresholds shall determine the level and scope of transportation analysis required for a new or expanded development. Trip ends shall be calculated as per the Institute of Transportation Engineers manual, Trip Generation, current edition, or local trip generation studies prepared by a qualified registered professional engineer and approved by the City Engineer.

- A. A development will be required to provide a Trip Generation Report per Section 8.2815(2) for developments which generate less than 200 daily or 20 p.m. peak hour vehicle trips. The Trip Generation Report shall be prepared by a professional engineer licensed in the state of Oregon. The Engineering Department will review and evaluate the Trip Generation Report to determine if a Transportation Impact Analysis (TIA) is required.
Projects that generate less than 200 daily or 20 p.m. peak hour trip ends may be required to provide a TIA when, in the opinion of the City Engineer or his/her designee, significant capacity and/or safety problem is caused, or adversely impacted by the development. The City Engineer, or designee, shall determine the scope of the analysis.
- B. If a proposed development will generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, then a TIA shall be required per Section 8.2815(3).
 1. The applicant's engineer shall consult with the City Engineer, or designee, prior to preparing the TIA to verify the scope of the study. The City shall respond in writing within 30 days.
 - a. When applicable, the applicant's engineer shall concurrently consult with ODOT prior to preparing the TIA to verify the study area.
 2. The City Engineer shall determine when a TIA has satisfied the requirements of the development's impact analysis.
 3. The TIA shall bear the stamp and signature of a licensed professional engineer in the State of Oregon.
2. When a Trip Generation Report is required, it must demonstrate the existing use, proposed use, existing trips per the ITE, and proposed trips per the ITE. Local trip rates may also be considered if supported by traffic counts conducted according to ITE guidelines. The report must include a conceptual site plan that shows adjacent roadways, alleys, roadway classifications, and access points.
3. When a TIA is required, it must demonstrate that the following standards are met:
 - A. The standard of measurement that will determine the acceptability of traffic flow on City streets will be a delay-based level of service as defined by the Highway Capacity Manual, Special Report 209, third Edition (2000 update or subsequent document updates) published by the Transportation Research Board. The determination of LOS shall be calculated by a methodology that is approved by the City Engineer. The acceptable standard of LOS for City streets shall be LOS E during the peak 15 minutes of the peak hours of the average weekday. A lesser standard shall be acceptable at unsignalized intersections with low volume minor street approaches if the volume-to-capacity ratio is less than 0.90 and the 95th percentile vehicle queue is less than four vehicles during the peak hour.
 - B. The Average Daily Traffic (ADT) volume of Local Street roadways within the City shall be less than 1,200 vehicles per day (VPD). Developments which add vehicle trips to Local Streets with an ADT greater than 1,200 VPD may be asked to provide mitigation in the form of additional access to the site, when in the opinion of the City Engineer, the residential livability is degraded by excessive local street traffic volume.
 - C. New development that will cause degradation below those levels shall be required to provide mitigating transportation system improvements that will restore the LOS to the accepted standard, as is practical, as determined by the

City Engineer and pursuant to the adopted City's Transportation System Plan. Where there are impacts to the State Highways, the City and ODOT shall work cooperatively to determine appropriate courses of action based on ODOT and City standards.

4. The TIA shall include at a minimum, the following intersections:
 - A. All site access intersections.
 - B. Nearest intersecting collector or arterial street upstream and downstream of the development.
 - C. Any other collector or arterial street intersection that would experience an increase of 25 additional peak hour trips.
 - D. Additional intersections requested by staff in the basis of anticipated impacts resulting from the development.
5. The TIA shall include the following study time frames addressing:
 - A. Existing conditions.
 - B. Completion year of each significant phase of development.
 - C. Five year forecast beyond final phase
6. The following Tables are required in the TIA:
 - A. Trip Generation (including phase breakdown if applicable).
 - B. LOS Table (LOS for every analysis scenario at every study area intersection. Report LOS, delay, V/C ratio, 95% vehicle queue, and any additional pertinent analysis results).
7. The following Figures are required in the TIA:
 - A. Vicinity/Locator Map.
 - B. Site or Tentative Plan Map.
 - C. Background Traffic Volumes (all study intersections and analysis years).
 - D. Trip Distribution and Assignment.
 - E. Background + Site Generated Traffic Volumes (all study intersections and analysis years).
8. Other Analysis Standards (as required by the study)
 - A. Signal Warrants shall be performed where applicable per the Manual on Uniform Traffic Control Devices, current edition.
 - B. Left Turn Lane Warrants shall be provided where applicable per ODOT criteria based on the Texas Transportation Institute (TTI) curves.
 - C. Right Turn Lane Warrants shall be provided where applicable per ODOT criteria.
 - D. The acceptability of sight distance at all study area intersections shall be determined per AASHTO (current edition) standards.
 - E. Traffic signal progression analysis may be required if a new signal is proposed. The City Engineer shall approve the method of traffic signal progression analysis.
 - F. Roadway improvements are to be based on the City of Redmond Standards and Specifications and ODOT design standards.

FINDING: These criteria outline the transportation system analysis application (TSAA) and traffic impact analysis (TIA) process and requirements. The applicant submitted a TSAA in February 2023 and a TIA conducted by Transight Consulting, LLC, dated May 2023. The TSAA and TIA have been reviewed and approved by the Engineering Division, and a TSA approval memo was issued October of 2023.

The TSA approval memo outlines various requirements necessary to mitigate the anticipated impact of the proposed development, including: the installation of direction curb ramps at all

intersections crossings, payment of proportionate share of impacts amounting to \$61,717, full dedication and improvement of Northwest Way, full or partial dedication/construction of NW Quince Avenue, full construction of multi-use path (TSP project B13) along Northwest Way, full dedication and construction of the rest of the proposed local streets, site and partially construct a future CET transit stop along Northwest Way in consultation with CET.

Staff has already recommended a condition of approval requiring the proposed development to be established in conformance with the TSA approval memo associated with public works file 711-23-000030-PW, as amended. However, comments provided by the Engineering Division suggest that each requirement in the TSA approval memo shall also be included as separate conditions of approval to ensure full and continued compliance. As such, staff recommends that each TSA approval memo requirement be included as its own condition of approval.

8.2820 Access Management Standards. All land use approvals shall be in compliance with the following standards.

1. Driveway spacing and corner clearance as follows:

<u>Roadway Classification</u>	<u>Minimum Access Driveway Spacing</u>	<u>Minimum Access Clearance to Corner</u>	<u>Intersection Spacing (Min.)</u>
Local Street	No Restrictions	30 ft	165 ft
Minor Collector	50 ft	80 ft	330 ft
Major Collector	165 ft	165 ft	330 ft
Minor Arterial	330 ft	330 ft	1/4 mile
Major Arterial	ODOT Stds	ODOT Stds	ODOT Stds

2. In all instances, access near an intersection shall be located beyond the influence of standing queues and opposing left turns sharing a continuous two-way left turn lane. This requirement may result in greater corner clearance or access spacing than the minimum distance indicated.
3. Every lot or parcel shall be permitted an access. In the event that the access management standards cannot be achieved, shared access with adjacent property shall be explored and provided where available.
4. Access shall be taken from the lower order street or alley unless otherwise approved by Public Works and/or ODOT through the land use review and approval process. Access to higher order streets may be allowed for emergency vehicles when restricted with a locked fire gate, bollards or similar, when approved or required by Redmond Fire and Rescue.
5. Unless adequate demonstration of site necessity, intersection safety and functionality are provided, through the land use review process, new lots and/or parcels will be limited to a single vehicular access. Existing lots may be permitted a secondary access when approved by the City Engineer.
6. The access management standards apply to new development, redevelopment, subdivision, and partitioning of land.
7. Corner clearance is measured from the edge of right-of-way to the nearest edge of access. Spacing is measured from centerline of access/intersection to centerline of access/intersection.
8. Adequate intersection sight distance and clear zone shall be maintained at all access/driveway locations per AASHTO standards (American Association of State Highway and Transportation Officials).

9. Public Works may require supporting information, including but not limited to traffic count data, trip generation, trip distribution, truck and trailer turning/backing templates and/or on-site circulation diagram. Transportation Impact Analysis study, etc., in order to make a proper determination of access/driveway location.
10. Access/driveway locations may require alignment with existing driveways on the opposite side of the roadway as determined by Public Works or through the land use review and approval process.
11. Access within the North Redmond US 97 Interchange Area Management Plan (IAMP) shall also conform to the 2007 “North Redmond US 97 Interchange Area Management Plan (IAMP),” as amended.

FINDING: Compliance with the Public Works Standards and Specifications and these criteria will be evaluated as part of the construction process. Staff recommends a condition of approval that all lots in a project phase shall be provided access to water/sewer services prior the approval of the final plat for that phase in compliance with the Public Works Standards and Specifications. With this condition, the above criteria will be met.

8.2825 Street Dedications. Any person desiring to create a street not part of a subdivision or partition shall make written application to the Community Development Department.
[...]

FINDING: All proposed streets are included within the design of the subdivision; therefore, this criterion is not applicable.

8.2835 City as Beneficiary to Covenants, Conditions and Restrictions. When Covenants, Conditions and Restrictions (CCR's), or other similar documents, are required by either the provisions of this Code or through the land use review process, the City of Redmond may require the CCR's (or other documents) include a provision or provisions that allow the City to come onto the property(s) that are subject to the CCR's for the purpose of removing, repairing or maintaining improvements and other common areas in the event such improvements or common areas are not properly maintained or otherwise kept in good order. The provision(s) shall state that the City has sole and exclusive discretion to determine the need for and timing of any such removal, repair, or maintenance. The provision shall authorize the City to recover the cost of such removal, repair, or maintenance by directly billing the record owner of the property(s) subject to the CCR's or the property(s) directly benefited by the removal, repair, or maintenance. In the event a bill is not paid, the City may impose a lien on the property(s), which shall be recorded and may be enforced in the manner of an assessment lien. The inclusion of a provision or provisions described in this section does not affect the obligations of an association, group and/or other persons or property owner(s) designated in the CCR's from any responsibilities or obligations respecting such improvements or common areas, nor shall it obligate the City to such undertake such removal, repair, or maintenance.

8.2840 CC&Rs Middle Housing. CC&Rs developed on or after January 1, 2021, shall not restrict middle housing per ORS 93.277 as amended.

FINDING: Currently, the City has no need to require CC&R provisions regulating the lawful entrance onto any of the property proposed to be developed as part of this application. The applicant has proposed to establish a homeowner's association (HOA) for the subdivision and

has submitted a draft HOA declaration of covenants, conditions and restrictions (CC&Rs) (attachment F). The draft CC&Rs do not include restrictions against middle housing, consistent with the requirements of this section. To ensure compliance with these criteria, staff recommends a condition of approval requiring the applicant to submit the HOA CC&Rs for City review and approval prior to the approval of the phase one final plat. The HOA CC&Rs shall be recorded with the phase one final plat and shall not restrict middle housing per ORS 93.277 as amended.

III. RECOMMENDATION & CONDITIONS OF APPROVAL

Recommendation:

Based on the submitted plans, staff findings and analysis, staff recommends the Planning Commission make a recommendation to the City Council to approve the Pacific Star Estates project (file numbers 711-23-000227-PLNG (MD) and 711-23-000228-PLNG (SUB)), subject to the conditions of approval below.

Conditions of Approval:

The following conditions of approval shall be required:

1. The development proposal shall be established substantially in conformance with the plan evaluated in this application (attachment A). Any final plat submitted for review must, prior to approval, substantially conform to the tentative plan. Except modifications required to comply with the conditions of this approval, any substantial changes proposed shall be evaluated and authorized in accordance with RDC 8.1400 or the functionally equivalent standards at the time.
2. This approval is binding on both the applicant and the City. After five (5) years from the date of approval of the plan, the City may initiate a review of the plan for conformance with applicable City regulations. If necessary, the City may require changes in the plan to bring it into conformance with new applicable city regulations.
3. The master development plan authorization (711-23-000227-PLNG) shall only become void with the subdivision authorization (711-23-000228-PLNG).
4. City zoning shall not be applied to the subject tract until the entire subject tract has been annexed into City Limits.
5. Development of the park proposed for Tract F and the multi-family housing proposed for Tract B must be reviewed for park and recreational amenities, green design elements like native vegetation, and tree preservation and replacement in compliance with RDC Section 8.2236(2)(E) in all subsequent development reviews.
6. All proposed residential lots shall meet the minimum standards of RDC Section 8.0140 prior to final plat approval.
7. Payment of the public art fee shall be required prior to approval of any plat.
8. The applicant shall submit the HOA CC&Rs for City review and approval prior to the approval of the phase one final plat. The HOA CC&Rs shall be recorded with the phase one final plat and include standards for the maintenance of the private alley and all other common areas and shall not restrict middle housing per ORS 93.277 as amended.

9. The applicant shall submit a plan for Engineering Division review demonstrating the ability of proposed Tract A and the adjacent property to the south to be re-divided prior to approval of the phase one final plat.
10. The applicant shall be required to furnish a copy of any applicable water rights division plan to the City and the City shall confirm the plan with COID prior to phase one final plat approval.
11. The applicant shall record any applicable land division, public improvement, shared access, or shared well agreement with the Deschutes County Clerk's Office at the time of recording of the final subdivision plat.
12. The applicant shall obtain all necessary authorizations for the construction of improvements. Pursuant to comments received by the Engineering Division, a separate set of construction drawings may be submitted directly to the Engineering Division for design review of all public improvements, utilities, and grading.
13. The proposed development shall be designed and constructed to comply with the Oregon Fire Code and any other Redmond Fire and Rescue (RFR) requirements. Pursuant to the TSA approval memo (attachment D) and comments provided by the Engineering Division (attachment C), the applicant is advised that review of fire flow, fire hydrant locations, and a water system/fire flow analysis/mitigation plan may be required and could result in additional public water system improvements. Additionally, any new fire hydrants and fire/water lines located on private property shall be privately owned and maintained with City approved backflow prevention device located at the property boundary. Finally, the use of suitable fire access and temporary turnarounds during construction may be required.
14. All stormwater impacts shall be mitigated, and stormwater drainage systems constructed in compliance with the Public Works Standards and Specifications. Pursuant to comments provided by the Engineering Division (attachment C), the applicant is advised that a subdivision site grading and drainage plan with erosion/sediment control plan and drainage report shall be required prior to approval of final plat for each phase. Additionally, the applicant is advised that extreme cuts/fills are prohibited, and that stormwater impacts to public and private stormwater facilities must be reviewed for possible conflicts, State regulations, maintenance obligations, and more.
15. All lots in a project phase shall be provided access to water/sewer services prior the approval of the final plat for that phase in compliance with the Public Works Standards and Specifications. Pursuant to comments provided by the Engineering Division (attachment C), the applicant is advised that separate domestic water service, separate sanitary sewer service, master water meter, approved backflow prevention devices, and more may be required. Additionally, the applicant is advised that the abandonment of an existing well or on-site septic system will be required and subject to additional requirements by Oregon Water Resources Department, Oregon Department of Environmental Quality, and Deschutes County.
16. All utility infrastructure shall be constructed in compliance with the Public Works Standards and Specifications, the Water System Master Plan (WSMP), and the Redmond Wastewater System Master Plan (RWSMP).

- a. For water service, a twelve-inch public water main (WSMP Project P4572) shall be installed with the Northwest Way street frontage improvements and an eight-inch public water main (WSMP Project P-2) shall be installed with the NW Quince Avenue street frontage improvements. Pursuant to comments provided by the Engineering Division (attachment C), the applicant is advised that main line stubs shall be installed in all directions at each street intersection, and any domestic and fire water systems located on private property shall be privately owned and maintained.
 - b. For sewer service, gravity sewer shall be made available at the Northwest Way and NW Quince Avenue intersection, then extended with the construction of the Northwest Way street frontage improvements. Pursuant to comments provided by the Engineering Division (attachment C), the applicant is advised that all public sewer mains shall be extended to provide complete gravity service to each new lot, phase, and to neighboring properties, and that any sanitary sewer systems located on private property shall be privately owned and maintained.
17. Prior to the recording of a final plat, all required PUE areas within the limits of that project phase shall be dedicated and improved in compliance with the Public Works Standards and Specifications.
18. The proposed development shall be established in compliance with the TSA approval memo (attachment D) associated with public works file 711-23-000030-PW, as amended.
19. The applicant shall pay a total proportionate share of \$61,717 unless the City adopts a separate funding mechanism that addresses the impacts to the Highway 126 and SW 27th Street intersection in their entirety prior to the recording of the phase one plat. Pursuant to the TSA approval memo (attachment D), the payment may be made in one lump sum prior to the approval of the phase one final plat, or partial payments of \$7,714.63 may be made prior to the approval of each plat until paid in full.
20. In compliance with the Public Works Standards and Specifications, every lot shall be permitted access, and all points of access shall be constructed to standard. Pursuant to comments received from the Engineering Division (attachment C), the applicant is advised that residential access from Northwest Way is prohibited, that points of access shall comply with corner clearance and clear vision standards and be taken from the lowest ordered street available, and shall not conflict with water service/meters, fire vaults, fire hydrants or street catch basins. Additionally, the applicant is advised that the remainder lot, described as Tract A in the tentative plan, may retain existing access off Northwest Way until development of the lot is proposed or until phase 4, 5, or 9, at which point access must be relocated to NW 26th Street.
21. The installation of direction curb ramps shall be required at all intersections crossings.
22. Street dedication and construction shall match existing centerlines where provided (Northwest Way, NW Quince Avenue, NW 25th Street).
23. Northwest Way shall be dedicated and improved as a minor arterial in compliance with the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). Pursuant to the TSA approval memo and comments provided by the Engineering Division (attachment C), the applicant is advised that ROW dedication will be

required prior to recording of the phase one final plat, while construction of improvements must match the section established by the Dry Canyon PUD and be completed prior to approval of the phase four final plat. Additionally, the installation of a northbound right-turn deceleration lane onto NW Quince Avenue and a northbound left-turn lane will be required.

24. In consultation with CET, the applicant shall site a future transit stop along Northwest Way and construct a 6' by 12' concrete pad with conduit for future power outside of the multi-use path system.
25. A ten-foot-wide meandering and separated multi-use path (TSP Project B13), shall be constructed within the Northwest Way ROW adjacent to the eastern boundary in compliance with the multi-use path requirements of the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). Pursuant to the TSA Approval memo and comments provided by the Engineering Division (attachment C), the applicant is advised that a slope easement could be required, and the installation of a ten-foot-wide north-south crossing on the east side of the Northwest Way and NW Quince Avenue intersection will be required, including but not limited to the installation of illumination and an advance stop bar.
26. NW Quince Avenue shall be dedicated and improved as a local street or a partial local street in compliance with the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). Pursuant to the TSA Approval memo and comments provided by the Engineering Division (attachment C), the applicant is advised that directional accessible ramps must be installed on the eastern quadrants of the intersection, that NW Quince Avenue must be stop-controlled in the westbound direction, and that NW Quince Avenue must be connected to the Dry Canyon trail system, which includes but is not limited to the installation of marked crosswalks to serve the off street sidewalk system and an accessible crossing along NW 19th Street. Additionally, the applicant is advised that connection to the existing paved street at the east project boundary will require a transition plan for two-way travel.
27. The interior local residential streets proposed (NW 23rd Street, NW 25th Street, NW 26th Street, Local Streets A, B, and C) shall be dedicated and constructed to meet the requirements for local residential streets in compliance with the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). Local Street D shall be dedicated and constructed to meet the requirements for a partial local residential street. Pursuant to the TSA approval memo and comments provided by the Engineering Division (attachment C), the applicant is advised that NW 25th Street will require traffic calming elements and curb bulb-outs throughout its length.
28. The private alley proposed for Tract E shall be paved, privately owned and maintained, and constructed to be twenty feet wide prior to the issuance of phase eight certificate of occupancy or the recording of the phase nine final plat, whichever occurs first. Pursuant to comments provided by the Engineering Division (attachment C), the applicant is advised that the alley will be required to comply with Public Works Standards and Specifications driveway standards wherever the alley connects to public ROW, and that the alley must have an approved turnaround at the north end of phase nine, or a connection to Local Street A in phase eight (described as shared access easement in tentative plan). Additionally, the applicant is advised that the Engineering Division recommends constructing the private alley to meet City's paved alley standards.

- 29.** The pedestrian access proposed for Tracts C, D, and G shall be constructed to a width of ten feet and shall meet the requirements for a sidewalk or multi-use path in compliance with the Public Works Standards and Specifications, the TSP, and the TSA approval memo (attachment D). Pursuant to the TSA approval memo and comments provided by the Engineering Division (attachment C), the applicant is advised that construction of the pedestrian access may require a ten-foot-wide public access easement. Additionally, the installation of a crossing over the private alley and NW 26th Street in order to connect the pedestrian access to the northern corner of the NW 26th Street and Local Street B intersection could be required prior to approval of the phase eight final plat.

//////////////////// **END OF CONDITIONS** //////////////////////

MAY, 2024

NTS

ADDRESS: NO ADDRESS
TAX ASSESSORS MAP:
TAX LOTS 400 & 403, MAP 151305
PROPERTY SIZE: 34.25 ACRES
ZONING: R3, R4, & R5

VOLLERTSEN LIVING TRUST
19711 NW MORGAN RD
PORTLAND, OR 97231

H.A. MCCOY ENGINEERING & SURVEYING LLC
CONTACT: HAYES MCCOY
1180 SW LAKE ROAD, SUITE 201
REDMOND, OR 97756
PH: 541-923-7554

148 UNIT MASTER PLANNED SUBDIVISION

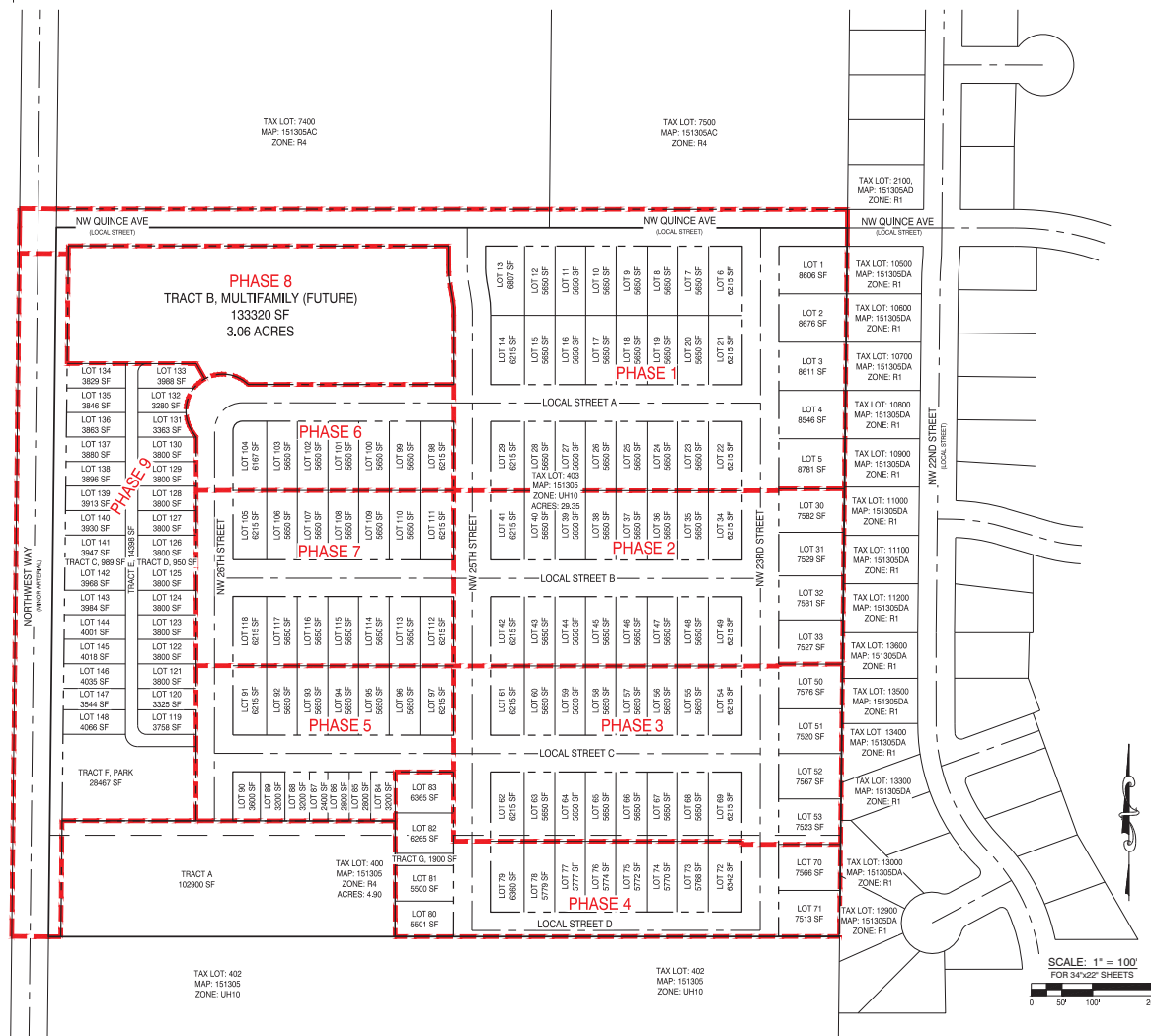
UNDERGROUND UTILITIES WERE MARKED BY ONE CALL OREGON UNDER TICKET NUMBERS 22279341, 22279342, 22279343, AND 22279344.

THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. EXISTING UNDERGROUND UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITIES.

MP1.0	COVER SHEET
MP1.1	EXISTING CONDITIONS PLAN
MP2.0	PRELIMINARY STREET AND UTILITY PLAN
MP2.1	TENTATIVE PLAT
MP2.2	HOUSING DEVELOPMENT PLAN
MP2.3	LANDSCAPE PLAN
MP2.4	ZONING PLAN
MP2.5	PHASING PLAN
MP2.6	TYPICAL STREET SECTIONS

EXISTING

	EXISTING	EXISTING	PROPOSED	
ECAB	EXISTING CABLE			SANITARY SEWER MANHOLE
EGAS	EXISTING GAS			STORM DRAIN MANHOLE, DRYWELL
ERICG	EXISTING IRRIGATION			WATER VALVE, GAS VALVE
EOHWS	EXISTING OVERHEAD LINES			AR RELEASE VALVE
EPWR	EXISTING POWER			BACKFLOW PREVENTER
ESAN	EXISTING SANITARY SEWER			WATER METER, GAS METER
ESD	EXISTING STORM DRAIN			FIRE HYDRANT
ETEL	EXISTING TELECOMMUNICATIONS			CATCH BASIN/CURB INLET
EWAT	EXISTING WATER			CLEAN OUT
EWGAS	EXISTING NEW GAS			RAIN DRAIN
ENIG	NEW IRRIGATION			STREET LIGHT, PARKING LOT LIGHT
ESAN	NEW SANITARY SEWER			UTILITY POLE, GUY ANCHOR
ESD	NEW STORM DRAIN			UTILITY VAULT
ETEL	NEW TELECOMMUNICATIONS			ELECTRICAL PEDESTAL
EWAT	NEW WATER			CABLE PEDESTAL
EFENCE	FENCE			TELECOMMUNICATIONS PEDESTAL
	EXISTING RIGHT-OF-WAY			IRON ROD, IRON PIPE
	EXISTING EDGE OF GRAVEL			TREES
	EXISTING EDGE OF PAVEMENT			
	EXISTING CURB			
	NEW RIGHT-OF-WAY			
	NEW EDGE OF GRAVEL			
	NEW EDGE OF PAVEMENT			SIGN
				MANHOLE



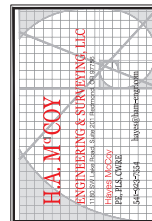
SCALE: 1" = 100'
FOR 34"x22" SHEETS



0 50' 100' 200'



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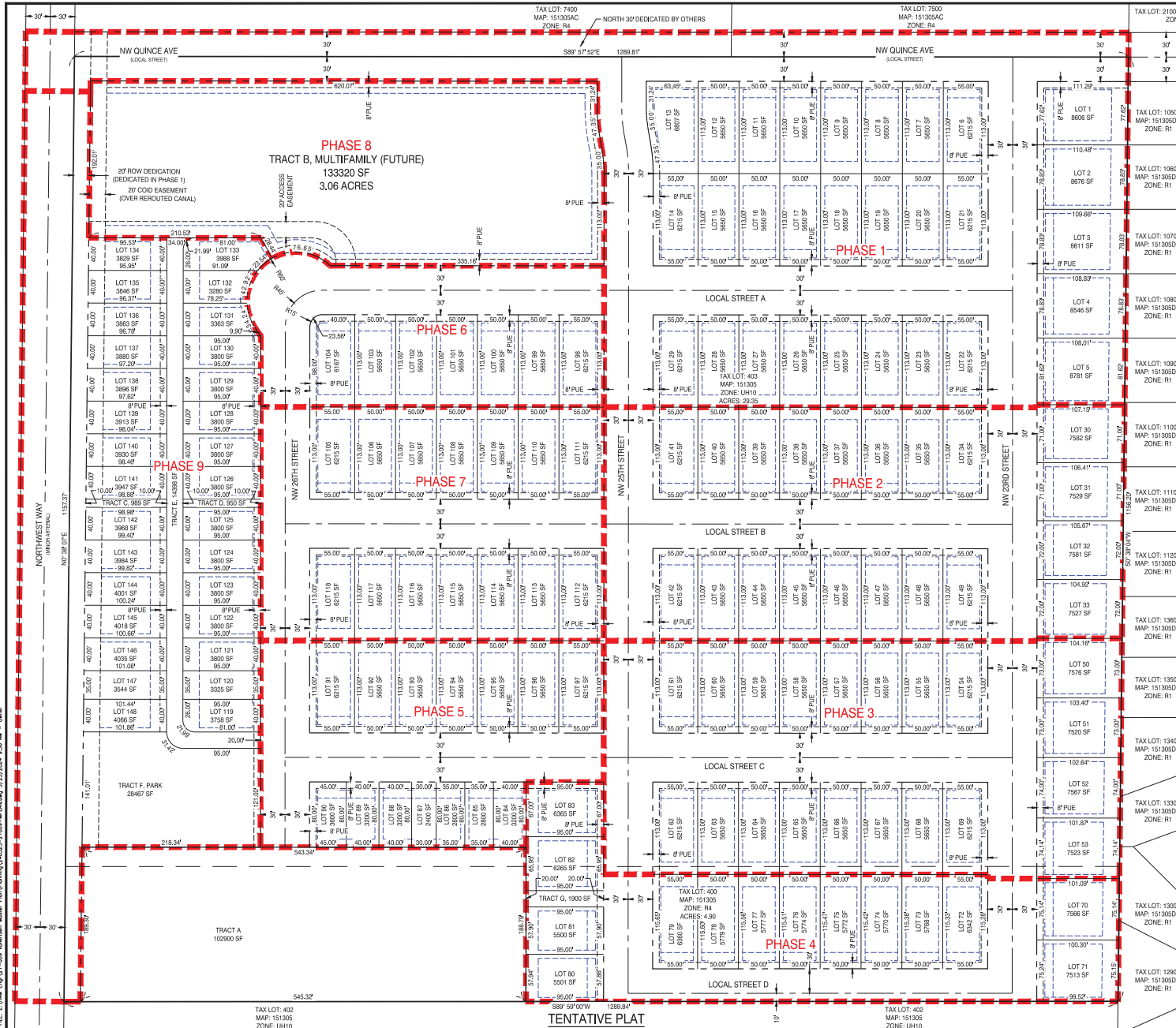
PROJECT: PACIFIC STAR ESTATES

PROJECT LOCATION: REDMOND, OR

CLIENT: VOLLETSER LIVING TR

TITLE: _____
COVER SHEET

JOB NO.	21-009
DRAWN BY:	JJW
DRAWING:	MP1.0



SITE DESIGN:

ZONE	UNITS	NET ACRES	DENSITY	DENSITY
			UNITS/NET ACRE	STANDARD
R3 SFD	15	2.73	5.5	5.0-5.8
R4 SFD	36	12.82	7.5	5.0-6.0
R4 TH	31	2.60	11.9	5.0-25.0
R5 TH	6	0.51	11.8	8.0-25.0

R3 DETACHED SINGLE FAMILY REQUIREMENTS (LOTS 1-15):

MINIMUM LOT AREA: 7,500 SF
MINIMUM DENSITY: 5 UNITS PER NET ACRE
MAXIMUM SINGLE FAMILY DENSITY: 5.8 UNITS PER NET ACRE
SETBACKS:
FRONT: 10'
INTERIOR SIDE: 9'
STREET SIDE: 10'
REAR: 20'
GARAGE: 20'

R4 DETACHED SINGLE FAMILY REQUIREMENTS (LOTS 16-83 & 90-117):

MINIMUM LOT AREA: 5,500 SF
MINIMUM DENSITY: 5 UNITS PER NET ACRE
MAXIMUM SINGLE FAMILY DENSITY: 8 UNITS PER NET ACRE
SETBACKS:
FRONT: 10'
INTERIOR SIDE: 9'
STREET SIDE: 10'
REAR: 15'
GARAGE: 20'

R4 ATTACHED TOWNHOUSE REQUIREMENTS (LOTS 84-89, 118-129, & 136-147):

MINIMUM LOT AREA: 1,500 SF
MINIMUM DENSITY: 5 UNITS PER NET ACRE
MAXIMUM TOWNHOUSE DENSITY: 25 UNITS PER NET ACRE
SETBACKS:
FRONT (STREET): 10'
REAR (GARAGE/ALLEY): 20'
SIDE (COMMON WALL): 0'
SIDE (EXTERIOR WALL): 9'
SIDE (STREET): 10'

R5 ATTACHED TOWNHOUSE REQUIREMENTS (LOTS 130-135):

MINIMUM LOT AREA: 1,500 SF
MINIMUM DENSITY: 8 UNITS PER NET ACRE
MAXIMUM TOWNHOUSE DENSITY: 25 UNITS PER NET ACRE
SETBACKS:
FRONT (STREET): 9'
REAR (GARAGE/ALLEY): 20'
SIDE (COMMON WALL): 0'
SIDE (EXTERIOR WALL): 9'

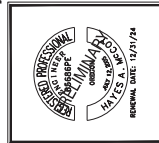
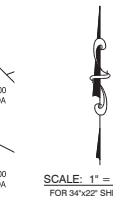
MIDDLE HOUSING:

"OWNER SHALL PROVIDE NO MORE THAN 60% DETACHED SINGLE-FAMILY HOUSING AND NO LESS THAN 40% OTHER TYPES OF UNITS (E.G., MIDDLE HOUSING)."

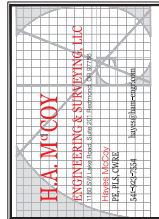
- ANNEXATION AGREEMENT
PROVIDED: SINGLE-FAMILY - 111 (55.5%)
TOWNHOUSE - 37 (18.5%)
APARTMENTS - 52 (26.0%) (FUTURE)
TOTAL - 200 (100%)

PARK:

"OWNER SHALL PROVIDE, AT OWNERS EXPENSE, AN HOA MAINTAINED HALF ACRE PARK 'MINI PARK'."
- ANNEXATION AGREEMENT
REQUIRED: 0.50 ACRE PARK
PROVIDED: 0.65 ACRE PARK



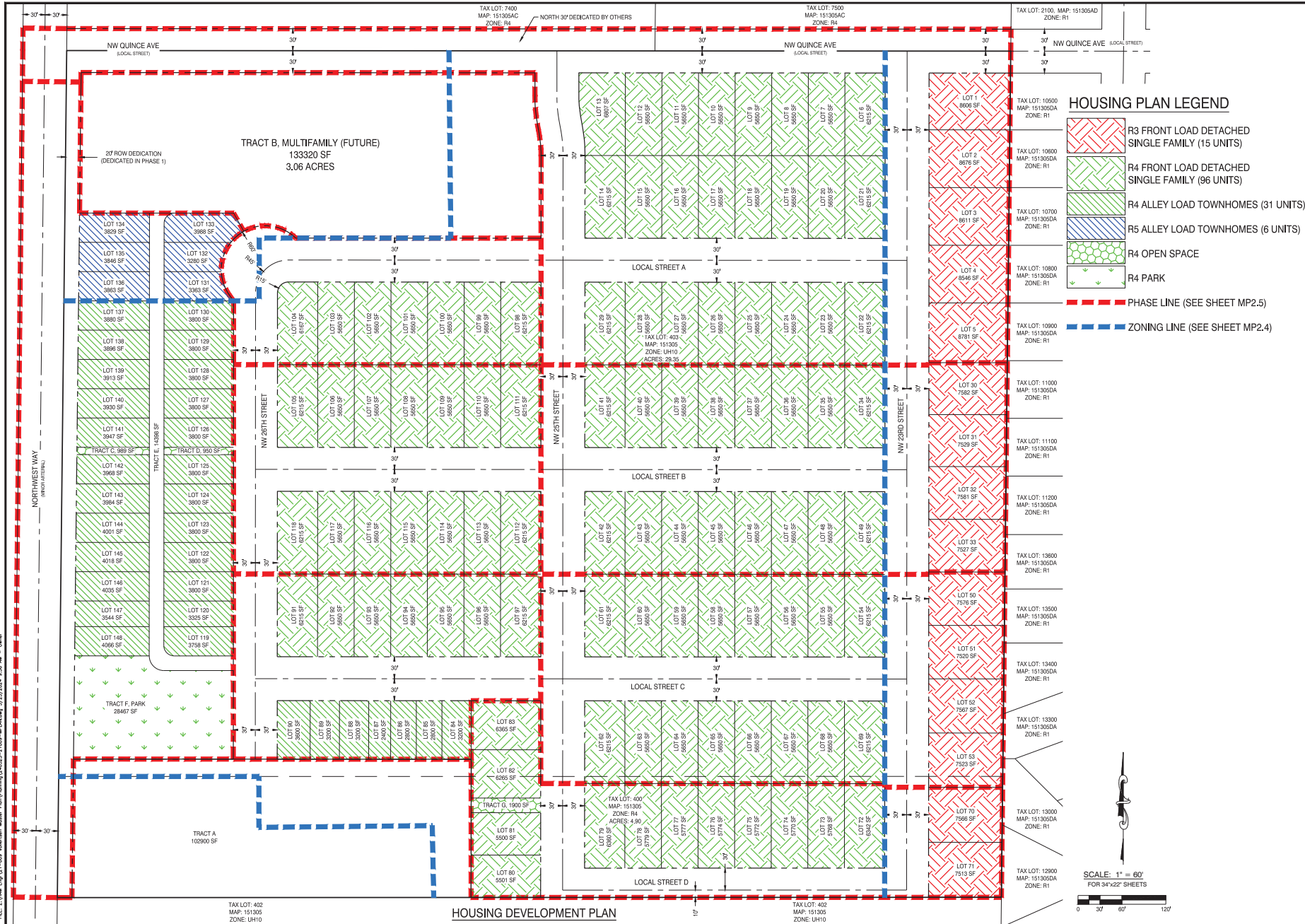
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MASTER PLAN:	



PROJECT: PACIFIC STAR ESTATES
PROJECT LOCATION: REDMOND, OR
CLIENT: VOLLERTSEN LIVING TRUST

SHEET TITLE: TENTATIVE PLAT

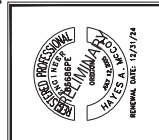
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DRAWN BY: JWW
DRAWING: MP2.1



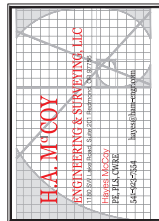


LANDSCAPE PLAN

SCALE: 1" = 60'
FOR 34"x22" SHEETS



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PROJECT: PACIFIC STAR ESTATES
PROJECT LOCATION: REDMOND, OR
CLIENT: VOLLERTSEN LIVING TRUST

SHEET TITLE:
LANDSCAPE PLAN

JOB NO. 21-009
DRAWN BY: JWW
DRAWING: MP2.3



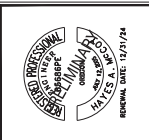
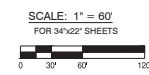


PHASING TIMELINE

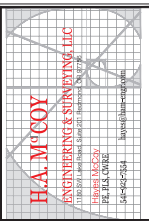
	BEGIN INFR.	BEGIN HOUSING
PHASE 1	SPRING 2025	SUMMER 2025
PHASE 2	SUMMER 2025	FALL 2025
PHASE 3	SPRING 2026	SUMMER 2026
PHASE 4	SUMMER 2026	FALL 2026
PHASE 5	SPRING 2027	SUMMER 2027
PHASE 6	SUMMER 2027	FALL 2027
PHASE 7	SPRING 2028	SUMMER 2028
PHASE 8**	SUMMER 2028	FALL 2028
PHASE 9	TBD*	TBD*

* PHASE 9 DEVELOPMENT IS DEPENDENT ON PROJECTS NORTH OF PACIFIC STAR ESTATES EXTENDING GRAVITY SEWER TO THE INTERSECTION OF NW QUINCE AVENUE AND NORTHWEST WAY.

** TEMPORARY PRIVATE PUMP STATION REQUIRED IF GRAVITY SEWER IS NOT AVAILABLE.



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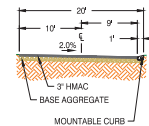
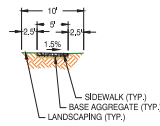
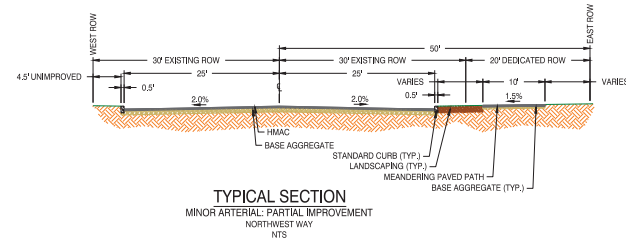
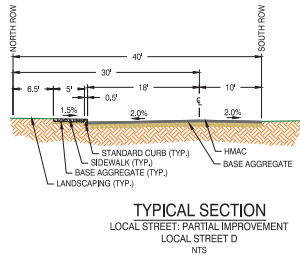
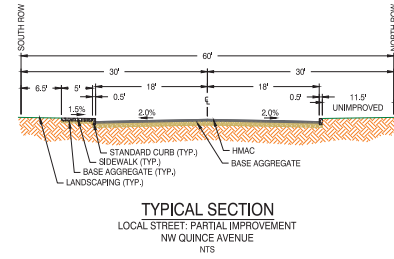
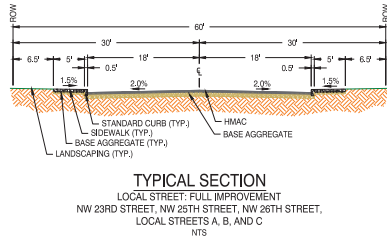


PROJECT: PACIFIC STAR ESTATES
PROJECT LOCATION: REDMOND, OR
CLIENT: VOLLERTSEN LIVING TRUST

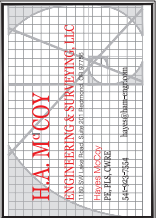
SHEET TITLE: PHASING PLAN

JOB NO. 21-009
DRAWN BY: JWW
DRAWING: MP2.5

DESIGN EXCEPTION NOTE:
FOR ALL LOCAL STREETS, APPLICANT SEEKS EXCEPTION TO PLACE
SIDEWALK CURB-TIGHT FOR A MORE WALKABLE COMMUNITY



DATE:	
NO. REVISION:	
DATE:	05/23/24
DRAWING STATUS:	MASTER PLAN
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PROJECT:	PACIFIC STAR ESTATES
PROJECT LOCATION:	REDMOND, OR
CLIENT:	VOLLERTSEN LIVING TRUST

SHEET TITLE	TYPICAL STREET SECTIONS
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JOB NO.	21-009
DRAWN BY:	JJM
DRAWING:	MP2.6

DATE:

05/26/2023

Pacific Star Estates

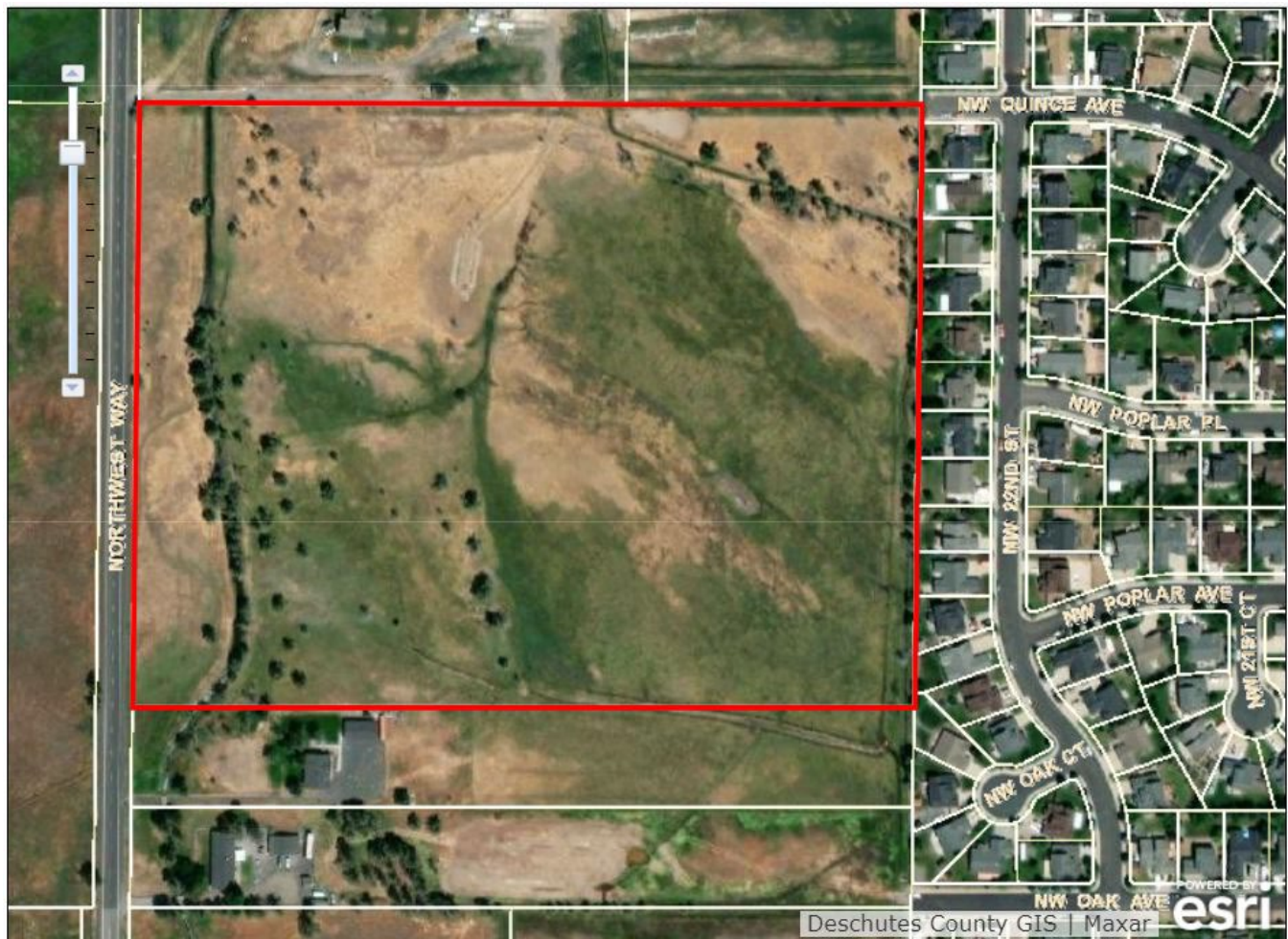
Burden of Proof Statement Master Plan, Subdivision, Site Plan and Lot Line Adjustment Application

REQUEST: Requesting approval of a 199-unit master planned subdivision, site plan approval for a multifamily complex, and property line adjustment between Tax Lots 400 and 403.

LOCATION: The site is identified as: Northwest Way; Tax Lots 400 and 403, Deschutes County Tax Assessor's Map #1513050000, Redmond, Oregon 97756

PROPERTY OWNER: Vollertson Living Trust
19711 NW Morgan Road
Portland, OR 97231

Aerial Map



Applicable Criteria

ARTICLE I – ZONING STANDARDS

RESIDENTIAL USE ZONES

- CHAPTER 8.0110 – LIMITED RESIDENTIAL R-3 ZONE
- CHAPTER 8.0115 – GENERAL RESIDENTIAL R-4 ZONE
- CHAPTER 8.0120 – HIGH DENSITY RESIDENTIAL R-5 ZONE
- CHAPTER 8.0135 – TABLE A, RESIDENTIAL ZONES, USES PERMITTED
- CHAPTER 8.0138 – STANDARDS
- CHAPTER 8.0140 – TABLE B, MINIMUM STANDARDS
- CHAPTER 8.0142 – TOWNHOUSE DEVELOPMENT AND DESIGN STANDARDS

MASTER DEVELOPMENT PLANS & PLANNED UNIT DEVELOPMENTS

- CHAPTER 8.0270 – MASTER DEVELOPMENT PLANS

SUPPLEMENTARY PROVISIONS

- CHAPTER 8.0305 – ESTABLISHMENT OF CLEAR VISION AREAS
- CHAPTER 8.0385 – NEIGHBORHOOD MEETING REQUIREMENTS

OFF-STREET PARKING & LOADING REQUIREMENTS

- CHAPTER 8.0500 – OFF STREET PARKING
- CHAPTER 8.0505 – OFF STREET PARKING AND LOADING
- CHAPTER 8.0510 – DESIGN AND IMPROVEMENT STANDARDS FOR PARKING LOTS
- CHAPTER 8.0515 – PARKING TABLE AND DIAGRAM

ARTICLE III – LAND DIVISION

SUBDIVISION APPLICATION PROCEDURE

- CHAPTER 8.2200 – PRE-APPLICATION MEETING
- CHAPTER 8.2202 – NEIGHBORHOOD MEETING
- CHAPTER 8.2205 – APPLICATION SUBMISSION
- CHAPTER 8.2210 – SCALE OF TENTATIVE SUBDIVISION PLAT
- CHAPTER 8.2215 – INFORMAL REQUIREMENTS
- CHAPTER 8.2220 – PHASED DEVELOPMENT PLAN
- CHAPTER 8.2225 – APPROVAL OF PHASED DEVELOPMENT PLAN
- CHAPTER 8.2230 – DEVELOPMENT FOLLOWING APPROVAL
- CHAPTER 8.2235 – REQUIRED FINDINGS FOR TENTATIVE SUBDIVISION APPROVAL
- CHAPTER 8.2236 – TRACK 1 (GENERAL)
- CHAPTER 8.2240 – IMPROVEMENT REQUIREMENTS (TRACT 1 SUBDIVISION)

DESIGN STANDARDS AND IMPROVEMENTS

- CHAPTER 8.2700 – COMPLIANCE REQUIRED
- CHAPTER 8.2705 – BLOCKS, LOTS AND PARCELS
- CHAPTER 8.2710 – STREETS
- CHAPTER 8.2715 – FUNDAMENTAL DESIGN ELEMENTS
- CHAPTER 8.2720 – GRADING BUILDING SITES

SUPPLEMENTARY PROVISIONS

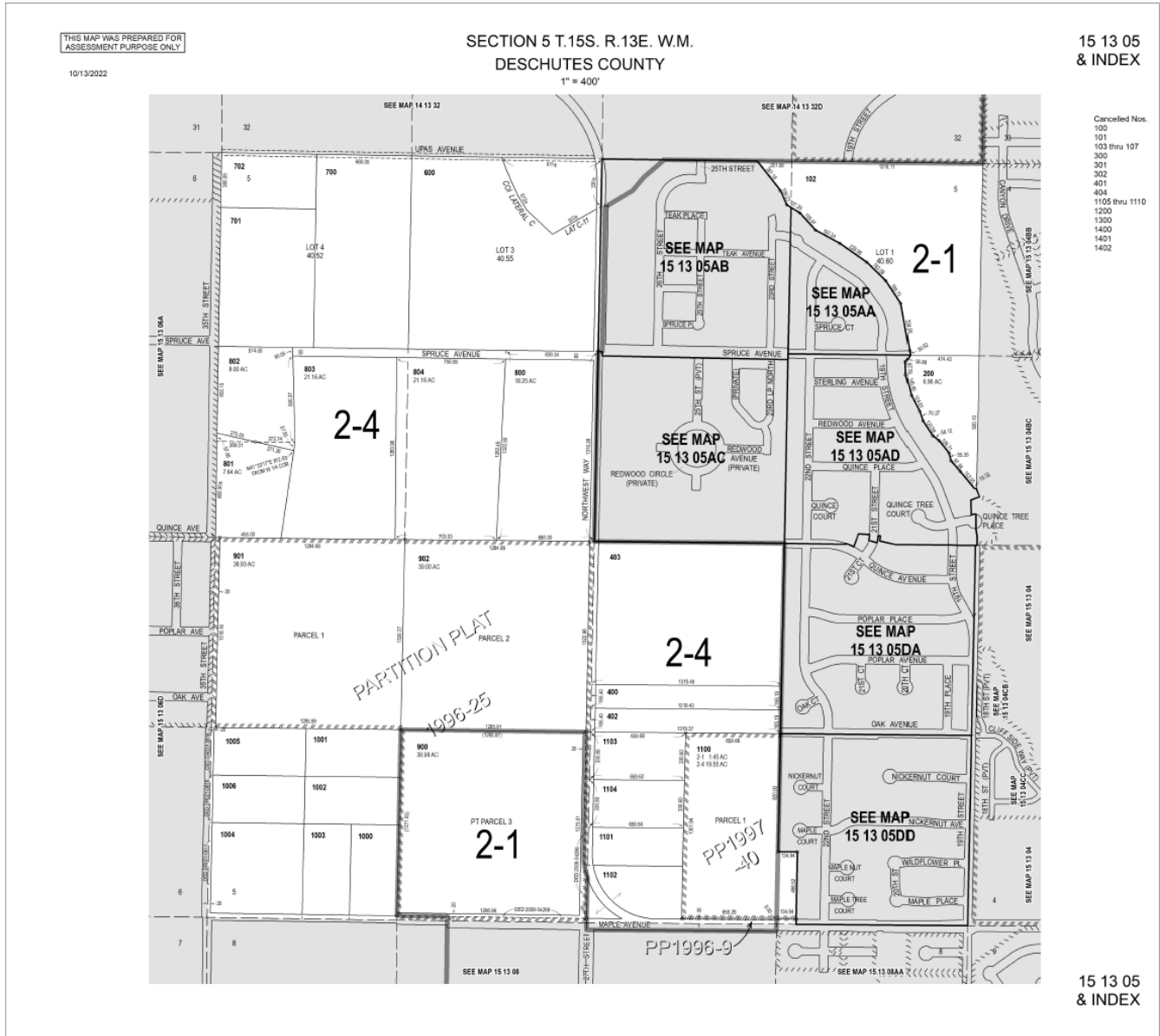
CHAPTER 8.2800 – IMPROVEMENT PROCEDURES
CHAPTER 8.2805 – IMPROVEMENTS IN PARTITIONS
CHAPTER 8.2810 – ACCEPTANCE OF IMPROVEMENTS
CHAPTER 8.2815 – TRANSPORTATION SYSTEM ANALYSIS
CHAPTER 8.2820 – ACCESS MANAGEMENT STANDARDS
CHAPTER 8.2825 – STREET DEDICATIONS

ARTICLE IV – SITE AND DESIGN REVIEW STANDARDS

INTRODUCTORY PROVISIONS

CHAPTER 8.3000 – PURPOSE AND INTENT
CHAPTER 8.3035 – DESIGN REVIEW CRITERIA

1. **Location:** The site is identified as: Northwest Way; Tax Lots 400 and 403, Deschutes County Tax Assessor's Map #1513050000, Redmond, Oregon 97756



2. **Zone and Comprehensive Plan Designation:** The subject property is zoned and planned R-3 Limited Residential, R-4 General Residential and R-5 High Density Residential on the Redmond Urban Area Comprehensive Plan and Zone map.
3. **Proposal:** The applicant is requesting approval of a 199-unit master planned subdivision, site plan approval for a multifamily complex, and a lot line adjustment.

ARTICLE I – ZONING STANDARDS

8.0110 Limited Residential R-3 Zone.

8.0115 General Residential R-4 Zone.

8.0120 High Density Residential R-5 Zone.

8.0135 Table A, Residential Zones, Uses Permitted. The following uses are allowed outright or conditionally in each of the Residential zones as follows:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Residential Uses:	R-1	R-2	R-3	R-4	R-5	RESTRICTIONS AND REQUIREMENTS
Accessory Building:						
Detached sheds, shops, and garages	O	O	O	O	O	Must be located within the property and not in the yard setback areas. Moveable shipping containers, or similar, are not allowed.
Guest House	O	O	O	O	O	No kitchen; uses main houses' sewer & water
Accessory Dwelling Unit / Accessory Suite	O	O	O	O	O	Uses main houses' sewer & water or individual City Services; may have kitchen
Accessory Use	O	O	O	O	O	Includes Home Occupations
Apartments						See Multi-Family Complex / Dwelling
Bed and Breakfast	C	C	C	C	C	
Boarding or Rooming House	N	N	C	O	O	
Cottage Development	O	O	O	O	O	
Manufactured Home	O	O	O	O	O	See Single Family Detached Dwelling
Manufactured Home Park	N	N	N	O	O	See Section 8.0375
Manufactured Home Subdivision	N	N	O	O	O	Subject to compliance w/ applicable ORS
Multi Family Complex (5 + units)	C	C	C	O	O	
Single Family Detached Dwelling, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	O	O	O	O	O	
Nursing, Convalescent, and Assisted Living Facility	N	N	C	C	C	More than 15 people
Planned Unit Development	C	C	C	C	C	
Residential Care Facility	N	N	C	C	O	Defined in and regulated by ORS
Residential Care Home	O	O	O	O	O	Defined in and regulated by ORS

RESPONSE: Single family dwellings, Townhouses and Multi-family complexes are permitted outright in the R-3, R-4 and R-5 zones.

8.0138 Standards. Except as provided for in Section 8.0137 and 8.0615, the standards and criteria for development in the R-3 zone shall apply to development in the R-3A zone.

RESPONSE: The proposed development is not in the R-3A zone; therefore, this standard does not apply.

8.0140 Table B, Minimum Standards. The following minimum standards apply in each of the Residential zones:

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Minimum Lot size - Square Feet					
Single Family, Duplex, Triplex	9,000	9,000	7,500	5,500	5,500
Quadplex, Cottage Clusters	9,000	9,000	7,500	7,000	7,000
Townhouse	1,500	1,500	1,500	1,500	1,500
Multi-family Complex: 5+ units	No Minimum Lot Size Must Meet Density Standards				
Density - Units/Net Acres					
Minimum Density: All	4	4	5	5	8
Maximum Density: Single Family	5	5	5.8	8	8
Maximum Density: Duplex, Triplex, Quadplex, Cottage Cluster	No Maximum Density Must Meet Minimum Lot Size				
Maximum Density: Townhouses	20	20	23.2	25	25
Maximum Density: Multi-family Complex 5+ units	N/A	N/A	N/A	14.5	17.4
Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Planned Unit Developments (PUDs) and Cottage Developments (COD) densities in Section 8.0275 et seq.					
Minimum Setback Distance - Feet					
Front Façade, excluding garage	10	10	10	10	10
Interior Side	5/10	5/10	5	5	5
Interior side yards must be a minimum of 5 feet on one side and 10 feet on the other side for single family, duplex, triplex, and quadplex residences. Where alley access is provided, both interior side yards may be reduced to 5 feet. Exceptions to the 10-foot setback are allowed (1) when the residential lot was created prior to the adoption of this standard (November 9, 2006); (2) on cul-de-sac lots; or (3) on flag lots.					
Street Side	10	10	10	10	10
Rear	20	20	20	15	5
Attached Garage, access from alley or street	20	20	20	20	20
Setbacks:					
ADUs: Specified in Section 8.0325					
Detached Accessory Structures: Specified in Section 8.0323					
Cottage Clusters: Specified in Section 8.0143					
Cottage Developments: Specified in Section 8.0285 et seq.					
Multi-family Complexes: Specified in Section 8.3035.4E. Table A.					
Townhouses: Specified in Section 8.0142					
Maximum Building Height - Feet					
	32	32	32	45	45
Minimum Street Frontage - Feet					
Standard Street	50	50	50	50	40
Cul-de-sac	30	30	30	30	30
Flag Lot	20	20	20	20	20
Townhouse	20	20	20	20	20

RESPONSE: All proposed single family lots within the R-3 zone are over 7,500 sq ft and proposed single family lots within the R-4 zone are over 5,500 sq ft. Setbacks are shown on the provided plans per the zone standards listed above. All frontages for single family dwellings are over 50'. These standards are met.

8.0142 Townhouse Development and Design Standards.

1. **Procedure.** New townhouses shall be reviewed for conformance with the requirements listed in this section.

2. Table A: Minimum Standards.

Standard:	R-1	R-2	R-3, R-3A	R-4	R-5
Maximum Density (Units/Net Acre)	20	20	23.2	25	25
Minimum Lot Size (Square Feet)	1,500	1,500	1,500	1,500	1,500
Maximum Building Height (Feet)	35	35	35	45	45
Minimum Street Frontage (Feet)	20	20	20	20	20
Minimum Setback Distance (Feet)					
Front with alley or other rear access	10	10	10	10	5
Front without alley or other rear access	10	10	10	10	10
Front garage setback from street	20	20	20	20	20
Non-street side: Common wall lot line where units are attached	0	0	0	0	0
Exterior wall at end of a townhouse structure	5	5	5	5	5
Street Side	10	10	10	10	10
Rear with garage and alley access	0	0	0	0	0
Rear without garage	10	10	10	10	10

RESPONSE: The lots designated for townhome development have a minimum size of 4,000 square feet. All proposed townhome lots have rear load access and meet the minimum setback requirement as shown on the site plan. Street frontage is greater than 20 feet, thus exceeding the minimum frontage requirement. The exterior walls at the end of the structures have a 5' setback meeting the minimum requirement as stated above. These standards have been met.

3. **Off-Street Parking.** Townhouses shall meet the off-street parking requirements of Section 8.0500.

RESPONSE: This standard will be addressed in Section 8.0500.

4. **Areas Owned in Common.** For townhouse projects, common areas must be maintained by a homeowner's association or other legal entity. A homeowner's association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the City prior to issuance of a building permit.

RESPONSE: There are no lands in common, therefore this standard does not apply.

5. **Design Standards.** New townhouses shall meet the design standards in subsections A

through G of this section.

A. Entry Orientation. The main entrance of each townhouse must:

1. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
2. Either:
 - a. Face the street (see Figure 1);
 - b. Be at an angle of up to 45 degrees from the street (see Figure 2);
 - c. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - d. Open onto a porch (see Figure 3). The porch must:
 - i. Be at least 25 square feet in area; and
 - ii. Have at least one entrance facing the street or have a roof.

Figure 2. Main Entrance at 45° Angle from the Street

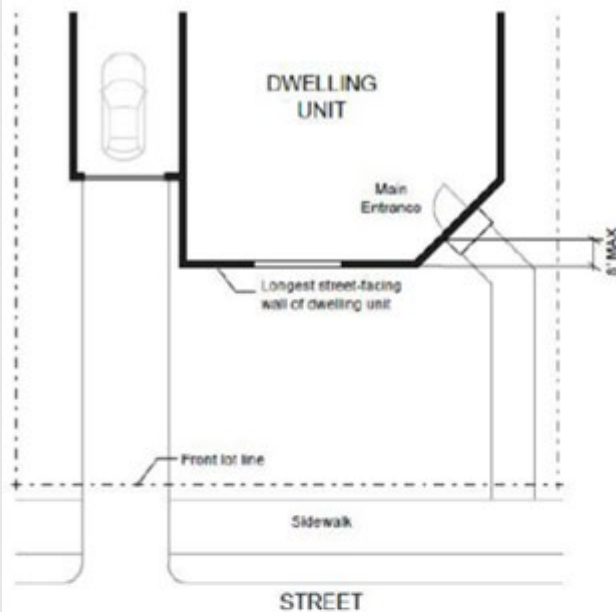


Figure 1. Main Entrance Facing the Street

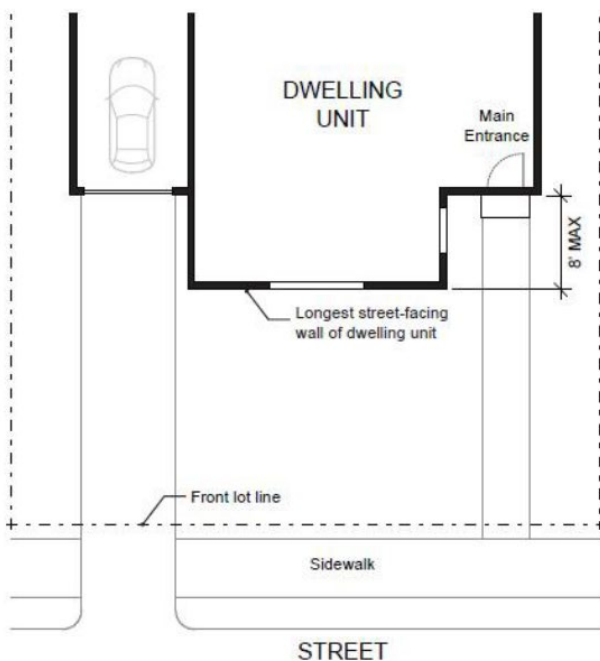
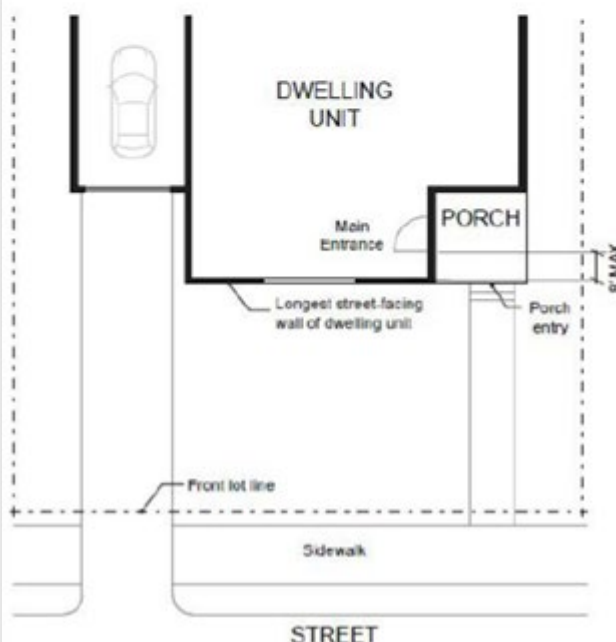


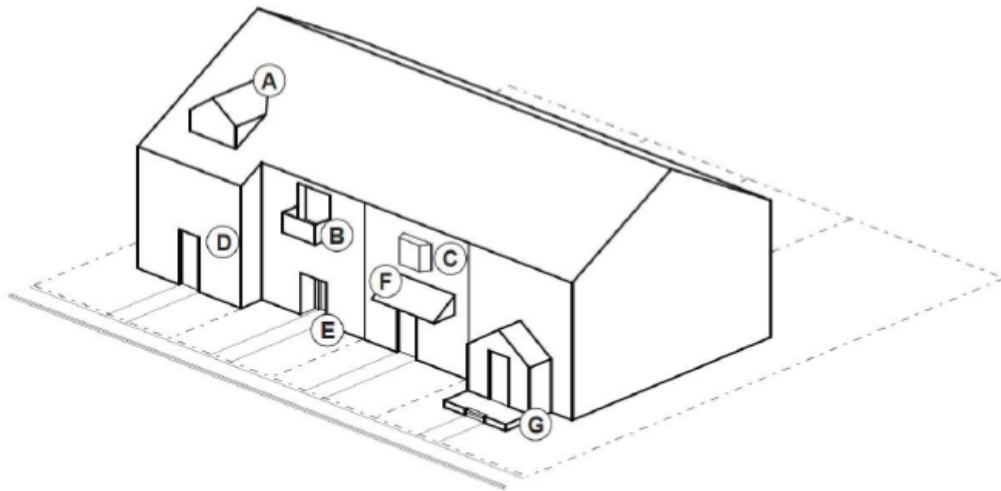
Figure 3. Main Entrance Opening onto a Porch



B. Unit definition. Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4):

1. A roof dormer a minimum of 4 feet in width, or
2. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
3. A bay window that extends from the facade a minimum of 2 feet, or
4. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
5. An entryway that is recessed a minimum of 3 feet, or
6. A covered entryway with a minimum depth of 4 feet, or
7. A porch meeting the standards of subsection (A)(2)(d) of this section. Balconies and bay windows may encroach into a required setback area.

Figure 4. Townhouse Unit Definition



- (A) Roof dormer, minimum of 4 feet wide
- (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C) Bay window extending minimum of 2 feet from facade
- (D) Facade offset, minimum of 2 feet deep
- (E) Recessed entryway, minimum 3 feet deep
- (F) Covered entryway, minimum of 4 feet deep
- (G) Porch, meets standards of subsection (A)(2)(d) of this section

C. Windows. A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 5.

Figure 5. Window Coverage

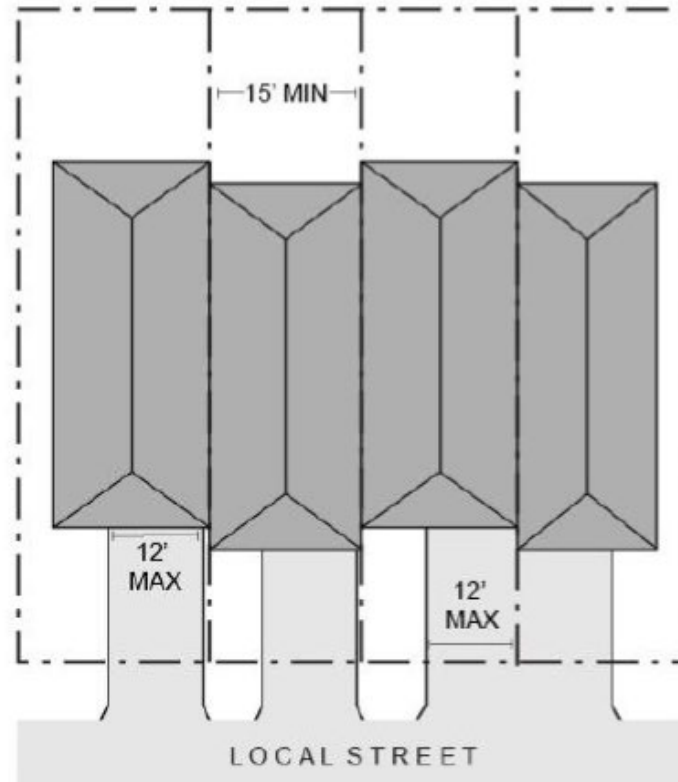


RESPONSE: Townhouse design standards will be met at the time of obtaining a building permit application.

D. Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:

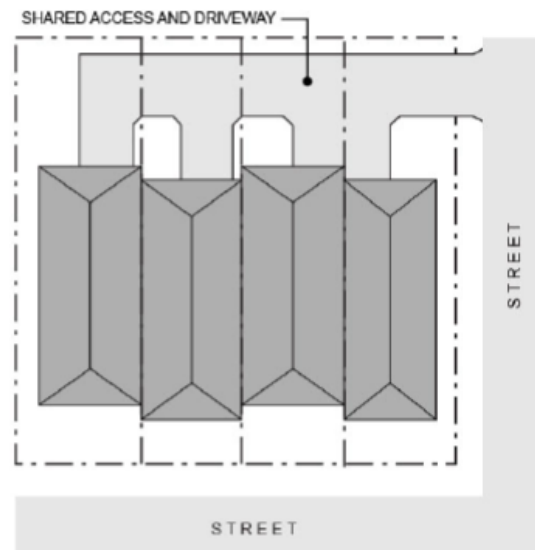
1. Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 6).
 - a. Each townhouse lot has a street frontage of at least 15 feet on a local street.
 - b. A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
 - c. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
 - d. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 6. Townhouses with Parking in Front Yard



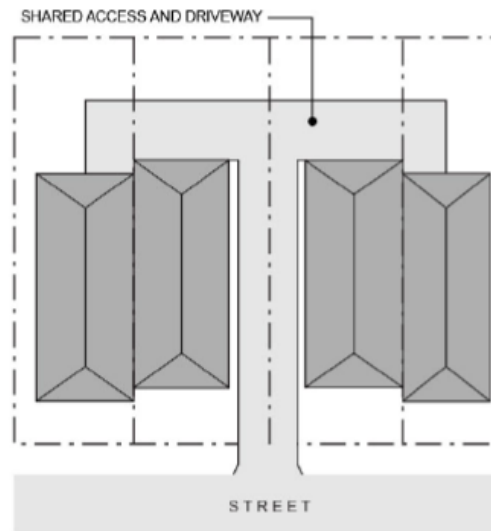
2. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (1).
- a. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
 - b. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 7.

Figure 7. Townhouses on Corner Lot with Shared Access



c. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 8.

Figure 8. Townhouses with Consolidated Access



d. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

3. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (2).

RESPONSE: All proposed townhouse lots have rear load access with a designated alley therefore this standard does not apply.

E. Screen of Mechanical Equipment. All exterior ground mounted mechanical equipment located forward from the line of the front façade (living space and garage) of the building shall be screened from the street at the ground/eye level line of sight by use of landscaping materials such as shrubs and trees or fencing at least three (3) feet in height at installation. Solar power, wind power, and satellite dishes necessitating placement on walls or roofs for normal operation are exempt from this provision.

RESPONSE: Any new mechanical equipment will be screened from view.

F. Landscaping. Landscaping standards are as follows:

1. On all lots which new townhouses are constructed, landscaping shall be installed between the corresponding façade(s) of the structure and the edge of the street(s), public or private, for the entire length of the street frontage(s).
2. Required landscaping can include, but is not limited to, a combination of the following materials: living plant material such as trees, shrubs, flowers, and lawn (can include artificial turf); and non-living materials such as walkways and courtyards consisting of brick, concrete, asphalt, decorative rock, or other approved materials. Applicable landscaping requirements are subject to the following:
 - a. Xeriscaping is encouraged. The minimum required allowance for plantings shall be 25%. Rock, rock gardens and bark areas without plantings do not

- b. The use of gravel is limited to spaces specified for the parking of RVs.
 - c. Areas of exposed dirt are not allowed. qualify as landscaping or xeriscaping.
3. Street trees are required to be installed on all residential lots fronting on public or private streets, including lots already platted at the time of adoption of this ordinance, but not yet developed. Additional standards are located in Section 8.3035.5.K.

Lot Width	Number of Street Trees Required
Comer Lot	Tree requirements will be based on each street frontage length.
50 feet and less	1
51-100 feet	2
101-150 feet	3
151 feet and more	One tree/40 feet of width fronting street.

- a. Flag lots shall be exempt from street tree requirements unless the frontage portion of the flag lot is 30' or greater.
4. All landscaping and street tree installation shall be completed prior to issuance of a Certificate of Occupancy

RESPONSE: As detailed in the provided landscape plan, street trees are proposed along the entire length of street frontage (see page MP2.3).

G. Fences. See Section 8.0340.

RESPONSE: This standard will be addressed at the time building permits are applied for.

8.0270 Master Development Plans. A Master Development Plan is required as a condition of annexation, or after annexation, but prior to or concurrent with rezoning from Urban Holding-10 to other City zoning districts. The specific requirements for a Master Development Plan are:

1. **Applicability.** This section applies to properties proposed for annexation or rezoning from Urban Holding-10, except that in the event that an applicant has applied for a Planned Unit Development application prior to or concurrent with rezoning from Urban Holding-10, the Master Development Plan approval criteria shall be those used for the Planned Unit Development application and the Great Neighborhood Principles.
2. **Purpose.** The purpose of Master Development Plan is to provide:
 - A. Orderly and efficient development of the City consistent with the City of Redmond Framework Plan and adopted Area Plans.
 - B. Compatibility or transitions with adjacent developments and the character of the area.
 - C. A complementary mix of uses and activities.
 - D. An interconnected transportation network (streets, bicycle routes, and pedestrian trails) within the master plan area and to existing and planned City streets, routes, and trails.
 - E. A range of housing choices and densities for areas planned to have residential components.
 - F. A range of open spaces and recreation facilities, as needed to facilitate the Framework Plan and an adopted Area Plan.
 - G. Public and semi-public facilities and services.
 - H. Preservation of historic buildings, scenic views, and natural resources to the greatest extent possible.
 - I. Transitions or buffers between urban development and rural areas.

J. Implementation of Redmond's Comprehensive Plan, including adopted Area Plans and the Great Neighborhood Planning Principles described in 3(C)(13) below.

3. Procedures for Review.

A. **General.** Master Development Plans (MDP or PMDP) shall be approved through a quasi-judicial review process. Application procedures and related fees for approval may be streamlined in order to promote timely development of urban planning for land zoned UH-10. The Community Development Director, or designee, shall inform the applicant during the mandatory pre-application stage if the proposed MDP area includes the necessary contiguous properties. The determination for the proposed plan area shall be based on utilizing the following factors:

1. Whether there are properties that abut or are surrounded by the plan boundary that would reasonably fit within the zoning concept for the area plan;
2. Whether the extension of public services and infrastructure would be enhanced by the inclusion of abutting properties;
3. Whether the total acreage of abutting or enclave properties is less than the acreage in the proposed plan area; and
4. There is a community interest that would be served by including additional properties in the plan area.

B. Review and approval criteria for Master Development Plans (MPD) or Partial Master Development Plans (PMDP).

1. **General.** In the review of any application for a Master Development Plan, the Planning Commission and City Council, if required, shall consider the following:
 - a. Whether the proposed Plan is generally consistent with the Framework Plan, adopted Area Plan, and Comprehensive Plan in terms of land use, density, transportation systems and networks, adequacy of infrastructure and open space.

RESPONSE: The proposed plan takes into consideration the necessary facilities that are needed to support the development pattern established within both the Comprehensive and Framework plans. It also incorporates necessary design elements, along with improvements needed to maintain the functional character of the services that are needed to serve the contemplated densities.

- b. Whether the proposed Plan is generally suitable for the area in which it is proposed, considering existing and planned neighborhoods, shopping and employment areas, and natural resources and hazards.

RESPONSE: The proposed plan takes into consideration property zoning and proposes a plan that complements the surrounding area. The proposed development will contribute to carrying out the intended land use patterns for the area. As a result, infrastructure will be extended in an orderly and efficient manner to serve the future development as contemplated for the area.

- c. Whether the proposed Plan is functionally integrated with developed or planned areas.

RESPONSE: This proposal has been designed to extend elements that contribute to the functional environment for the area, allowing for the creation of a functional transportation system to serve both pedestrians and vehicular traffic.

- d. The proposed Plan meets the applicable Great Neighborhood Principles.

RESPONSE: Elements of the Great Neighborhood Principles are expounded on below.

C. Master Development Plan (MDP) or Partial Master Development Plan (PMDP) Submittal Requirements and Approval Process.

An application for approval shall include the submittal requirements set forth in the City's Land Use Review application form as well as the elements described below.

1. **Narrative.** A narrative shall set forth the goals and objectives of the plan and describe the urban characteristics of the planned area.
2. **Neighborhood Meeting.** Proof a neighborhood meeting was conducted to provide an opportunity for the applicant to meet with surrounding property owners to discuss the proposal. See Section 8.0385 for meeting requirements.
3. **Development Plan Map.** A map of the plan area and surrounding vicinity shall indicate planned land uses for each land parcel in the area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan map designations and zoning. The plan shall include a list of all affected properties with tax lot numbers, current ownership, parcel size, and other information that is pertinent to the plan.
4. **Land Use Diagram.** The land use diagram shall generally indicate the distribution and location of planned land uses for the master plan area, including plans for park and open space and community facilities, if known. The plan shall show proposed comprehensive plan designations, zoning, and density.
5. **Significant Resources Inventory.** An inventory of significant natural resources, scenic and historic resources, and open space areas including those identified on the City's adopted inventory and those that have the potential to qualify for protection under Redmond's Goal 5 resource protection program. When significant resources are present, the proposed plan shall include a management plan to protect resource sites.
6. **Parks and Open Space.** Identify land suitable for park and recreation use in accordance with the needs analysis in the City of Redmond Park Master Plan (Park Plan) and an adopted Area Plan. In particular, where the Park Plan indicates there is a need for neighborhood or community park, the master plan shall identify sites that may be suitable for park development using the design and location criteria from the Park Plan or an adopted Area Plan. Density transfers, SDC credits, dedication, and other value consideration may be identified in the planning process to compensate property owners for land dedicated to public use.
7. **Air, Noise, and Water Resources.** Review air, noise and water resources that may be impacted by planned development and address how adverse impacts will be avoided or mitigated in compliance with applicable local, state, and federal regulations. The analysis may use City public facility plans, technical studies, and policies to meet this requirement when those plans address how urban development in the plan area can be served. In these instances, the Master Development Plan must show that the envisioned land uses in the plan area are consistent with the land use assumptions in the public facility plans. This requirement is particularly important for storm water management.
8. **Natural Hazard Areas.** Inventory areas subject to natural hazards, particularly steep slopes, and program urban development that is suitable for the identified hazard areas.
9. **Residential Uses.** Identify areas planned for housing development, if any, and the proposed zoning districts to be applied. The housing plan must identify a mix of housing types and densities so that the overall density in the area meets or exceeds the housing density objectives for the area that are identified in the Redmond Urban Framework Plan, adopted Area Plans, and the Comprehensive Plan. The Framework Plan and adopted Area Plans provide general guidance on housing densities that need to be achieved in order to meet future housing needs. Where proposed residential land uses differ from those shown in the Redmond Urban Framework Plan or adopted Area Plans, the master plan shall demonstrate how it meets the overall housing objectives of the Redmond Urban

Framework Plan or adopted Area Plans. Applicants may propose new zoning districts when the proposed district(s) in total achieve the housing densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.

10. Employment Uses. Identify areas planned for employment use and/or mixed uses and the proposed zoning for these areas. Applicants may propose new zoning districts in cases where existing districts are not suitable for the planned development provided the proposed district(s) achieve similar land improvement values and/or employment densities envisioned in the Redmond Urban Framework Plan or adopted Area Plans.

11. Transportation Analysis and Diagram. Prepare a Transportation Impact Analysis (TIA) including a grid street plan that is consistent with street spacing and connectivity guidelines in the *Redmond Transportation System Plan* (TSP) and adopted Area or Framework Plans. The TIA shall identify and show:

- a. The proposed classification for all streets.
- b. The location of approved TSP improvement projects.
- c. Any capital improvements that may need to be added to the TSP in order to serve the plan area.
- d. Proposed bicycle pedestrian, and trail routes.
- e. Demonstrate how planned transportation facilities will connect to transportation facilities in adjacent urban areas.

12. Public Facilities Analysis and Diagram. The plan shall include a conceptual layout of public facilities, (including sanitary sewer, water, and storm drainage) needed to support the planned uses. The Public Facilities Analysis must be consistent with the city's adopted *Public Facility Plan* (PFP) and related facility master plans, including improvements related to the adopted Area Plan that may require amending the PFP.

13. North Redmond US 97 Interchange Area Management Plan (IAMP)

Compliance. The master plan shall comply with the following policies, if applicable:

- a. Any property newly annexed within the IAMP area shall have:
 - i. Direct Access to a local public street other than a state highway consistent with the Local Street Connectivity Plan; and,
 - ii. Any property to be annexed to the City shall relinquish all direct access rights to a state highway as a condition of development approval (when a legal alternative access exists).

RESPONSE: Additional materials submitted in support of the proposed Master Development Plan include all the applicable elements listed above.

14. Great Neighborhood Principles. MDPs shall address applicable Great Neighborhood Principles below. In instances where the property proposed for a MDP is located within the boundary of an adopted Area Plan, the MDP shall also address the Great Neighborhood Principles according to the specificity provided in the Area Plan.

- a. **Transportation.** Connect people and places through a complete grid street network and trail system that invites walking and bicycling and provides convenient access to parks, schools, neighborhood service centers, and possible future transit stops. Traffic calming techniques and devices may be required to slow vehicles. Curved streets are encouraged to provide interest and variety in neighborhood design. Trails shall be provided to link existing or planned pedestrian facilities.

RESPONSE: Local streets provide access for bicycles and pedestrians to conveniently access the nearby areas. Additionally, a trail along Northwest Way will allow both to continue to the major street networks and future trails. All proposed sidewalks and trails are accessible to those in the neighborhood. The proposed pedestrian elements will contribute to the orderly

development of the area allowing for a connection of people and places through a permanent and safe means.

b. **Housing.** A mix of housing unit types and densities shall be integrated into the design of new neighborhoods consistent with zone requirements unless a variance or other planning permit is approved. Housing developments containing more than five attached units must be designed to be consistent with the Higher Density Multifamily Design Guidelines.

RESPONSE: The subject property is 32.11 acres and proposed to be developed with a mixture of housing that includes apartments, townhomes, and detached single family homes.

c. **Open spaces, greenways, recreation.** All new neighborhoods shall provide usable open spaces with recreation amenities that are integrated to the larger community. Central parks and plazas shall be used to create public gathering places and should be located in or near the center of the project to the extent practicable. New neighborhoods should retain and incorporate significant geological features such as rock outcroppings or stands of clustered native trees into the design and lot layout. Neighborhood and community parks shall be developed in locations consistent with the Redmond's Parks Master Plan.

RESPONSE: The property has an approximate 0.5 acre park area dedicated for the surrounding neighborhood. However, it shall be noted that there is over one acre of open space landscaped areas within the multifamily development. South of the townhomes is an approximate 6,700 square foot open area and west of the townhome area is a paved multiuse path.

d. **Integrated design elements.** Streets, civic spaces, signage, and architecture shall be coordinated to establish a coherent and distinct character for the MDP. MDPs may integrate design themes with adjacent developed or planned areas.

e. **Diverse mix of activities.** A variety of uses are encouraged in order to create vitality and bring many activities of daily living within walking and biking distance or a short drive of homes. Amenities including, but not limited to, trails, recreation areas, and open spaces, shall be constructed before occupancy of any residential unit, unless a phasing plan is approved. Commercial service areas must be supported by a market analysis and phasing program which will be used by the City to determine construction timing.

RESPONSE: This criterion is best suited to larger more complex developments, primarily developments with recreational centers or town centers. The project will have single family homes, with sloped roofs in a varied Pacific Northwest style common in other areas of Redmond. The infrastructure (streets, sidewalks, street trees, streetlights) will all be developed according to City standards and specifications which will provide continuity throughout the development.

f. **Public art or artistic features.** Places for the installation of public art or artistic features are required to provide focal points, preferably, at the gateways to neighborhoods, in and around the center of neighborhoods, or trailheads.

RESPONSE: Open space areas are proposed to be landscaped in a design that will draw visual interest. While no public art is proposed at this time open space areas provide an opportunity

for public art in the future.

g. **Scenic views.** Identify and preserve scenic views and corridors of the Cascade Range, Ochoco Mountains, and Smith Rock, such as in street view sheds or park areas. Streets and common, or public, open spaces should be located and oriented to capture and preserve scenic views for the public. Minimize visual clutter from signs and utilities within scenic corridors.

RESPONSE: Connection to existing approved roadways, along with open placement of park areas has provided for the preservation of scenic views. Varied housing types and upper story development may also offer view opportunities. Based on the development factors it can be found that the development takes advantage of the views to the greatest degree practical.

h. **Urban – rural interface.** Urban development shall interface with rural areas through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban - rural interface.

i. **Pocket parks/tot lots.** Fully developed “pocket parks” or “tot lots” shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and adequate trash receptable(s) and lighting.

RESPONSE: This standard has been addressed in criterion ‘c’ above.

j. **Canal trails.** If canals or laterals are present, multi-use trails at least 10 feet wide shall be provided, subject to the Central Oregon Irrigation District’s review and approval. Pedestrian amenities such as benches and trash receptacles shall be provided at appropriate locations (e.g., every 500 feet, at trailheads or intersections with public streets).

RESPONSE: An existing irrigation canal will be piped as part of the development. Over the irrigation pipeline, there will be a 10 foot wide multiuse path.

k. **Green Design.** Energy-efficient design through solar access setbacks, xeriscaping, and planting of drought-resistant trees to minimize water usage and provide shade.

RESPONSE: The existing property’s configuration allows for improved solar access which is intended to minimize energy use. The proposed open space is intended to be planted with drought tolerant species, shrubs, trees, and ground covers thus reducing water use.

D. **Implementation.** Upon approval, all subsequent development located within the MDP boundaries shall be consistent with the approval.

E. **Amendment/Modification to Master Development Plan.** Any modifications to the approved MDP shall be subject to the standards and procedures in Article II, “Modifications”, and subject to the review criteria contained in this section.

F. **Expiration of Master Development Plan.** An approved MDP or PMDP shall be subject to the requirements of Section 8.1605 concerning expiration, unless a specific timeline is approved through the land use review process.

RESPONSE: These standards are advisory.

8.0305 Establishment of Clear Vision Areas. Clear vision areas are measured as follows: starting at the edge of pavement, or curb lines, at the intersection of two vehicular ways, and measuring along each edge of pavement for the distance shown below; this will result in an angle. The end points projecting from the vertex of the angle are then connected, forming a triangle. The area within the triangle is the horizontal clear vision area. The vertical clear vision area is the area above the triangle, between 3' and 8' in height.

Clear vision distances shall be as follows:

1. At an intersection of two streets having 90-degree angles at the intersection, the minimum distance shall be 25 feet.
2. At traffic circles, acute or obtuse angles, and other non-conventional intersections of two streets, the clear vision area may be determined by the Hearings Body or City Engineer. However, the clear vision area shall make every attempt to incorporate the 25' line of sight distance as is stated in (1).
3. All other vehicular intersections, including alleys the minimum clear vision distance shall

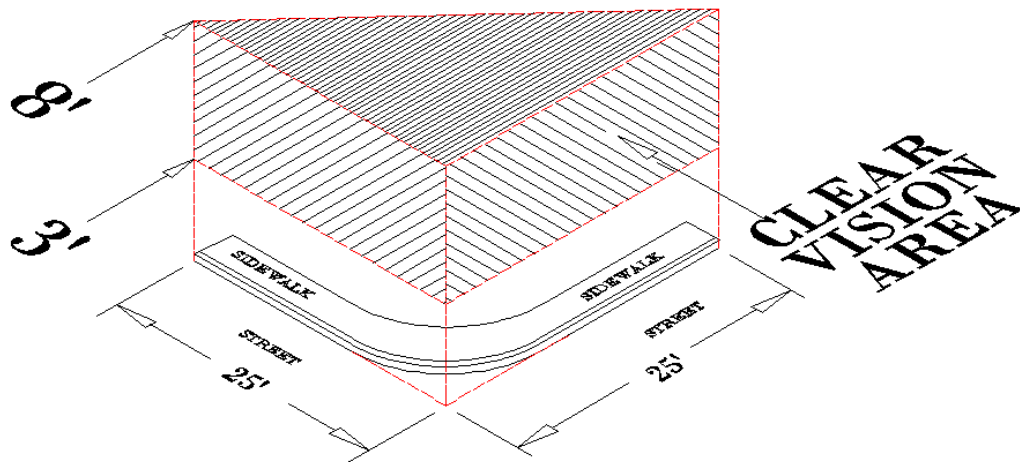


ILLUSTRATION – STREET TO STREET CLEAR VISION AREA

RESPONSE: Clear vision areas have been established and are shown on the site plan.

8.0385 Neighborhood Meeting Requirements

1. Purpose and Intent. The purpose of the neighborhood meeting is to provide a forum for the applicant, surrounding neighbors, and interested members of the community to meet and consider a proposed land use application, and to discuss issues/concerns regarding the proposal prior to application submittal. Neighborhood meetings encourage citizen participation early in the development process, and an opportunity to revise the land use application to address the issues prior to application submittal.

2. Applicability. Neighborhood meetings are encouraged prior to submitting any land use application. The following application types or development proposals shall be subject to the neighborhood meeting requirements:

A. Master Development Plans.

B. Residential or mixed use development proposals that generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, where a Transportation Impact Analysis (TIA) is required.

C. Wireless and Broadcast Communications Facilities.

3. Requirements and Procedures. The neighborhood meeting must be held after a pre-development meeting with City Staff, but before submittal of a land use application. The applicant shall be required to hold only one meeting prior to submitting an application for a specific site but may hold more if desired. If the development proposal is revised after the neighborhood meeting, and a major modification is requested, a second neighborhood meeting with a new notice shall be required before the revised application is submitted.

A. Location and Time. Neighborhood meetings shall be held in person at a location in reasonable proximity to the subject site. The meeting shall be held at a location open to the public., City Staff, and at a facility that is ADA accessible. The meeting shall be held on a weekday evening, or weekends at any reasonable time. Applicants may provide a virtual component for participants to join in the meeting. The virtual component shall not be done in lieu of the in-person requirements. ADA accommodations when requested by attendee must be provided.

B. Notice – Mail. Mailed notice of the meeting shall be provided by the applicant to the neighboring property owners (within 750 feet outside city limits and 250 feet within city limits) and the Community Development Department between ten and 30 calendar days prior to the meeting. Notices must be sent first class and shall include the date, time, and location of the meeting, as well as a brief description of the development proposal and property location. The description shall take into consideration information provided by City staff at the pre-development meeting, include project contact information, a copy of the tax map or a GIS map that clearly identifies the location of the proposed development, and a conceptual site plan.

C. Notice – Signage. The applicant shall also post notice of the neighborhood meeting on the subject site or on an access easement to the site within clear view of a public street at least seven days in advance of the meeting. The sign must display the meeting date, time, and address as well as project contact information.

D. Meeting Requirements. The developer must provide a sign-in sheet for attendees to provide their name, address, telephone number, and email address. At the meeting, the applicant shall provide a conceptual site plan and describe the major elements of the proposal. Depending on the type and scale of the particular application, the applicant should be prepared to discuss proposed land uses and densities; traffic impacts; proposed building size and height; proposed access and parking; and proposed landscaping, buffering and/or protection of natural resources as applicable. Attendees will have an opportunity to speak at the meeting and may identify any issues that they believe should be addressed. If no one arrives within 30 minutes of the scheduled start time for the meeting, the applicant may close the meeting and this requirement will be considered met upon the applicant's submittal of the documentation to that effect.

E. Materials Submitted with Application. The neighborhood meeting notes that identify the major points discussed about the development, list of parties notified, signed affidavits of mailing and posting notices, copies of all materials provided by the applicant, and a signature sheet of attendees shall be included with the development application upon submittal.

F. Validity Period. The land use application shall be submitted to the City within 180 days of the neighborhood meeting. If an application is not submitted in this timeframe, the applicant shall be required to hold a new neighborhood meeting.

G. Denial. Failure of the applicant to hold a neighborhood meeting in accordance with these provisions prior to submittal of a land use application shall result in an incomplete application and the application may be rejected.

RESPONSE: Neighborhood meeting procedures have been adhered to and the required documentation is included with this application.

8.0500 Off Street Parking. Parking space requirements are based on the following standards

according to the use (note: all required handicapped parking is included in the calculation derived parking standards). Manufacturing, warehousing, and other industrial uses may base the number of required parking spaces on the number of employees. When the number of employees is specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season.

Land use	Standard
Residential	
All residential uses within the Downtown Overlay District	1 space per Dwelling Unit (DU).
Bed and Breakfast	1 space / bedroom
Boarding House	1 space / bedroom
Caretake living on-site	2 spaces / DU
Cottage Clusters / Cottage Developments	1 space / cottage
Duplex	1 space / DU
Guest Houses	1 space / Guest House
Homeless Shelter	.5 space / room, 1 space / employee or service provider (fullest shift)
Multi Family Complex (Apartments)	1 spaces / 10 DU; 1 space / Mgr. Plus
Studio < 600 sf	1 space / DU
Studio > 600 sf / 1 bedroom	1.5 space / DU (1space per Affordable Housing DU)
2 bedrooms	1.75 spaces / DU (1.5 spaces per Affordable Housing DU)
3 or more bedrooms	2 spaces / DU
Senior Housing Developments (55+ communities)	1 space / DU (0.75 space per Affordable Housing DU)
Residential Care Facility (6 or more residents)	.5 space / room, 1 space / employee (fullest shift)
Residential Care Home (5 or less residents)	2 spaces
Single Family Detached Dwelling	2 spaces / DU
Townhouse	1 space / DU
Triplex and Quadplex	1 space / DU

RESPONSE: Single family lots will have a garage and driveway that will accommodate the 2-parking space requirement. Townhouse lots will also have a driveway and garage for each designated unit providing the required 1 space per unit standard. The multi-family complex area requires 111 parking spaces for the proposed 52 units, which has been met.

8.0505 Off-Street Parking and Loading. General provisions are as follows:

1. The provisions and maintenance of off-street parking and loading spaces is the continuing obligation of the property owner. Should the owner or occupant of any lot or building change the use to which the lot or building is sited, thereby increasing off-street parking, or loading requirements, this section must then be complied with. Businesses within the Central Business District (C-2 zone) and Downtown Overlay District (DOD) shall be exempt from this provision if there is an existing building on the subject site that prevents the addition of on-site parking. Expansions of buildings in the C-2 and DOD zone must comply with this section.
2. Requirements for types of buildings and uses not specifically listed in these standards shall be determined by the Community Development Director, or designee, based upon the requirements for comparable uses listed.
3. In the event that several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the net floor area requirements of the several uses computed separately.
4. 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 City in the form of deeds, leases, or contracts to establish the joint use.

RESPONSE: These standards are advisory.

5. Off-street parking spaces for Dwelling Units (DU) shall be located on the same parcel as those dwellings, or written contract of agreement shall be provided to the City that expressly permits shared use of parking areas which are off-site.
6. All required parking spaces shall be located not farther than 300 feet from the building or use they are required to serve, measured in a straight line from the building unless approved by the City Engineer.
7. Required parking spaces shall be available for the parking of passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

RESPONSE: Proposed parking for the dwelling units within the multifamily R-5 zone are located on the same parcel and are adjacent to the buildings in which they serve. Resident and visitor parking for each unit is located within 65' of the building served. No outdoor storage for parking is proposed.

8. In any zone, every building having a gross floor area of 10,000 square feet or more, which is to be occupied for: manufacturing, storage, warehousing, retail sales, hotel, hospital, laundry, dry cleaning establishment, or other uses similar requiring the receipt or distribution by vehicles, materials or merchandise, shall provide one off-street loading berth, plus one additional loading berth for each additional 20,000 square feet of gross floor area. Each loading berth shall be provided with paved access, driveways and surfacing in the same manner as for off-street parking, except that each space shall be 10 feet wide and 22 feet long with a height clearance of at least 14 feet. A sight-obscuring screen, berm, or landscaping shall conceal all loading areas from view from public streets or roads.
9. Interior loading docks, or loading areas or docks located inside buildings, shall be considered as being screened when securable by a powered overhead door that totally encloses the opening for vehicles being loaded / unloaded.
10. Loading and unloading of merchandise, equipment, etc. shall not be permitted from public streets or roads.

RESPONSE: Proposed parking is within a residential zone; therefore, these standards do not apply.

11. Common Parking Areas shall conform to city standards and shall be located within 220 feet of the land use.

RESPONSE: The common parking areas for the multifamily R-5 zone are located within the proposed development which they are intended to serve.

8.0510 Design and Improvement Standards for Parking Lots. The design and improvement standards for parking lots are:

1. Vehicle Parking Space Sizes and Bicycle Parking Requirements.
 - A. Each regular sized parking space or stall shall be governed by the requirements of Section 8.0515 and shall have a minimum width of 9 feet and a minimum length of 20 feet; must be individually accessible, paved, and shall be continuously maintained by the property owner.
 - B. If desired by the applicant / owner, each compact parking space or stall shall be a minimum width of 8 feet and a minimum length of 18 feet.
 - C. A maximum of 30% compact spaces is permitted as required parking.
 - D. A securable parking space shall be provided for bicycles for each new commercial use. Credit for 1 vehicular parking space shall be given for each 5 bicycle parking spaces (up to 10 bicycle parking spaces / 2 vehicular parking spaces credit possible). However, parking lots containing fewer than 10 vehicular spaces are not eligible for credits, except in the **MUN and MUE** zone. Also, bicycle spaces shall not replace more than 20% of the required parking under any circumstance.

RESPONSE: Proposed parking stalls within the multi-family housing area meet the minimum requirements of 9x20 feet. There is no compact parking being proposed. Securable parking for bicycles is not required as the development is not located in a commercial zone.

2. Except for parking in connection with single family detached dwellings or middle housing, parking and loading areas adjacent to or within a residential zone or adjacent to any dwelling shall be screened with a sight-obscuring fence or planted screen of not less than three feet in height.

3. Parking spaces between pavement and landscaping shall be contained by a bumper rail or by a curb which is at least four inches high, and which is set back a minimum of one and one-half feet from the property line.

RESPONSE: Proposed parking is intended to serve middle housing. Edge of pavement parking spaces have a curb between spaces and proposed landscaping. Spaces are more than 1-1/2 feet from the property line. These standards have been met.

4. Exterior Artificial lighting of any type shall not shine or create glare in any dwelling, property, or onto any public right of way.

RESPONSE: Exterior lighting shall be attached to the buildings and shall not shine on adjacent buildings or streets.

5. Access aisles shall be of sufficient width to permit easy turning and maneuvering. In no case shall access aisles be less than 20' in width. Any access aisle less than 24' in width shall provide "no parking / fire lane" striping or signage, or curbs painted red for "no parking". Further, any access aisle being used as backup room for parking spaces shall be no less than 24' wide.

RESPONSE: Access aisles on the proposed site have a minimum width of 24' therefore this standard has been met.

6. Groups of more than two parking spaces shall be so located and served by a driveway so that their use will require no backing movements or other maneuvering within a street right-of-way, other than an alley, unless approved by the City Engineer. Single family detached dwelling and middle housing type are exempt from this standard.

7. Service drives to off-street parking areas and internal access aisles shall be designed and constructed both to facilitate the flow of traffic and to provide maximum safety for vehicles and pedestrians. Pedestrian pathways shall be clearly differentiated from vehicular drive aisles on site and may be required to be physically separated from vehicular drives or aisles to ensure pedestrian safety. The number of service drives shall be limited to the minimum that will accommodate anticipated traffic.

RESPONSE: All parking spaces are entirely contained within the property boundaries and do not hinder a public street, when backing movements or other maneuvering is required. A 5' wide concrete pedestrian pathway has been proposed on the north and south sides of the parking area providing safe access on the proposed site.

8. Driveways shall have a minimum vision clearance area as described within RDC section 8.0305 and 8.0310, "Clear Vision areas".

RESPONSE: A minimum vision clearance area of 15' has been established for the driveways and is shown on the proposed site plan therefore, this standard has been met.

9. The following standards shall apply to parking within industrial zones:

A. Parking shall not be allowed within 10 feet of a front yard property line or 5 feet of a side yard property line.

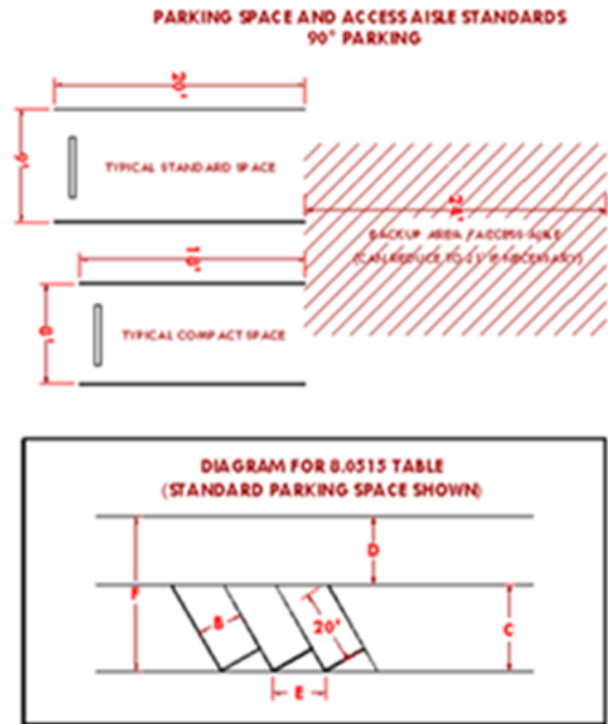
B. Parking shall not be allowed on collectors or arterials when industrial zoning is contiguous to said street.

RESPONSE: The proposed site plan is in the R-5 zone therefore this standard does not apply.

8.0515 Parking Table and Diagram. The following table and diagram provide the minimum dimensions of public or private parking areas based on the diagram on the same page where "A" equals the parking angle, "B" equal the stall width, "C" equals the minimum stall depth, "D" equals the minimum clear aisle width, "E" equals the stall distance at bay side, "F" equals the minimum clear bay width and "G" is the maximum permitted decrease in clear aisle width for private parking areas.

PARKING TABLE

A	B	C	D	E	F	G
PARALLEL	'0"		12.0	22.0	20.0	2
20°	8'0"	13.6	11.0	23.4	24.6	1
	8'6"	14.1	11.0	24.9	25.1	
	9'0"	14.6	11.0	26.3	25.6	
	10'0"	15.5	11.0	29.2	26.5	
30°	8'0"	16.0	11.0	16.0	27.0	1
	8'6"	16.4	11.0	17.0	27.4	
	9'0"	16.8	11.0	18.0	27.8	
	9'6"	17.3	11.0	19.0	28.3	
45°	8'0"	18.4	14.0	11.3	32.4	3
	8'6"	18.7	13.5	12.0	32.2	
	9'0"	19.1	13.0	12.7	32.1	
	9'6"	19.4	13.0	13.4	32.4	
60°	8'0"	19.7	19.0	9.2	38.7	3
	8'6"	20.0	18.5	9.8	38.5	
	9'0"	20.3	18.0	10.4	38.3	
	9'5"	20.5	18.0	11.0	38.5	
70°	8'0"	20.8	18.0	11.5	38.8	3
	8'0"	19.8	20.0	8.5	39.8	
	8'6"	20.1	19.5	9.0	39.6	
	9'0"	20.4	19.0	9.6	39.4	
80°	8'0"	20.6	18.5	10.1	39.1	3
	9'6"	20.9	18.0	10.6	38.9	
	8'0"	19.2	25.0	8.1	44.2	
	8'6"	19.3	24.0	8.6	43.3	
90°	8'0"	19.4	24.0	9.1	43.4	3
	9'0"	19.5	24.0	9.6	43.5	
	9'6"	19.6	24.0	10.2	43.6	
	10'0"	18.0	26.0	8.0	44.0	
	8'6"	18.0	25.0	8.5	43.0	
	9'0"	18.0	24.0	9.0	42.0	
	9'6"	18.0	24.0	9.5	42.0	
	10'0"	18.0	24.0	10.0	42.0	



RESPONSE: There are 111 parking spaces meeting the required minimum size of 9' x20'.

8.2000 Title. These standards shall be known as the City of Redmond Land Division Standards and may be so cited and plead.

8.2005 Purpose. In accordance with the provisions of Oregon Revised Statutes (ORS) Chapters 92 and 227, these standards set forth the minimum standards governing the approval of land development, including subdivisions and partitions, as necessary to carry out the Redmond Urban Area Comprehensive Plan and to promote the public health, safety, and general welfare. The purposes of these provisions and regulations are to:

1. Encourage well planned subdivision and partition development to the end that good livable neighborhoods with all needed amenities and community facilities may be created.
2. Encourage development in harmony with the natural environment and within resource carrying capacities.
3. Safeguard the interest of the public, the developer, and the future lot owner – the Community.
4. Improve land records and boundary monumentation.
5. Ensure equitable processing of subdivision and partition plats and accomplish to the greatest extent possible the goals and objectives of the Comprehensive Plan for the Redmond Urban Area.
6. Provide for orderly and efficient urban development and coordinate development with public facility and service plans and capabilities.
7. Promote and maximize the conservation of energy by preserving the option to utilize solar energy and to implement the Comprehensive Plan policies relating to solar energy by encouraging the design of new developments to protect future options to use solar energy by providing for and protecting solar access in the following ways:
 - A. By regulating the orientation of streets, lots, and parcels;
 - B. By the placement, height and bulk of buildings;
 - C. By the placement and growth of vegetation; and,
 - D. By preserving options for other alternative energy sources, such as wind, that may be available and necessary in the future.

8.2010 Interpretation. No person may subdivide or partition land within the City of Redmond except in accordance with ORS Chapter 92 and the provisions of these standards. The provisions of these standards shall be construed to affect the purposes set forth in Section 8.2005 of these standards. These provisions are declared to be the minimum requirements fulfilling such objectives, and, as deemed necessary through the land use review and decision process, the City may impose additional requirements to promote the health, safety and general welfare, and to carry out the Comprehensive Plan of the City. Where conditions set forth herein are less restrictive than comparative conditions imposed by any other provision of these standards, by provision of other applicable local ordinance, resolution, or regulation, or by provision of state statute or administrative regulation, the more restrictive shall govern.

RESPONSE: This document serves to address the standards of subdividing land within the City of Redmond.

8.2200 Pre-Application Meeting. Prior to submitting a tentative subdivision plat each applicant or their representative is required to meet with the Community Development Director or a designated staff member(s) to review the proposal.

RESPONSE: A pre-development meeting was held on October 25, 2022. The standard is met.

8.2202 Neighborhood Meeting. Proof of a neighborhood meeting was conducted for residential or

mixed use development proposals that generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, where a Transportation Impact Analysis (TIA) is required. See Section 8.0385 for meeting requirements.

RESPONSE: This standard has been addressed in Section 8.0385.

8.2205 Application Submission. Any person, authorized agent, or representatives, proposing a subdivision, shall include with an application and filing fee for a subdivision, a tentative plat together with improvement plans and other supplementary material as may be required.

RESPONSE: All required documents have been included with this submission.

8.2210 Scale of Tentative Subdivision Plat. The tentative plat of a proposed subdivision shall be drawn on a sheet at an engineer's scale not greater than one inch per 100 feet, or as approved by the Community Development staff.

RESPONSE: This standard is advisory.

8.2215 Informational Requirements. The following information shall be shown on the tentative plat or provided in accompanying materials. No tentative plat shall be considered complete unless all such information is provided:

1. General information required:

- A.** Proposed name of the subdivision.
- B.** Names, address, and phone numbers of the owner of record, authorized agents or representatives, engineer or surveyor, and any assumed business names filed or to be filed with the Oregon Secretary of State Corporation Division by the applicant. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
- C.** Date of plat preparation, north and magnetic north and south, scale and gross area of the proposed subdivision.
- D.** Appropriate identification of the drawing as a tentative plat for a subdivision. Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets.
- E.** Certified copy of the recorded instrument under which the applicant claims an ownership interest, or copy of a land sales contract, which binds the applicant in the event of tentative approval.
- F.** Title report or subdivision guarantee, issued within the last ninety (90) days, and supporting documentation of all easements identified on the property.

2. Information concerning existing conditions:

- A.** Location, names, and widths of existing improved and unimproved public or private streets and roads within and adjacent to the proposed subdivision.
- B.** Location of any existing features such as section lines, section corners, City and special district boundary lines, and survey monuments.
- C.** Location of existing structures, irrigation canals and ditches, pipelines, waterways, railroads, and any natural features such as rock outcroppings, marshes, wooded areas, and natural hazards.
- D.** Location and direction of water courses, and the location of areas subject to flooding and high water tables.
- E.** Location, width and use or purpose of any existing easement or right-of-way within and adjacent to the proposed subdivision.
- F.** Existing sewer lines or septic tanks and drain fields, water mains, wells, fire hydrants, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision together with pipe sizes, grades, and locations.
- G.** Contour lines related to some established benchmark or other engineering acceptable datum and having minimum intervals of two feet for slopes of less than

- five percent, five feet for slopes of five to fifteen percent, ten feet for slopes of fifteen to twenty percent, and twenty feet for slopes greater than twenty percent.
 - H. Zoning classification of land within and adjacent to the proposed subdivision.
 - I. Names and addresses of all adjoining property owners.
 - J. The structures, trees, rock outcroppings or other shade producing objects, if the object will cast shade from or onto the subdivision.
 - K. Existing covenants, conditions, and restrictions.
 - L. Conditions specified on the approved Transportation System Analysis prepared in accordance with Section 8.2815.
- 3. Information Concerning Proposed Subdivision:**
- A. Location, names, width, typical improvements, cross sections, bridges, culverts, approximate grades, curve radii and centerline lengths and reserve strips of all proposed streets, and the relationship to all existing and projected streets.
 - B. Location, width, and purpose of all proposed easements or rights-of-way and relationship to all existing easements and rights-of-way.
 - C. Location of at least one temporary bench mark within the proposed subdivision boundary.
 - D. Location, approximate area and dimensions of each lot, and proposed lot and block numbers.
 - E. Location, approximate area and dimensions of any lot or area proposed for public use, the use proposed, and plans for improvements or development thereof.
 - F. Proposed use, location, approximate area, and dimensions of any lot intended for non-residential use.
 - G. An outline of the area proposed for partial recording, if contemplated or proposed.
 - H. Source, method, and preliminary plans, prepared by a licensed civil engineer, for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities.
 - I. Description and location of any proposed community facility.
 - J. Storm water, drainage facility and grading plans.
 - K. Proposed deed restrictions including access restrictions or protective covenants if such are proposed to be utilized for the proposed subdivision.
 - L. Statement from each utility company proposed to serve the proposed subdivision stating that each company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service.
 - M. Proposed fire protection or fire hydrant system for the proposed subdivision and written approval thereof by the appropriate serving fire protection agency.
 - N. Solar Access. Demonstration of how solar access will be provided.
 - O. Location and type of street trees.
4. Information showing how the applicant has addressing the applicable Great Neighborhood Principles in Section 8.0270(3)(C)(13) and adopted Area Plans.

RESPONSE: These standards are advisory and have been adhered to as shown on the accompanying site plan.

8.2220 Phased Development Plan. An overall phased development plan shall be submitted for all developments for which phased development is contemplated. The phased development plan shall include but not be limited to, the following elements:

1. Overall development plan, including phase or unit sequence.
 - A. For development that includes a commercial component, a surety may be required when the commercial component is not sequenced in the initial phases.
2. Show compliance with all applicable land division standards and policies as described in this Article.
3. Schedule of improvements initiation and completion.
4. Overall transportation and traffic pattern plan showing compliance with grid street

standards, and for land within the North Redmond US 97 Interchange Area Management Plan (IAMP), compliance with the Local Street Connectivity Plan (Comprehensive Plan Addendum Chapter 9 Transportation Element figure 1).

5. General program for phasing timetable projection.

6. Development plans for any common elements or facilities.

7. If the proposed subdivision is believed to have an additional impact upon adjacent lands or lands within the general vicinity, the Hearings Body may require an additional impact analysis for various aspects of the development thought to cause such impacts.

8. Street tree plan.

9. Program for addressing applicable Great Neighborhood Principles in Section 8.0330(3)(C)(13) and adopted Area Plans.

8.2225 Approval of Phased Development Plan. The Hearings Body shall review a phased development plan at the same time a tentative plat for the first phase is reviewed. A phased development plan may be approved before the tentative plat for the first phase is submitted. The Hearings Body may approve, modify, or disapprove the phased development plan and shall set forth findings for such decision. The Hearings Body may also attach conditions necessary to bring the plan into compliance with all applicable land use standards and policies. Any tentative plat submitted for the plan area shall conform to the phased development plan unless approved otherwise by the City.

8.2230 Development Following Approval. Once a phased development plan is approved by the City, the plan shall be binding, upon both the City and the developer. The Hearings Body may attach conditions to any changes proposed that are deemed necessary to ensure compliance with the Comprehensive Plan and implementing regulations. After five (5) years from the date of approval of the plan, the City may initiate a review of the plan for conformance with applicable City regulations. If necessary, the City may require changes in the plan to bring it into conformance with new applicable city regulations.

RESPONSE: All phases of the proposed subdivision are included. This standard is met.

8.2235 Required Findings for Tentative Subdivision Approval.

1. The Hearings Body shall approve no application for a subdivision unless the following requirements are met:
 - A. Proposal is in compliance with ORS Chapter 92, the Comprehensive Plan, the Transportation System Plan (TSP) and applicable zoning and the applicable Track in Section 8.2236.

RESPONSE: The proposed subdivision is designed to meet the R-3, R-4, and R-5 standards for which it is zoned and with streets complying with the TSP.

- B. Proposal does not conflict with acquired public access easements within or adjacent to the subdivision.

RESPONSE: The proposal does not conflict with known public access easements.

- C. Each lot is suited for the use intended or offered.

RESPONSE: Each proposed lot within the R-3 zone is more than 7,500 square feet for single family housing. Proposed lots within the R-4 zone are more than 1,500 square feet for townhomes. Single family lots that fall within the R-4 zone exceed the requirement of 5,500 square feet. This standard is met.

- D. The subdivision will not exceed the operational capacity of public facilities and

services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.

RESPONSE: The proposed subdivision legally meets the City's Water and Wastewater Master Plan and Transportation System Plan to serve this development.

- E. A water rights division plan has been approved by the applicable irrigation district.

RESPONSE: No water rights exist on the subject property; therefore, this standard does not apply

- F. The subdivision contributes to orderly development and land use patterns in the area and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, and special terrain features.

RESPONSE: The proposed development does not contain features and resources such as streams, lakes, natural vegetation, or special terrain features; therefore, this standard does not apply.

2. Access Management proposals comply with the standards set forth in Section 8.2820 and all other applicable standards.

RESPONSE: Access management standards are addressed in Section 8.2820 of this document.

8.2236 Subdivisions may be created following two tracks: Track 1 (General Criteria) and Track 2 (Clear and Objective Standards)

1. Track 1 – General Criteria. Subdivision Tentative Plans (No Needed Housing). The City shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:

- A. The proposed subdivision will:
1. Not create risk of fire, flood, geological hazards, or other public health and safety concerns;
 2. Provide adequate transportation systems, water supply sewage disposal, drainage, and other public utilities consistent with City Standards and Specification;
 3. The proposed subdivision provides direct bicycle and pedestrian access to any adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment areas.

RESPONSE: Based on the findings, it has been demonstrated that the subdivision has been designed in a manner that will avoid the risk of flood, fire, geological, or other public health and safety concerns. Further, improvements to the transportation system, along with all other public facilities and services, will ensure that the subdivision contributes to the orderly development of the surrounding area and the City of Redmond.

- B. Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto, based on the provisions of this land use code.

RESPONSE: The subdivision design includes the development of the entire property, while taking into consideration the development pattern on adjacent lands. The proposed subdivision will allow for the orderly extension of services as other properties develop. Therefore, it can be found that the subdivision proposal does not adversely affect the development of the remainder or any adjoining land or access thereto.

- C. Any existing improvements on the proposed lots are consistent with the provisions of this land use code.

RESPONSE: There are no existing improvements that will need to be made therefore, this standard is met.

- D. The proposed subdivision will be consistent with the property's designation in the comprehensive plan map.

RESPONSE: The property is zoned R-3, R-4, and R-5. All aspects of the subdivision have been designed to meet both the zone and plan designations.

- E. General conformance with the Great Neighborhood Principles, including a description of the range of housing unit types proposed.

RESPONSE: The proposed subdivision was designed to ensure that the Great Neighborhood Principles can be complied with to the greatest extent practical. The proposed development will utilize a mix of housing types, open spaces, and scenic views to encourage a diverse neighborhood. A green design will be applied to landscaping and utilize the natural landscape provided as much as is feasible.

- F. The proposed subdivision provides safe, convenient, and direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient, and direct transit circulation, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within ¼ mile that can reasonably be expected to be used by pedestrians and uses within 2 miles that can reasonably be expected to be used by bicyclists.

RESPONSE: The proposed improvements include sidewalks and roadway connections to other subdivisions that have existing or proposed local streets that provide alternative access for pedestrians and bicyclists, via local streets and sidewalks.

- G. The proposed subdivision is designed and sited such that roads, infrastructure, utilities, and future development of proposed lots will minimize impacts to the natural environment by addressing the following:
1. Protection of Natural Features.
 - a. For areas not included on the city's acknowledged Goal 5 inventory, the preservation of significant natural features to the greatest degree attainable or feasibly, including:
 - i. Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under state or federal law), and native plant communities.
 - ii. Prominent topographic features, such as ridgelines and rock outcrops.
 - iii. Natural resource areas designated in the comprehensive plan diagram as "Natural Resource" and areas identified in any city-adopted natural resource inventory.
 - b. For areas included on the city's acknowledged Goal 5 inventory, the preservation of natural features shall be consistent with the acknowledged level of preservation provided for the area.
 2. Tree Preservation. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible, with trees having the following characteristics given the highest priority for preservation.
 - a. Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;

- b. Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;
 - c. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;
 - d. Trees that provide a buffer between potentially incompatible land uses;
 - e. Trees located along the perimeter of the lot(s) and within building setback areas;
 - f. Trees and stands of trees located along ridgelines and within view corridors;
 - g. Trees with significant habitat value;
 - h. Trees adjacent to public parks, open space and streets;
 - i. Trees along water features;
 - j. Heritage Trees.
3. Restoration or Replacement.
- a. For areas not included on the city's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (1) and (2) above, though the restoration or replacement of natural features such as:
 - i. Planting of replacement trees within common areas; or
 - ii. Re-vegetation of slopes, ridgelines, and street corridors; or
 - iii. Restoration of native plant habitat.
 - b. Street Trees. If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved or approved with conditions imposed by the City.

RESPONSE: The subject property does not contain any Goal 5 resources but has scrub juniper trees throughout the site. Coordination related to preservation will be part of the Engineering plan submittal for the infrastructure. Therefore, it can be found that the Applicant is trying to preserve trees to the greatest extent practical, meeting the criterion.

- H. On R-1 zoned property, if the subdivision results in a lot greater than 13,500 square feet in size the application shall indicate the location of lot lines and other details of layout that show future division of the lot may be made without violating the requirements of this land use code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways. If the City deems it necessary for the purpose of future land division, any restriction of buildings within future street, bicycle path, and accessway locations shall be made a matter of record in the tentative plan approval.

RESPONSE: The property is zoned R-3, R-4, and R-5; therefore, this criterion does not apply.

- I. As far as is practicable, lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.

RESPONSE: See enclosed Tentative plat that demonstrates lot lines are at right angles as is reasonable to the configuration of the property.

- J. The proposed subdivision supplies all of the following:
- 1. Geological and Geotechnical Analysis.

RESPONSE: A geological and geotechnical analysis has not been required by the City Engineer.

- 2. Pedestrian Circulation On-Site.

RESPONSE: All streets are proposed to have sidewalks consistent with City of Redmond standards.

- 3. Public Access Required.

RESPONSE: All streets shall be dedicated to the public without reservation.

4. Special Setback Standards.

RESPONSE: No special setback standards apply to this subdivision; therefore, this section does not apply.

5. Underground Utilities.

RESPONSE: As shown on the enclosed subdivision plan, all proposed utilities shall be underground.

6. Vision Clearance Areas.

RESPONSE: Clear vision areas shall be maintained and identifiable on final engineering plans.

7. Stormwater flood control, quality, oil and pollution control, source control, easements, and operation and maintenance.

RESPONSE: The applicant proposes to construct drywells in the engineering phase of development meeting the rigorous compliance required by the City of Redmond Stormwater Division.

8. The proposed subdivision complies with other applicable development standards for features explicitly included in the application.

RESPONSE: See other responses in this document. The proposed subdivision meets the City of Redmond requirements as best as possible given the constraints of the site.

K. The proposal complies with the Transportation System Analysis review provisions per Section 8.2815.

RESPONSE: A Traffic Impact Analysis has been included with this application.

L. Urban – rural interface. Urban development shall interface with rural areas (rural areas are those that lie within areas outside of the UBG or UAR) through landscaped open space buffers at least 100 feet wide and the length of the urban development, excluding public streets, or shall be transitioned from higher density development to lower density development at the urban – rural interface, or utilize other appropriate and equivalent transitional elements.

RESPONSE: The proposed project is not at the edge of the City's UGB; therefore, this criterion is not applicable.

M. Fully developed "pocket parks" or "tot lots" shall be incorporated into medium and high density zoned residential subdivisions and site plans. These areas shall be developed for every twenty-five lots/units, a minimum of 3,000 square feet and privately maintained. Examples of amenities include: turf areas, benches, deciduous shade trees, irrigation, shrubs, natural or decorative features, and acceptable trash receptable(s) and lighting.

RESPONSE: Most of the proposed subdivision falls within the R-4 zone and has provided a ~0.5 acre "pocket park" for the proposed townhome units and single-family dwellings, thus exceeding the minimum requirement. Area within the R-5 zone has dedicated over one acre for landscaping, thus exceeding the 15% minimum.

N. No site grading of the site shall occur until the City has approved the subdivision application.

RESPONSE: No site grading is proposed until the subdivision approval has been received.

8.2240 Improvement Requirements (For Track 1 and Track 2 Subdivisions).

1. In the approval of a subdivision, the Community Development Director, or Hearings Body, shall consider the need for street and other improvements. All streets in the new subdivisions, except for private streets, shall be dedicated to the public without reservation or restriction.

RESPONSE: All new streets and street extensions are proposed to be dedicated to the city for public use. This standard is met.

2. Private Alley Access. The Community Development Director, or Hearings Body, may require the applicant to improve a private alley access easement serving two or more lots according to the adopted City of Redmond Public Works Standards and Specifications, as amended.
 - A. Such access easements shall include provisions for permanent, long-term maintenance, including: maintenance measures to be employees; responsible parties; funding; design; timing; and enforceability. These provisions shall be included as recorded Covenants, Conditions and Restrictions (CCR's) appurtenant to the affected properties.

RESPONSE: This standard has been met.

3. The subdivider shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement, as may be applicable, with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.

RESPONSE: Construction of this subdivision, as proposed and conditioned, will have the needed public improvements as it relates to the city's requirements. The Public Improvement Agreement will be in place prior to recording the final plat.

4. Paved access is guaranteed to each lot.

RESPONSE: The applicant is proposing paved access to all lots with the improvement of and the extension of the unnamed streets.

5. Each lot is to be connected to the City water and sewer system pursuant to Section 4.007 of the Code of the City of Redmond.

RESPONSE: As proposed, each lot shall be connected to City Water and Sewer services.

6. All required public utilities are available.

RESPONSE: Water and sewer services are available for the subject property, as are all dry utilities. This standard is met.

8.2245 Resubmission of Denied Tentative Subdivision Plats.

1. A tentative plat that was previously denied for an area or tract of land shall be resubmitted in accordance with this Chapter and shall be reviewed in the same manner

as any other tentative plat.

RESPONSE: This application is not a resubmittal of a previously denied application. This standard is not applicable.

8.2700 Compliance Required.

1. Any land division or development shall be in compliance with the design and improvement standards and requirements of this section, and all other applicable provisions, as set forth in this Chapter.

8.2705 Blocks, Lots and Parcels.

1. Blocks. The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.
 - A. No block shall be more than 660 feet in length between street center lines unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception and is so approved by the reviewing authority. In MUN, MUE and MULW zones, block lengths shall be an average of 330 feet, except where required to meet grid street or access management requirements.

RESPONSE: All streets and block lengths within the subdivision comply with the 660-foot maximum block length.

- B. The recommended minimum length of a block along an arterial street is 1,320 feet, except that along such blocks, a public right-of-way for pedestrian and bicycle access shall be dedicated at or nearest the mid-point of the block length as is practical. The right-of-way shall be a minimum of 10 feet wide, with an all-weather surface a minimum of 5 feet wide, constructed and centered within the right-of-way.

RESPONSE: The subject property has 992 feet of frontage along Northwest Way. Consistent with the annexation agreement, the application shall construct a multiuse path along Northwest Way. No developed lands or pedestrian trails existing on the west side of Northwest Way; therefore, a mid-point pedestrian crossing is not advisable.

- C. A block shall have sufficient width to provide for 2 tiers of lots unless topography, the location of adjoining streets, or adjacency to an arterial street justifies an exception.

RESPONSE: Within each phase of development, two tiers of lots have been provided for. This standard has been met.

- D. Where appropriate at approved cul-de-sacs, dead-end streets, or along blocks approved at more than the maximum block length standard, pedestrian and bicycle access corridors shall be required to be constructed between lots to minimize travel distance between subdivisions, parks, school, and collector or arterial streets. Access corridors shall be located to provide a reasonably direct connection between likely pedestrian destinations and shall be consistent with the City of Redmond Bicycle Refinement Plan where applicable. A reasonably direct connection is a route which minimizes out of direction travel for people likely to use the connection considering terrain, safety and likely destination. The Community Development Director or Hearings Body may determine based on

evidence in the record that construction of a separate access corridor is inappropriate or impractical. Such evidence may include but is not limited to:

1. When the nature of abutting existing development makes construction of an access corridor impractical.
2. When the access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values.
3. When the access corridor would cross topography where slopes exceed 30% or where path grade would exceed 12% slope; or
4. When a cul-de-sac or dead-end street abuts rural resource land at the urban growth boundary. In industrial zones, this standard may be waived at the discretion of the Community Development Director or Hearings Body when it is determined that the City's grid street standards should not be applied to industrial development.

RESPONSE: No cul-de-sacs or dead-end streets exceeding the maximum block length standard are proposed. This standard does not apply.

2. Lots and Parcels. The size, width, and orientation of newly created lots and parcels shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots and parcels shall be generally rectangular in shape and shall be consistent with the lot size provisions of the zoning standards and the density requirements as established in the City of Redmond Comprehensive Plan. Notwithstanding these requirements, the following exceptions may apply:
 - A. In areas beyond the City Limits where public sewer is not currently available, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and shall be sufficient to permit adequate sewage disposal. Any problems posed by soil structure and water table as related to sewage disposal by septic tank shall be addressed and resolved in the applicant's initial plan.
 - B. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted by the Community Development Director or Hearings Body. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
 - C. In steep terrain, increased lot or parcel sizes may be required to avoid excessive cuts, fills, and steep driveways.

RESPONSE: The proposed lots are designed in an appropriate fashion and are very roughly rectangular in shape as far as practicable. Some deviation from a rectangular lot is required around the eyebrow. The lots are sufficiently large enough to serve the intended uses (single family residential and townhouse construction). All lots comply with the minimum lot size standard for the zone. The proposal meets the above standards, subject to the conditions of approval.

3. Frontage. Each newly created lot and parcel shall abut upon a public street other than an alley for at least 50 feet (at least 25 feet in Mixed Use zones). Lots fronting on the bulb of a cul-de-sac the minimum frontage shall be 30 feet. Flag lots shall have no less than 20 feet of street frontage measured at the property line. Townhouse frontage shall be at least 20 feet. Vehicular access shall be provided as specified in Section 8.2820, Access Management Standards, of this Chapter, or as specified in Section 8.2705(6) below, for residential lots and parcels abutting collector and arterial streets. All lot and parcels shall be addressed from the primary public street frontage, not including alleys.

RESPONSE: Each new lot has frontages over 50' wide except those lots along the eyebrow, which have a minimum 20 feet of frontage. These standards are met.

4. Side Lot or Parcel Lines. All side lot lines shall be at right angles to street lines or radial to curved streets wherever practical except as provided for in subsection (10) of this section.

RESPONSE: The side lot lines of the proposed lots are as near to right angles as practical as allowed by this standard. The proposal is in general compliance with this standard.

5. Through/Double Frontage Lots and Parcels. Through lots or parcels, and lots or parcels with double frontage shall be avoided whenever possible, including lots or parcels created adjacent to Collector and Arterial Streets, but not including alley frontage as described in Section 8.2705(6) below, except when they are necessary due to an irregular parent lot or parcel configuration, or are necessitated by topography or other unique circumstance.

RESPONSE: There are no double frontage lots proposed within the subdivision.

6. Residential Lots and Parcels Abutting Collector and Arterial Streets. Lots and parcels created adjacent to Collector and Arterial streets shall be oriented so that the front elevation of the residential development faces the Collector or Arterial Street. Vehicular access shall be provided pursuant to Section 8.2820, Access Management Standards, of this Chapter. In instances where direct vehicular driveway access to lot or parcel from the Collector or Arterial Street is not permissible, alley access shall be provided to the rear of the lot or parcel in accordance with the design standards included in Section 8.2710(3) of this Chapter.

RESPONSE: The lots designated for townhome development along Northwest Way, a minor arterial, have exclusive rear load access and meet the minimum setback requirement as shown on the site plan.

7. Corner Lots and Parcels. Corner lots and parcels shall be 5 feet more in width than other lots and parcels and shall have sufficient extra width to meet the additional side yard requirements of the zoning district in which they are located.

RESPONSE: Corner lots in the subdivision are proposed at least five feet wider than the minimum lot frontage requirement of 50 feet. These lots can accommodate the additional side yard requirements of the zoning district (i.e., a street side yard setback of 10').

8. Special Building Setback Lines. If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.

RESPONSE: No special building setbacks are proposed for this subdivision; therefore, this standard does not apply.

9. Large Building Lots; Re-division. In the case where lots or parcels are of a size and shape that future redivision is possible, the Community Development Director, or Hearings Body, may require that the blocks be of a size and shape so that they may be redivided into building sites, and the development approval and site restrictions may require provision for the extension and opening of streets at intervals which will permit a subsequent redivision of any tract of land into lots or parcels of smaller sizes than originally platted, and in conformance with the density provisions established in the City of Redmond Comprehensive Plan for the existing or intended Zone. A plan indicating the ability for redivision according to these standards may be required as part of the initial

land division process.

RESPONSE: No lots in this subdivision are large enough for future re-division based on the allowed minimum lot size in the zoning district. This standard does not apply.

10. Solar Access. As much solar access as feasible shall be provided each lot and parcel in every new subdivision or partition considering topography, development pattern, and existing vegetation. The boundary lines of lots and parcels, as far as feasible, shall be oriented to provide solar access at ground level at the southern building line of the adjoining lot to the north two hours before and after the solar zenith from September 22 to March 21. If it is not feasible to provide solar access to the southern building line the solar access, if feasible, shall be provided at 10 feet above ground level at the southern boundary line two hours before and after the solar zenith from September 22 to March 21, and three hours before and after the solar zenith from March 22 to September 21. This solar access shall be protected by solar height restrictions on burdened properties for the benefit of lots receiving the solar access pursuant to Section 8.0370, of the City of Redmond Development Code, Solar Access Standards. If the solar access for any lot, either at the southern building line or at 10 feet above the southern building line, is not feasible, supporting information may be required with the application.

RESPONSE: The proposed development and arrangement of lots has been developed as efficiently as possible; therefore, this standard has been met.

11. Curvilinear Street and Block Design. Although a basic grid street design with minimum and maximum block lengths are requirements of this section, a curvilinear street/block design is encouraged for the purpose of adding interest to new subdivision development.

RESPONSE: The proposed development has two curvilinear streets designed to negotiate topography and allow access into the multi-family area; therefore, this standard is met.

12. Flag Lots. A flag lot shall be considered as a "flag lot" if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:
 - A. Flag poles shall be no less than 20' wide. Flag lot frontage can be reduced by approval from Redmond Fire & Rescue and City Engineer.
 - B. All zone regulations apply, including the minimum required lot size and setbacks unless setback reductions are allowed as described in (E).
 - C. Each flag lot shall contain a minimum 16' wide paved driveway.
 - D. A flag lot is exempt from the 50-foot street frontage requirement; however, a minimum of 20 feet of street frontage is required.
 - E. Front and/or rear yard setbacks may be reduced to no less than 10' subject to review and approval by the Community Development Director. The orientation of any structure (determination of front) may be suggested by the property owner and is subject to the review and approval of the Community Development Director, or designee. The location(s) of all structures immediately adjacent to any flag lot shall be shown on a site plan (1) during planning review and during the act of creating any new flag lot, and (2) during a building permit review for any structure built on a flag lot.
 - F. No flag lot shall be partitioned or further divided, except as provided for by middle housing.
 - G. The "pole" of the flag lot shall be no longer than 150' measured from the street intersection to the beginning of the base of the flag.
 - H. The "pole" of the flag shall not be included in the minimum lot size calculation.
 - I. Flag lots shall be exempt from street tree requirements unless the street frontage portion of the flag lot is 30' or greater.
 - J. Flag lots are prohibited along or abutting the Dry Canyon Rim.
 - K. Two off-street parking spaces shall be provided for single family detached

dwellings; and one space per unit for middle housing on a flag lot.

RESPONSE: There are no flag lots within the proposed subdivision; therefore, this standard has been met.

8.2710 Streets.

1. **General.** Streets shall be in conformance with the City of Redmond Transportation System Plan as specified herein.

A. Except along Arterial Street, public streets shall be spaced a maximum of 660 feet between centerlines. The purpose is to provide a street grid pattern of through streets to facilitate traffic movement. Street designs shall conform to topography and other existing natural and man-made conditions. Illustrative examples of other conditions include the dry canyon, main COI canal, Highway 97, and the Burlington Northern Railroad tracks.

RESPONSE: Streets are developed consistent with the City of Redmond Transportation System Plan.

B. All proposed streets, sidewalks, bike lanes and pedestrian pathways shall connect to other streets, sidewalks bike lanes and pedestrian pathways within a development and to existing and planned streets, sidewalks, bike lanes and pedestrian pathways outside the development. Such facilities shall serve existing and planned parks, schools, or other public lands within a neighborhood.

RESPONSE: All proposed streets and sidewalks connect to other streets and sidewalks as shown in the provided plans. This standard is met.

C. To the maximum extent possible, new local streets shall align and connect with existing local streets and collectors, and in certain special cases arterial streets. Cul-de-sac streets shall be permitted only where no feasible connection with an adjacent street exists, or if the local street connection would be to an arterial street and the function of the arterial street may be diminished as determined through the land use review process, or the block length would be less than that which is permitted by Section 8.2705(1)(B).

RESPONSE: The extensions of new local streets maintain their current alignments with existing streets. The proposed eyebrow is the only reasonable solution for efficient development of the site allowing safe access to the multi-family housing.

D. Consideration should be given to alternative street designs other than required herein in the City's non-residential land use zones to allow for more effective developments. Such designs may be considered and approved during the subdivision or partition process without need for variance.

E. All proposed or required streets and alleys shall comply with Section 8.2820 Access Management Standards, the Transportation System Plan, and with Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan.

RESPONSE: The proposed streets are designed in accordance with City of Redmond's TSP and other applicable associated standards. Access management standards are addressed under Section 8.2820 later in this document.

2. **Existing Streets.** Whenever existing streets, adjacent to or within a tract, are of inadequate width per City of Redmond Standards and Specifications and the City's approved Transportation System Plan additional right-of-way shall be provided at the time

of the land division by the applicant. During consideration of the tentative plat for the subdivision or partition, the Hearings Body shall determine whether the improvements to existing streets, adjacent to or within the tract, are required. If so determined, such improvements shall be required as a condition of approval of the tentative plat. Improvements to adjacent streets shall be required where traffic on said streets shall be directly affected by the proposed subdivision. Notwithstanding these provisions, off-site improvements to streets not within or adjacent to the development may be required when impacts resulting from the development necessitate such improvements as demonstrated through a transportation impact analysis.

RESPONSE: A traffic impact analysis is provided as part of this application to address the impact this development will have on traffic. Through the pre-development review adequate improvements have been recommended and the proposed subdivision is designed to meet those recommendations.

3. Minimum Right-of-Way and Roadway Width. The street right-of-way and roadway surfacing widths shall be in conformance with the standards as specified in Table 1 below:

Table 1 - City of Redmond Right of Way and Roadway Design and Cross-Section Standards

Functional Class	Width (ft)			Travel Lanes	Sidewalks	Bike Lanes**	Parking**
	Pavement Standard	Pavement (minimum)	Right-of-Way				
Residential Alley	16 ft		20 ft	n/a	none	shared	none
Commercial Alley	20 ft		20 ft	n/a	none	shared	none
Local Residential*****	36 ft		60 ft	2***	5 ft	shared	both sides (unstriped)
Parking One Side	28 ft*		60 ft	2***	5 ft	shared	one side (unstriped)
No Parking	24 ft*		60 ft	2***	5 ft	shared	none
Local Industrial	40 ft	38 ft	60 ft	2***	5 ft	shared	optional (unstriped)
Industrial Collector	40 ft	38 ft	80 ft	2	5 ft	6 ft	none
Minor Collector	40 ft	36 ft****	60 ft	2	5 ft	shared	both sides (8 ft)
Major Collector	36-50 ft	36 ft****	80 ft	2	5 ft	6 ft	none
Minor Arterial (3-lane)	50 ft	48 ft	100 ft	3	7 ft	6 ft	none
Minor Arterial (5-lane)	74 ft	72 ft	100 ft	5	7 ft	6 ft	none
Notes:							
*May be constructed only in conjunction with the creation of covenants, conditions, and restrictions (CCR's) and the establishment of a homeowners association (HOA) for the development. The CCR's shall provide that the primary responsibility for parking enforcement shall be the HOA, with the City of Redmond also being acknowledged in the CCR's as a beneficiary for such parking enforcement as a violation of the land use decision and/or city code.							
**In certain cases, bike lanes may be reduced to 5 ft, parking may be reduced to 7 ft, and travel lanes to 11 ft at the discretion of the City Engineer.							
***Unstriped travel lanes							
****36 ft in existing built-out areas							
*****All streets less than 28 feet wide shall be no longer than 300 feet in length, unless such streets include at least one (1) parking bay per lot, located along each lot frontage for the entire length of such street, up to the maximum block length. Streets 300 feet or less in length shall not have any direct driveway access. In no case shall any street less than 28 feet wide intersect with any other street less than 28 feet wide.							

RESPONSE: All proposed new local streets meet the minimum 60' requirement for right-of-way, except NW 26th Street, which has 50 feet of right-of-way. NW 26th Street has minimal access points and merely provides connectivity between proposed Streets A, B, and C. The access alley for the townhomes is 20' wide, thus meeting the right-of-way requirement.

4. Future Extension of Streets. When necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead-end streets may be approved without a permanent turn around if they are 150 feet or less in length, although, an adequate

temporary turn around to ensure emergency vehicle access must be provided if such streets are greater than 150 feet in length.

RESPONSE: The future extension of streets has been incorporated into the proposed subdivision plan; therefore, this standard has been met.

5. Collector and Arterial Street Access. Notwithstanding the provisions of Section 8.2705 of this Chapter, if a land division abuts or contains an existing or proposed collector or arterial street, the Community Development Director, or Hearings Body, may require other treatments, including but not limited to frontage roads, necessary for adequate protection of residential properties and to afford separation of through and local traffic. Provision may be made for emergency access. All frontage roads shall comply with the City of Redmond Transportation System Plan.

RESPONSE: Consistent with the annexation agreement, the applicant shall construct a multiuse path along Northwest Way. No other special treatments are required.

6. Streets Adjacent to Railroads, Freeways and Parkways. When the area to be subdivided or partitioned is residentially zoned and abuts a railroad, freeway, or parkway, a provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for use of the land between the street and railroad, freeway or parkway. In the case of a railroad, there shall be a land strip of not less than 25 feet in width adjacent and along the railroad right-of-way for screen planting between the railroad right-of-way and residential property. If the intervening property between such parallel streets and a freeway or a parkway is less than 80 feet in width, such intervening property shall be dedicated to park or thoroughfare use. The intersections of such parallel streets, where they intersect with streets that cross a railroad, shall be determined with due consideration as cross streets of a minimum distance required for approach grades to a future grade separation and right-of-way widths of the cross street.

RESPONSE: The subject property does not abut a railroad, freeway, or parkway. This standard does not apply.

7. Continuation of Streets. Subdivision or partition streets which constitute the continuation of streets in contiguous territory shall be aligned so that their center lines coincide. Where straight line continuations are not possible, such center lines shall be continued as curves. These streets or the continuation of streets in contiguous territory may be required by the Community Development Director, or Hearings Body, where such continuation is necessary to maintain the function of the street or desirable in the surrounding area. Where solar orientation would not be possible if the street area continued, a new pattern may be started that is solar oriented.

RESPONSE: The project includes the extension and alignment of NW Quince Avenue. This standard is met.

8. Lot Layout. Local residential streets should be oriented on an east/west axis to the greatest possible extent to insure solar access for lots within the subdivision or partition.

RESPONSE: The orientation of the subject property and the existing residential grid work within the topography of the area and is consistent with this standard.

9. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street in a nearby city or in the county. Street names and numbers shall conform to the established pattern in the City, including the continuation of street names across intersecting streets, and shall be subject to the approval of the Fire Department or the responsible agency.

RESPONSE: The unnamed local streets shall be named by Redmond Fire & Rescue and shown on the final plat.

10. **Sidewalks.** Sidewalks are required to be installed on both sides of a public street and in any special pedestrian way within the subdivision or partition except that in the case of collectors, arterials, special industrial districts or in steep terrain, the Hearings Body may approve a subdivision or partition without sidewalk if alternative pedestrian routes are available or provided by the developer. Sidewalks shall be required along routes to existing or future school and park sites.

RESPONSE: Sidewalks are included in the public improvements required and conditioned for this project. Note the applicant proposes curb tight sidewalks for all local streets. This standard is met.

11. **Bicycle Routes.** If appropriate to the extension of a system of bicycle routes, existing or planned pursuant to the City of Redmond Bicycle Refinement Plan, the Community Development Director or the Hearings Body may require the installation of separate bicycle lanes within streets and/or separate bicycle paths.

RESPONSE: No separate bicycle lanes are proposed as part of this subdivision. All proposed new streets are local streets.

12. **Intersection Angles.** Street intersections shall be as near right angles as possible except where topography or existing conditions requires a lesser angle, but in no case shall the acute angle be less than as permitted by the adopted City of Redmond Public Works Standards and Specifications.

RESPONSE: The proposed street intersections are as near right angles as possible to meet this requirement. This standard is met.

13. **Alignment.** Staggered street alignment shall whenever possible, leave a minimum of 200 feet distance between the center line of the streets, but in no case be less than as permitted by Standards and Specifications.

RESPONSE: There are no streets within the proposed site plan that utilize a staggered alignment. This standard is met.

14. **Narrow Streets.** Local residential grid streets designed at widths less than 36 feet as described in Section 8.2710(3)(Table 1), shall be permitted when the subdivision design is found to be in compliance with the following:

- A. Narrow streets may only be permitted for continuous full-length blocks internal to a Subdivision or Planned Unit Development with street connections at both ends.
- B. Lots adjoining the narrow streets shall be a minimum of 5000 square feet and have a street minimum 50 feet of frontage.
- C. Sidewalks shall be separated from the curb by a landscape strip with street trees conforming with Public Works Standards and Specifications.
- D. Curb cuts along the narrow street shall not be less than the minimum width required within the adopted City of Redmond Public Works Standards and Specifications.

RESPONSE: No narrow streets are proposed. This standard does not apply.

8.2715 Fundamental Design Elements.

1. **Lighting.** The subdivider or partitioner shall provide underground wiring to the City standards and a base for any proposed ornamental streetlights at locations approved by the affected

utility company.

RESPONSE: Street lighting is reviewed for compliance by the Engineering Department as a part of the public improvement process.

2. Multiple Access Points. Whenever possible, a minimum of two points of access to the subdivision or partition shall be provided to provide assured access for emergency vehicles and ease resident evacuation.

RESPONSE: Access to the site is provided by NW Quince Avenue, NW 23rd Street, and NW 25th Street.

3. Water/Sewer. All subdivisions and partitions shall provide water and sewer lines constructed to City standards and specifications approved by the City Engineer. All lots or parcels shall be served from the City of Redmond water and sewer systems or by water and sewer systems acceptable to the City. Water and sewer mains and service lines shall be installed prior to the curbing and paving of new streets in all new subdivisions or partitions.

RESPONSE: As proposed, each lot shall be connected to City Water and Sewer services.

4. Underground Utilities. All permanent utility service and minor power transmission lines that are within or immediately adjacent to lots in a subdivision or parcels in a partition shall be provided from underground facilities unless otherwise approved by the CDD Director or Hearings Body. The subdivider or partitioner or developer shall be responsible for complying with requirements of this section and shall:
 - A. Obtain a permit from the Public Works Director or designee for placement for all underground utilities within the public right-of-way.
 - B. Make all necessary arrangements with the utility companies and other persons or corporations affected by the installation of such underground utilities and facilities in accordance with rules and regulations of the Public Utility Commission of the State of Oregon.
 - C. All underground utilities, water lines, sanitary sewer lines and storm drains installed in streets shall be constructed prior to the surfacing of such streets to the extent practicable, and water and sanitary sewer service lines shall be placed to such lengths as will negate the necessity for disturbing the street improvements when service connections are made.

RESPONSE: All new utilities are proposed underground. This standard has been met.

5. Preservation of Natural Features. Existing trees, vegetation and natural features (i.e. rock outcrops) add character to the development and shall be preserved to the greatest extent practicable. All trees over 8 inches d.b.h. shall be noted and shown on the tentative plat.

RESPONSE: There are no significant trees or natural features on the proposed site.

6. Scenic Views. Significant views shall be taken into consideration during subdivision design. The establishment of view corridors, building envelopes, building height restrictions or similar methods shall be employed for the retention and protection of views from individual lots and from public spaces to the greatest degree practicable as determined through the land use review process. Such measures shall be shown on the final plat and included in deed restrictions.

RESPONSE: The proposed development has been situated to maximize southern mountain views and available views in a westerly direction as allowable.

7. Land for Public Purposes.

- A. If the City has an interest in acquiring a portion of a proposed development for a public purpose, it shall notify the property owner as soon as the City Council authorizes the transaction to proceed.
- B. Within a development, or adjacent to a development in contiguous property owned by the developer, a parcel of land of not more than 5% of the gross area of the development may be required to be set aside and dedicated to the public for parks and recreation purposes by the developer. The parcel of land, if required, shall be determined to be suitable for the park and/or recreation purpose(s) intended, and the city may require the development of the land for the park or recreation use intended or identified as a need within the community.
- C. In the event no such area is available that is found to be suitable for parks and/or recreation uses, the developer may be required, in lieu of setting aside land to pay to the appropriate parks and recreation agency a sum of money equal to the market value of the area required for dedication, plus the additional funds necessary for the development thereof if so required; if such is required, the money may only be utilized for capital improvements by the appropriate parks and recreation agency.
- D. The foregoing land and development or money dedication (if require) may be provided for in lieu of an equal value of systems development charge assessment for parks if so approved by the collecting agency in accordance with the applicable provisions of the system development charge ordinance. If the collecting agency will not permit the land or money dedication in lieu of an applicable systems development charge, then the land and development or money dedication shall not be required.
- E. If the nature and design, or approval, of a development is such that over 30% of the tract of land to be developed is dedicated to public uses such as streets, water or sewer system facilities and the like, then the requirements of this subsection shall be reduced so that the total obligation of the developer to the public does not exceed 30%.

RESPONSE: This standard is advisory.

8. Easements.

- A. Utility Easements. Easements shall be provided along property lines when necessary for the placement of underground utilities and to provide the subdivision or partition with electric power, communication facilities, street lighting, sewer lines, water lines, gas lines, or drainage. Such easements shall be labeled "Public Utility Easement" on the tentative and final plat; they shall be at least 12 feet in width and centered on lot lines where possible, unless determined otherwise by the City Engineer or designate. Excepting utility pole guylines easements along the rear of lots adjacent to unsubdivided land may be reduced to 10 feet in width, unless determined otherwise by the City Engineer or designate.

RESPONSE: Easements for utilities will be created in the Final Plat and are shown on the submitted Tentative Plat to meet the standard described.

- B. Drainage. If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course or in such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses and drainage ways may be required.

RESPONSE: No water course exists on the subject property. This standard does not apply.

8.2720 Grading of Building Sites. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

- 1. Slopes shall be less than or equal to 3 to 1 (horizontal to vertical) unless slope reinforcement

and low maintenance surfaces are provided. Cut slopes as steep as 1 to 1 are permitted in native rock material if that material is suitable to stand at the slope without raveling. Toe of full slopes steeper than 3 to 1 and top of cut slope shall be no closer than 2 feet from the property line. Fill slope ratios shall not exceed one foot vertically to two feet horizontally.

2. Structural engineering must be provided for retaining walls higher than four feet from the base of the footing to the top of the retaining portion of the wall and for retaining walls of any height that support a surcharge such as a structure, roadway or slope greater than 4 to 1.
3. Stormwater must be controlled in accordance with the City of Redmond Public Works Standards and Specifications to avoid erosion and impacts to adjacent property.
4. Cuts and fills greater than 5 feet from original ground to final grade should be avoided.
5. Foundations should be stepped or other measures used to minimize cuts and fills. Slopes steeper than 3:1 shall be landscaped, terraced, or receive other treatment to reduce the visual impact and minimize the need for maintenance.
6. Areas that require engineered fill to support structures, roadways or for other reasons shall be noted in the grading plan. Design and placement of engineered fill shall be under the direction of a licensed professional engineer. Fill material shall be tested and approved by the engineer prior to placement and tested with suitable methods after compaction. Fill in areas that do not support a structure shall be suitable with a minimum of voids and organic material.
7. The composition of soil for fill and the characteristics of lots and parcels made useable by fill shall be suitable for the purpose intended.
8. When filling or grading is contemplated by the subdivider or partitioner, they shall submit plans showing existing and finished grades for the approval of the City Engineer. In reviewing these plans, the City Engineer shall consider the need for drainage and effect of filling an adjacent property.
9. Grading shall be finished in such a manner as not to create steep banks or unsightly areas to adjacent property.
10. Any land that requires engineered fill shall be so noted on the plat. Design and placement of engineered fill shall be under the direction of a licensed professional engineer.

RESPONSE: The applicant will supply a final grading and drainage plan (mainly associated with the new streets) to the Engineering Department for review and approval after the Subdivision Application.

8.2800 Improvement Procedures. In addition to other requirements, public or private improvements to be installed by the applicant either as a requirement of these standards or other applicable regulations or at his own option, shall conform to the requirements of this article:

1. Plan Review and Approval. Improvement work shall not be commenced until plans thereof have been reviewed and approved by the Community Development Director or Hearings Body or a designated representative thereof. To the extent necessary for evaluation of a proposed development, such improvement plans may be required before approval of the tentative plat or preliminary map or drawing.
2. Public Improvements as Platted. Public improvements shall be designed, installed and constructed as platted and approved by the City Engineering Division, and plans shall be filed with the final plat at the time of recordation or upon completion.
3. Inspection. Improvements shall be constructed under the inspection and approval of a city Inspector. Expenses incurred thereby shall be borne by the applicant/owner. The inspector may require changes in sections and details of the improvements if unusual conditions arise during construction to warrant such changes.
4. As-Built Plans. A map showing the completed public improvements shall be filed with the Community Development Department upon completion of the improvements.

RESPONSE: The applicant can meet these standards by complying with the conditions of approval.

8.2805 Improvements in Partitions. The same improvements may be required to be installed to serve each building site of a partition as are required of a subdivision.

RESPONSE: The proposal is a subdivision. This standard is not applicable.

8.2810 Acceptance of Improvements. Improvements shall be considered for acceptance after final inspection, after the improvements have been completed.

RESPONSE: The applicant can meet these standards by complying with the conditions of approval.

8.2815 Transportation Impact Analysis. It shall be the burden of the developer to evaluate transportation system impacts when a proposed development involves either a Subdivision, Site and Design Review, PUD, Master Plan, Comprehensive Plan Amendments, a change or expansion of use, or any other development that the City Engineer deems necessary. Transportation system analyses are not required for residential site plan review for up to four units or for partitions up to three lots.

1. The following vehicle trip generation thresholds shall determine the level and scope of transportation analysis required for a new or expanded development. Trip ends shall be calculated as per the Institute of Transportation Engineers manual, Trip Generation, current edition, or local trip generation studies prepared by a qualified registered professional engineer and approved by the City Engineer.

A. A development will be required to provide a Trip Generation Report per Section 8.2815(2) for developments which generate less than 200 daily or 20 p.m. peak hour vehicle trips. The Trip Generation Report shall be prepared by a professional engineer licensed in the state of Oregon. The Engineering Department will review and evaluate the Trip Generation Report to determine if a Transportation Impact Analysis (TIA) is required.

Projects that generate less than 200 daily or 20 p.m. peak hour trip ends may be required to provide a TIA when, in the opinion of the City Engineer or his/her designee, significant capacity and/or safety problem is caused, or adversely impacted by the development. The City Engineer, or designee, shall determine the scope of the analysis.

B. If a proposed development will generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, then a TIA shall be required per Section 8.2815(3).

1. The applicant's engineer shall consult with the City Engineer, or designee, prior to preparing the TIA to verify the scope of the study. The City shall respond in writing within 30 days.

a. When applicable, the applicant's engineer shall concurrently consult with ODOT prior to preparing the TIA to verify the study area.

2. The City Engineer shall determine when a TIA has satisfied the requirements of the development's impact analysis.

3. The TIA shall bear the stamp and signature of a licensed professional engineer in the State of Oregon.

2. When a Trip Generation Report is required, it must demonstrate the existing use, proposed use, existing trips per the ITE, and proposed trips per the ITE. Local trip rates may also be considered if supported by traffic counts conducted according to ITE guidelines. The report must include a conceptual site plan that shows adjacent roadways, alleys, roadway classifications, and access points.

3. When a TIA is required, it must demonstrate that the following standards are met:

- A.** The standard of measurement that will determine the acceptability of traffic flow on City streets will be a delay-based level of service as defined by the Highway Capacity Manual, Special Report 209, third Edition (2000 update or subsequent document updates) published by the Transportation Research Board. The determination of LOS shall be calculated by a methodology that is approved by the City Engineer. The acceptable standard of LOS for City streets shall be LOS E during the peak 15 minutes of the peak hours of the average weekday. A lesser standard shall be acceptable at unsignalized intersections with low volume minor street approaches if the volume-to-capacity ratio is less than 0.90 and the 95th percentile vehicle queue is less than four vehicles during the peak hour.
- B.** The Average Daily Traffic (ADT) volume of Local Street roadways within the City shall be less than 1,200 vehicles per day (VPD). Developments which add vehicle trips to Local Streets with an ADT greater than 1,200 VPD may be asked to provide mitigation in the form of additional access to the site, when in the opinion of the City Engineer, the residential livability is degraded by excessive local street traffic volume.
- C.** New development that will cause degradation below those levels shall be required to provide mitigating transportation system improvements that will restore the LOS to the accepted standard, as is practical, as determined by the City Engineer and pursuant to the adopted City's Transportation System Plan. Where there are impacts to the State Highways, the City and ODOT shall work cooperatively to determine appropriate courses of action based on ODOT and City standards.
4. The TIA shall include at a minimum, the following intersections:
- A.** All site access intersections.
 - B.** Nearest intersecting collector or arterial street upstream and downstream of the development.
 - C.** Any other collector or arterial street intersection that would experience an increase of 25 additional peak hour trips.
 - D.** Additional intersections requested by staff in the basis of anticipated impacts resulting from the development.
5. The TIA shall include the following study time frames addressing:
- A.** Existing conditions.
 - B.** Completion year of each significant phase of development.
 - C.** Five year forecast beyond final phase
6. The following Tables are required in the TIA:
- A.** Trip Generation (including phase breakdown if applicable).
 - B.** LOS Table (LOS for every analysis scenario at every study area intersection. Report LOS, delay, V/C ratio, 95% vehicle queue, and any additional pertinent analysis results).
7. The following Figures are required in the TIA:
- A.** Vicinity/Locator Map.
 - B.** Site or Tentative Plan Map.
 - C.** Background Traffic Volumes (all study intersections and analysis years).
 - D.** Trip Distribution and Assignment.
 - E.** Background + Site Generated Traffic Volumes (all study intersections and analysis years).
8. Other Analysis Standards (as required by the study)
- A.** Signal Warrants shall be performed where applicable per the Manual on Uniform Traffic Control Devices, current edition.
 - B.** Left Turn Lane Warrants shall be provided where applicable per ODOT criteria based on the Texas Transportation Institute (TTI) curves.

- C. Right Turn Lane Warrants shall be provided where applicable per ODOT criteria.
- D. The acceptability of sight distance at all study area intersections shall be determined per AASHTO (current edition) standards.
- E. Traffic signal progression analysis may be required if a new signal is proposed. The City Engineer shall approve the method of traffic signal progression analysis.
- F. Roadway improvements are to be based on the City of Redmond Standards and Specifications and ODOT design standards.

RESPONSE: A traffic impact analysis is provided as part of this application.

8.2820 Access Management Standards. All land use approvals shall be in compliance with the following standards.

1. Driveway spacing and corner clearance as follows:

<u>Roadway Classification</u>	<u>Minimum Access Driveway Spacing</u>	<u>Minimum Access Clearance to Corner</u>	<u>Intersection Spacing (Min.)</u>
Local Street	No Restrictions	30 ft	165 ft
Minor Collector	50 ft	80 ft	330 ft
Major Collector	165 ft	165 ft	330 ft
Minor Arterial	330 ft	330 ft	1/4 mile
Major Arterial	ODOT Stds	ODOT Stds	ODOT Stds

RESPONSE: The intersections of Northwest Way, NW Quince Avenue, NW 23rd Street and NW 25th Street and the unnamed streets are greater than 165 feet from any adjacent intersection. All public streets are local streets, which have no restrictions on driveway access.

2. In all instances, access near an intersection shall be located beyond the influence of standing queues and opposing left turns sharing a continuous two-way left turn lane. This requirement may result in greater corner clearance or access spacing than the minimum distance indicated.

RESPONSE: Driveways shall be determined at time of engineering or home construction; however, the lots are designed to be able to meet the access management standards for local streets described above.

3. Every lot or parcel shall be permitted an access. In the event that the access management standards cannot be achieved, shared access with adjacent property shall be explored and provided where available.

RESPONSE: Each lot has individual access to public streets. This standard is met.

4. Access shall be taken from the lower order street or alley unless otherwise approved by Public Works and/or ODOT through the land use review and approval process. Access to higher order streets may be allowed for emergency vehicles when restricted with a locked fire gate, bollards or similar, when approved or required by Redmond Fire and Rescue.

RESPONSE: All access in the proposed subdivision is proposed to be taken from local streets. This standard is met.

5. Unless adequate demonstration of site necessity, intersection safety and functionality are provided, through the land use review process, new lots and/or parcels will be limited to a single vehicular access. Existing lots may be permitted a secondary access when approved by the City Engineer.

RESPONSE: Singular vehicle access is proposed. This standard is met.

6. The access management standards apply to new development, redevelopment, subdivision and partitioning of land.

RESPONSE: This application is for a subdivision; therefore, access management standards apply.

7. Corner clearance is measured from the edge of right-of-way to the nearest edge of access. Spacing is measured from centerline of access/intersection to centerline of access/intersection.

RESPONSE: Driveways shall be determined at time of engineering or home construction.

8. Adequate intersection sight distance and clear zone shall be maintained at all access/driveway locations per AASHTO standards (American Association of State Highway and Transportation Officials).

RESPONSE: This standard will be addressed at the time the final engineering plan is submitted.

9. Public Works may require supporting information, including but not limited to traffic count data, trip generation, trip distribution, truck and trailer turning/backing templates and/or onsite circulation diagram. Transportation Impact Analysis study, etc., in order to make a proper determination of access/driveway location.

RESPONSE: A traffic impact analysis is provided as part of this application. This standard is met.

10. Access/driveway locations may require alignment with existing driveways on the opposite side of the roadway as determined by Public Works or through the land use review and approval process.

RESPONSE: Driveways shall be determined at time of engineering or home construction; however, the lots are designed to be able to meet the access management standards for local streets described above.

11. Access within the North Redmond US 97 Interchange Area Management Plan (IAMP) shall also conform to the 2007 "North Redmond US 97 Interchange Area Management Plan (IAMP)," as amended.

RESPONSE: The subject property is not within the IAMP. This standard does not apply.

8.2825 Street Dedications. Any person desiring to create a street not part of a subdivision or partition shall make written application to the Community Development Department.

1. **Application.** Said application shall be accompanied by the required information and appropriate filing fee. In cases where such dedication would have the effect of creating a land division, the dedication shall be treated as a new subdivision or partition as applicable.

2. **Minimum Design Standards.** The minimum standards of design and improvements for the dedication of a street shall be in compliance with the City of Redmond Public Works Standards and Specifications and all other applicable street standards and regulations as specified in Section 8.2710.

3. **Procedure.**

A. Upon receipt of written application and appropriate filing fee for street dedication,

the Community Development Director shall refer the proposal to the City Engineer or designee for review and recommendation.

B. The City Engineer shall report his findings and recommendations regarding the proposed dedication to the Community Development Director

C. Upon receipt by the Community Development Director of written findings and recommendations from the City Engineer, the proposal shall be submitted to the City Council for a public hearing.

D. The only notice required for a hearing under this section shall be by publication.

E. Following the hearing, the Council may accept or reject the proposed dedication.

RESPONSE: The streets are proposed to be dedicated to the public within the subdivision.

ARTICLE IV – SITE AND DESIGN REVIEW STANDARDS

8.3000 Purpose and Intent. The purpose of this Article is to conserve and enhance the appearance of the City and to promote functional, safe, and innovative site development. The intent is to ensure that there is general compatibility between adjoining uses, outdoor space is designed and installed in a functional and attractive manner, vehicular access and circulation is designed and constructed consistent with maximizing public safety, adequate public utilities are available, and the structures on-site provide a consistent architectural theme. This Article further implements the policies and goals of the City of Redmond Comprehensive Plan.

RESPONSE: This standard is advisory.

8.3005 Applicability of Site and Design and Review. Site and Design Review shall be required for any new development or use containing a structure, or multiple structures, unless exempted in Section 8.3010.

8.3010 Exemptions. The following are exempt from Site Design and Review:

1. Normal maintenance and repair.
2. Hangar development entirely on and interior to airport property.
3. Single family detached dwellings and middle housing, unless located on a lot within 100 feet of the canyon.
4. Manufactured home in an approved manufactured home park.
5. Additions to an existing building of less than 25% of the total building square footage, not to exceed 1,000 square feet.
6. Any development that does not include the construction or alteration of a building which will have a negligible impact on the land as determined by the Community Development Director, or designee.
7. Overhead electrical power transmission lines and poles greater than 12.5 kv.
8. Child care facility in residential neighborhoods that utilize existing structures.

RESPONSE: Site and Design Review criteria will apply to the multifamily complex as shown on the site plan. Single-family dwellings and middle housing are exempt.

8.3015 Procedure. Prior to submitting a Site and Design Review application, the applicant shall be required to submit a Pre-development application and meet with the Community Development Director, or designee, to review the proposal. A Site and Design Review application shall be submitted and reviewed by the Community Development Director, or designee, as an administrative land use decision with prior notice consistent with Section 8.1310

A minor alteration or modification may be submitted for an approved Site and Design Review consistent with Section 8.1400. In addition to the procedures above, procedures to review Site and Design Review applications for properties in the C-2 Central Business District Commercial Zone and Downtown Overlay District are established in Sections 8.3040 and 8.3045.

RESPONSE: This standard is advisory.

8.3020 Site Improvement Agreement. Where public improvements are required as a condition of approval, the applicant may be required to execute and record an Improvement Agreement subject to the following.

1. The developer may, in lieu of completion of the required improvements, request the Community Development Director, or designee, to approve an agreement specifying the schedule by which the required improvements and repairs shall be completed. Provided, however, any schedule of improvements agreed to other than sidewalks shall not exceed two (2) years from the date of land use approval. The agreement shall also provide the following information:
 - A. The repairs required and cost of the project.
 - B. That the City may call upon the security filed to construct or complete the improvements and repairs if the schedule of improvements is not adhered to.
 - C. That the City shall recover the full cost and expense of any work performed by the City to complete construction of the improvements and repairs including, but not limited to attorneys' and engineering fees.
 - D. That a warranty bond for two (2) years shall be deposited with the City following acceptance of the improvements. Said bond shall be in the amount of ten (10) percent of the value of the improvements.
2. The Community Development Director, or designee, may reject an agreement authorized by this Section for any reason the Community Development Director, or designee, deems sufficient.

RESPONSE: This section is related to any required improvements. It is understood that any such improvements will require adherence to the criteria listed above.

8.3025 Plans Required. The Applicant shall submit to the Community Development Department the following documents with the required fee.

1. **Exterior elevations.** Drawings or sketches of elevations for each proposed building. Such plans shall indicate the building height, primary building materials, color, shape, and other design features of the building, including the location of all exterior mechanical devices.

REPSONSE: Elevations and floor plans for the proposed multifamily area are included with the application.

2. **Site Plan.** Site plans containing the following.
 - A. A drawing showing the floor plans for each building and a description of each internal "use."
 - B. A written summary showing the following:
 1. For commercial and industrial development:
 - a. The square footage of the "project area", and a clearly defined outline of this area.
 - b. The percentage of the lot covered by structures.
 - c. The total number of parking spaces.
 - d. The total square feet to be landscaped and location of existing trees.
 - e. The total square feet within the project area to be left natural, gravel, or other surface not required by this provision.
 2. For residential developments.
 - a. The total square footage of all floors of the structures.
 - b. The number of dwelling units in the development (include the units

by the number of bedrooms in each unit, e.g., ten (10) one (1) bedroom, 25 two-bedroom, etc.)

c. Percentage of lot coverage by:

- i. Structures.
- ii. Recreation areas
- iii. Landscaping and location of existing trees.
- iv. Parking and paved areas.

C. The legal description, dimensions, and total square footage or acreage of the site.

D. All vehicle and pedestrian access points to public rights-of-way and the interior circulation plan for the property.

E. Project name.

F. A vicinity map.

G. The identified scale.

H. North arrow.

I. Date the site plan is prepared.

J. Street names, locations, and right-of-way widths of all existing and proposed streets within or on the boundary of the proposed development.

K. Lot layout with dimensions for all lot lines.

L. Zoning of the site.

M. Zoning of all adjacent properties.

N. Location and use of all proposed and existing buildings, fences, and structures within the proposed development. Indicate which buildings are to remain and which are to be removed.

O. Location and size of all existing & proposed public utilities, serving the subject property, in and adjacent to the proposed development with the locations shown of:

1. Water lines, services, backflow prevention device and meter sizes.
2. Sewer lines, manholes, services, and cleanouts.
3. Storm drains, facilities and catch basins.
4. Power / phone poles and lines; show whether the lines are overhead or underground.
5. Existing fire hydrants.

P. The proposed location of:

1. Connection to the City water system.
2. Connection to the City sewer system.
3. The proposed method of drainage of the site.
4. All exterior mechanical equipment or equipment areas.

Q. Location of existing canals and laterals including easements and right-of-way.

R. Location of existing drainage on-site.

S. Location of all utility and access easements on the property.

T. Location, size, and use of all contemplated and existing public areas within the proposed development.

U. All fire hydrants proposed to be located within the site.

V. A topographic map of the site at a contour interval not to exceed five (5) feet.

W. Location of all parking areas and dimensions of all parking spaces.

X. Locations of all existing natural features including, but not limited to, any existing trees having a six (6) inch trunk diameter or greater, three (3) feet above grade, and any natural drainage ways existing on the site, and all significant natural features including (but not limited to) outcroppings of rocks, boulders, etc. Indicate any contemplated changes that would affect a natural feature.

RESPONSE: The proposed site plan that accompanies this application includes the above required information.

3. A Landscape Plan. A landscape plan is required for all multi-family complex, commercial or industrial development. The landscape plan shall include the following:

A. Area Required. Each property developed shall show at least the following percentage of the total site or project area to be developed in landscaping

Zones	
R1 to R-5	15%
C-1 to C-5	15%
Downtown Overlay District	0%
M-1, M-1.5, M-2, LLI	15%
Airport	<i>Per Section 8.3035 only.</i>
Park, OSPR, PF	15%
FG	Not Applicable
MUN & MUE	15%
MULW & MULW-SD	10%

B. Plant types. Identify the varieties (botanical name) of each plant.

C. Plant size at time of planting. Identify the size of each proposed plant at time of planting. The minimum size at time of planting shall be one gallon for a shrub and fifteen gallons for a tree, and no less than 1-1/2" caliper measured 3' above finished grade.

D. Location of existing trees. All trees having a six-inch trunk diameter measured 3' above natural grade or greater shall be shown on the landscape plan.

E. Location of vegetation. Location of existing vegetation to be removed and retained on site.

F. The location and design of new landscaping or landscaped areas.

G. Irrigation. Description of the method of irrigation shall be submitted showing type of irrigation system and approximate location of water delivery lines.

H. Street tree plan. Species and location of each tree to be planted shall be shown on the landscape plan.

RESPONSE: The proposed multifamily tract in the R-5 zone has 45,575 square feet (34.1%) of landscaping provided thus exceeding the 15% requirement. A landscape plan has been included in the site plan showing the above details. This standard is met.

4. Lighting Plan. A lighting plan showing the type, placement, wattage, and method of shielding all exterior lights from adjacent sites shall be submitted.

RESPONSE: No parking pole light lighting is proposed at this time. Lights are proposed attached to buildings and all lighting shall not shine at adjacent properties or streets.

5. Neighborhood Compatibility Statement. A statement shall be submitted that addresses the applicable neighborhood compatibility criteria within 8.3035(3).

RESPONSE: See response below under applicable criterion.

8.3030 Special Studies, Investigations and Reports. Special studies, investigations and reports may be required to ensure that the proposed development of a particular site does not adversely affect the surrounding community, does not create hazardous conditions for persons or improvements on the site. These may include Traffic Impact Analysis, trip generation or parking studies/reports, impact of contaminated soils, soil conditions, flooding of waters and excessive storm water runoff, tree preservation, and other concerns of the development's impact on adjacent properties or public facilities.

1. An approved Transportation Impact Analysis (TIA) will be required prior to land use application completeness acceptance. A TIA approval memorandum, issued by the City Engineer shall be included with the application submittal per Section 8.1010 .

RESPONSE: Enclosed with this application is an approved TIA.

8.3035 Design Review Criteria. Prior to issuance of a building permit, the following applicable criteria shall be met.

1. **Installation of Utilities.** All new service lines and relocated transmission lines shall be placed underground. Existing overhead transmission lines or utility lines shall be relocated underground unless otherwise approved by the CDD Director, City Engineer, or Hearings Body.

RESPONSE: All new utility services are proposed underground. This standard is met.

2. **Right-of-Way Dedication & Public Improvements.** Adequate right-of-way dedication and improvements to streets, alleys, sidewalks, bikeways, and other public ways shall be provided by the Owner that conform to City of Redmond adopted Transportation Plan, Transportation Impact Analysis & Access Management Standards, Public Works Standards & Specification, and the local service street policies, including the grid policy. In lieu of actual construction of improvements, the City may choose to accept financial payment, contribution, other approved security, or agreement for the purpose of providing the needed improvements. The City may require that no building permit be issued until public improvements are completed; this shall be clearly identified (if applicable) within the Site Improvement Agreement.

RESPONSE: All rights of way and street improvements proposed conform to the City of Redmond standards. Of note, NW 26th Street is proposed with 50 feet of right-of-way, which is approvable under situations where the street would not experience significant traffic. Given the limited direct access onto NW 26th Street, most traffic will go directly to proposed Streets A, B, and C; therefore a 50' right-of-way width is acceptable.

3. **Neighborhood Compatibility.** This standard shall not apply to any development that requires a conditional use permit. Subsections B. and D. do not apply to needed housing (ORS 197.307).

A. The proposal will be consistent with applicable zoning standards.

B. The location, size, design, and physical characteristics of the proposal (such as setbacks, height, position of structure on the site) will have minimal adverse impact on the livability or value of abutting properties.

C. The project will not exceed the operational capacity of public facilities, and which are required to serve the development unless the City Engineer determines that sufficient capacity can be provided. The capacity of public facilities and services shall be based primarily on the City's Water and Wastewater Master Plan and the Transportation System Plan.

D. The proposal is consistent with the applicable Great Neighborhood Planning Principles described in Section 8.0270(3)(C)(13) and adopted Area Plans.

RESPONSE: The proposed development is consistent with applicable zoning standards as demonstrated in the accompanying submittals and this burden of proof. Lower density housing (R3) is proposed to the adjacent development to the east. Adequate water, sewer and transportation capacity exist to serve the development. Of note: the townhomes and possibly the multifamily complex will need to connect to the Far West Sewer Interceptor when extended to the northwest corner of the site. In prior sections, this documents addresses how the proposal meets the Great Neighborhood Planning Principles.

4. Architectural Requirements.

A. Architectural theme. A specific architectural theme is required for any structure that is a candidate for Site and Design review. The theme used shall be carried out completely in the design and not mixed with conflicting themes. The theme used shall be consistent with all buildings on the subject site.

B. False front design. A false front design of a building shall be avoided, except for the Downtown (C-2) Commercial District.

C. Historical Buildings. Compliance with the preservation of historic buildings and sites pursuant to section 8.0855 and 8.0860 where applicable.

D. Commercial and Industrial buildings.

1. **Building Orientation.** The City may require the applicant to position buildings to have their architectural orientation toward the primary focal point on the site (typically the higher ordered street). However, the City may also require the applicant to orient the building in any position on the site if the perceived focal point is internal to the site. At no time shall unbroken spans of side or rear walls of buildings be visible from any street without architectural treatments and screening added. Orientation of the building shall consider compatibility with neighboring structures in terms of setbacks, height of building, architectural treatment, and entrances of neighboring buildings.

2. Buildings shall comply with the City's access policies regarding vehicle access and provide adequate pedestrian ways to safely navigate the parking areas and to connect to the public sidewalks. Adequate internal vehicle access shall be designed to minimize or eliminate vehicle/vehicle or vehicle/pedestrian conflicts.

3. Commercial Drive-up windows and drive-throughs should be oriented away from the principal street.

4. **Industrial Building Basic Architecture.** To avoid the effect of single, long, or massive walls with no relation to human size, industrial buildings shall provide features of architectural interest for all street-facing facades.

a. **Defined Building Entrance and Orientation.** At least one entrance (not including emergency exit) of any building shall be oriented toward the street. A primary building entrance shall be clearly defined and recessed or framed by a sheltering element such as an awning, canopy, or portico.

b. Street-facing facades shall include a change of material (such as a wainscot or similar architectural features) along the façade(s).

c. Awnings, canopies, or structural overhangs of at least 3 feet in depth shall be provided over doors and windows along the primary street facing façade. This requirement does not apply to roll up doors.

E. Multi-Family Complexes. This section establishes a process for the review of multi-family complexes development proposals in order to promote functional, safe, innovative, and attractive development that is compatible with the natural and manmade environment. The intent is to promote compatible development, foster the attractiveness and functional utility of multi-family development, protect public and private investments in the area, raise the level of community expectations for the quality of its environment.

1. **Table A. Minimum Standards.** The following minimum standards apply in each of the Residential zones:

Multi-Family Complex Standards:	R-4	R-5
Minimum Setback Distance		
Front	15	15
Side	15	15
Rear	20	15
Garage	20	20
Maximum Building Height	45	45
Maximum Density (Units/Net Acre)	14.5	17.4

RESPONSE: The multi-family homes in the R-5 zone show minimum setbacks at 15' as detailed on the site plan. Density requirements are at 16.9 units/acre, which is below the maximum amount allowed.

2. Building Orientation. All buildings facing a public street right of way shall have a functional primary entrance oriented to each public street frontage, except for buildings fronting along and facing a Major Arterial Street as designated on the City of Redmond Transportation System Plan. Additional primary entrances, if provided, or, in cases where buildings are internal to the development and do not front on the public street right of way, shall be oriented to a private common area (common areas include private streets, courtyards, or open spaces). A hard-surfaced pedestrian sidewalk or pathway connecting the building entrances to the public streets right of way shall be provided.

RESPONSE: Buildings within the designated multifamily area face a private common area. Pedestrian walkways are provided to safely navigate the parking lot and surrounding areas.

3. Building Form. In order to preclude large expanses of uninterrupted building surfaces, each floor of the building shall include at least three of the following features within every 30 lineal feet or portion thereof along all elevations of the structure:

- a. Recess (e.g., deck, patio, courtyard, entrance, or similar feature) that has a minimum depth of 4 feet;
- b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
- c. Offsets or breaks in roof elevations of two feet or greater in height.
- d. Offset or breaks in building façade elevations of 2 feet or greater in relief.

4. Detailed Architectural Features. All buildings shall provide detailed design along all elevations (e.g., front, rear, and sides). Detailed design requires use of at least five of the following architectural features on all front and exterior side (corner lot) elevations and at least three of the following architectural features on all interior and rear yard elevations, at a minimum of every 30 lineal feet of horizontal wall. Architectural features shall be varied on the different building elevations. The standard applies to each full and partial building story.

- a. Dormers

- b. Gables
- c. Recessed and covered porch entries of at least 4 feet in depth
- d. Towers, at least 2, minimum 2-foot elevation change to roof ridge.
- e. Eaves (minimum 12-inch projection)
- f. Off-sets in building face or roof (minimum 16 inches)
- g. Window trim on all windows on the façade
- h. Bay or oriel windows
- i. Balconies
- j. Decorative patterns on exterior finishes (e.g., paint scheme, scales/shingles, wainscoting, ornamentation, and similar features)
- k. An alternative feature providing visual relief and detail, similar to option a-j above, may be approved through the development review process.

5. Exterior Finish. The exterior finish on all vertical surfaces shall be comprised primarily of materials such as masonry/wood lap siding, shingles, brick, or stucco. The use of sheet metal, plywood, T1-11 siding, smooth face cinder block and other similar materials is not permitted except as minor accents. Textured cinder blocks are permitted on side and rear façades but shall not exceed 40% of the total exterior wall area of the ground/bottom floor.

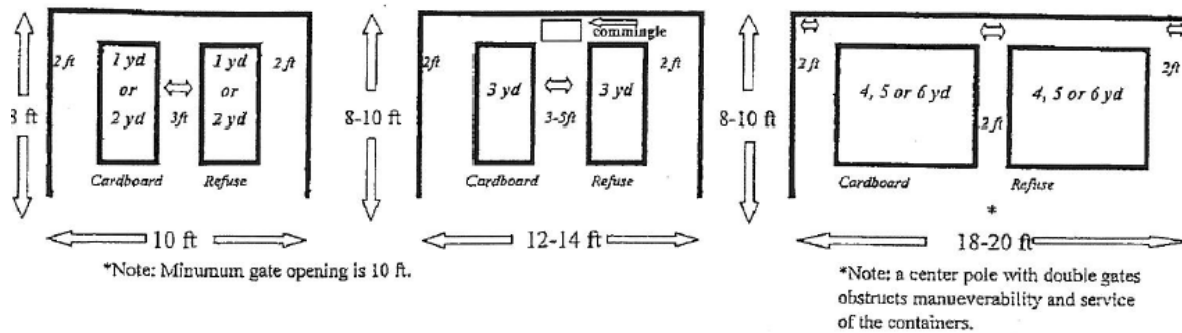
6. Building Alignment. There shall be no window to adjoining window alignment when adjacent buildings are less than 30 feet apart. Frosted windows or similar are exempt from this standard.

RESPONSE: These standards will be addressed at the time building permits are applied for.

7. Trash Receptacles. A common trash enclosure shall be required and is subject to the following standards.

- a. Trash enclosures shall be oriented away from adjacent residences and shall be screened by use of brick or stone walls.
- b. Trash enclosures shall be accessible to trash pick-up vehicles and shall provide an unobstructed, straight on approach a minimum of 40 feet in length.
- c. Trash enclosures, a minimum of six feet in height, shall be constructed of masonry, durable and attractive walls, with solid screen doors and shall be visually consistent with project architecture. Gate opening shall be a minimum of 10 feet wide and shall not include a center pole or other obstruction preventing access to the enclosure. Gates must swing open 180 degrees and shall include a gate stop to hold it open.
- d. Enclosure areas shall contain sufficient space to accommodate both refuse disposal and recycling containers adequate to accommodate the degree of development. Disposal needs shall be calculated at 0.3 yards per dwelling unit for refuse and 0.2 yards per dwelling unit for recycling. The following construction specifications shall be used as a guide for enclosure design based on the calculation requirements listed herein:

Construction Specifications for Enclosures



e. The area standards for trash enclosures listed in subsection (d.) above shall be met unless documentation is submitted from the applicable trash collection company indicating that an alternative design will be adequate to accommodate the amount of refuse and recycling that is anticipated to be generated on an ordinary basis.

RESPONSE: Trash enclosures are shown on the site plan and follow the above-stated guidelines.

8. Mechanical Equipment. External mechanical equipment, such as heating or cooling equipment, pumps, or generators, that is located on the ground or on the roof of buildings, must be entirely screened from view at ground level by sight obscuring walls, fences, parapet, or other similar means consistent with the overall architecture of the development. Landscaping is not an acceptable alternative for such screening as specified herein. Screening shall be compliant with all applicable codes. No heating or cooling equipment shall be placed on exterior walls unless completely screened from view.

RESPONSE: All new external mechanical equipment will be screened from view.

9. Common Open Space. Common open space(s) shall be incorporated into the site plan for multi-family complexes as a primary design feature. A minimum of 15 percent of site area (inclusive of required setbacks but exclusive of dedicated street rights-of-way and land dedicated to other public uses like parks and schools), shall be provided as common open space and be suitable for a recreational play area, or group or community activities. However, in no case shall less than 3,000 square feet of common open space be provided. Such area shall be improved with turf, plantings, surfacing, equipment, structures, or buildings suitable for recreational use. The Hearings Body may require this area to be protected from streets, parking areas, or the like, by a fence or the equivalent. Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

In conjunction with the open space requirements, all multi-family complexes with 20 or more units shall provide two or more amenities for the residents as listed below. Such amenities shall be centrally located for a majority of the residents.

- a. Tot lot/play structure
- b. Community garden
- c. Picnic tables/barbecue areas
- d. Swimming pool, splash pad, or other water feature
- e. Indoor recreation facility

- f. Sports courts (i.e., basketball, tennis, volleyball)
- g. Other active or passive recreation area that meets the intent of this standard as approved through the development review process.

RESPONSE: A total of 45,575 square feet (34.1%) of landscape/open space area has been provided. This includes spaces designated for a playground, dog park and open seating with picnic tables and benches. This standard has been met.

10. Private Open Space. Private open space accessible from interior shall be required for all triplexes and quadplexes based on the following standards:

- a. Ground/bottom floor housing units shall have front or rear patios or decks at least 4 feet deep and measuring at least 48 square feet in area.
- b. A minimum of 50% of all upper floor (second floor and above) housing units shall have balconies or porches at least 4 feet deep and measuring at least 48 square feet in area.
- c. To the maximum extent possible, private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, parking areas and driveways and trash enclosures.

RESPONSE: No triplexes or quadplexes are proposed; therefore, this standard is not applicable.

11. Special Yards. In order to allow air circulation and light, the distance between buildings on the same lot shall be as follows:

- a. All front and rear walls, and all walls with a primary entrance shall be separated from all other walls on all other buildings on the same lot by a minimum of 20 feet.
- b. The distance between side walls on buildings on the same lot shall be no less than 12 feet.

RESPONSE: See enclosed multifamily site plan. Proposed buildings meet the above special yard setbacks.

12. Special Fencing/Landscaping. A sight obscuring fence or evergreen hedge may be required by the Hearings Body when, in its judgment, such screening is necessary to preserve the values of nearby properties, protect the aesthetic character of the neighborhood or vicinity, and to provide security and privacy for occupants of the subject complex.

RESPONSE: No requirement has been made known to the applicant; therefore, this section is not applicable.

13. Storage. All multifamily dwellings and complexes shall provide for storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the complex. Each dwelling unit shall have one assigned, securable storage area, a minimum 18 square feet, but shall be of a minimum size and dimension that is suitable to accommodate one bicycle of average size. Storage areas may be indoor, such as attached or detached garages, or within specific areas what are internal to each dwelling unit. Storage areas may also be within outdoor structures such as within a separate storage building located on premises. The City may exempt or reduce the storage space requirement for "specialty housing", such as senior housing or for housing for long-term infirm care.

RESPONSE: Required storage areas shall be specified on the building permit plans.

14. Off-Street Parking. All off-street parking provisions addressed herein (including: number of spaces; loading areas; and design and improvement standards) shall be provided in conformance with Section 8.0500 through 8.0515. Plexes shall comply with the City's access policies regarding vehicle access and provide adequate pedestrian ways to safely navigate the parking areas and to connect to the public sidewalks. Adequate internal vehicle access shall be designed to minimize or eliminate vehicle/vehicle or vehicle/pedestrian conflicts in off-street parking areas. If off-street parking areas are proposed to be placed between the primary building elevations and public streets, the application shall be subject to a public hearing pursuant to Article II – Land Use Procedures, Sections 8.1000 through 8.1720.

RESPONSE: This standard was previously addressed in Sections 8.0500-8.0515.

F. Exterior Mechanical Equipment. These shall be screened so as not to be visible from public streets or residences and not placed on exterior walls unless fully screened.

RESPONSE: All new exterior mechanical equipment will be screened from view.

G. Surfacing. Gravel is prohibited as a surfacing material in the commercial or mixed use zones. Areas that are not part of the required landscaped areas shall be surfaced with asphalt or concrete unless natural, undisturbed open areas.

RESPONSE: Parking areas are proposed to be surfaced with asphalt, while pedestrian walkways and curbs will use concrete or pavement.

H. Building Design for Automotive Service Stations. The entrance to the service bays shall not be open to the street but shall be so designed to face the rear or interior side property line.

RESPONSE: This standard does not apply.

I. Retail, Office, Commercial and Mixed-Use Buildings in the MUN and MUE zones.

RESPONSE: This standard does not apply.

5. Landscaping.

A. Plant sizes. All required shrubs shall be at least 1-gallon size and all required trees 15-gallon size at time of planting, and no less than 1-1/2" caliper measured 3' above finished grade. Applicants must show evidence of paid contracts or commitments for landscaping work or other proof/evidence the work will be completed as required and on time.

B. Vegetative cover. All required landscape areas shall be planted with shrubs, trees and or living ground cover to a minimum of 50% vegetative cover at the time of planting. The other 50% may be covered with non-vegetative (not bark) mulch.

C. Outdoor storage and service areas. Outdoor storage and service areas shall be screened or buffered from adjacent properties or from public rights of way with a minimum 3-foot-tall and wide landscape strip or site obscuring fencing unless otherwise approved when adjacent to a similar use or a use that does not require screening from the proposed use. Screening shall provide no less than 50% visual screening at time of planting or installation and shall be shown by detail or photo.

D. Areas between buildings and property lines adjacent to a street. Areas

between buildings and property lines adjacent to a street shall be landscaped with trees and shrubs within a minimum 3-foot-wide landscape strip.

E. A parking or loading area. A parking or loading area shall be separated from any lot line adjacent to a roadway by a landscaped strip at least 10 feet in width, and any lot line by a landscaped strip at least 5 feet in width. Within the C-2, C-4, MUN, MUE, or Airport zone, street trees or other landscaping located within the public right-of-way may be provided and considered as landscaping on site. The City may make an exception of the five (5) foot landscaping strip requirements if the following criteria apply:

1. The properties are adjacent to one another; and,
2. The parking and back up areas are adjacent to a common lot line. If an exception is granted, an easement shall be recorded on the deed. If at any time the parking area is no longer shared, the parking area shall conform to the five (5) foot landscape strip requirements.

F. Landscape areas abutting parking areas spaces, access aisles and loading zones. Landscape areas abutting parking spaces, access aisles and loading zones shall incorporate a sight obscuring landscape screen. The screen shall be at least 3 feet higher than the finished grade of the parking area, except in required clear vision areas where the clear vision requirements must be met. The screen height may be achieved by a combination of earth mounding and plant materials. Fences with or without slats may qualify for parking lot screening on interior, side, or rear lot lines, or when adjacent to an alley.

G. Parking lot landscaping. In addition to meeting all other landscape requirements, at least ten (10%) percent of the paved parking shall include planting beds at least 5 feet wide, plus a ratio of one tree per ten parking spaces shall be planted.

H. Protection of Parking Lot Landscaping. Parking lot landscaping shall be protected by a curb or secured wheel guards at least 4" high with a minimum three foot setback from the property line.

I. Preservation and Replacement of Trees. All existing trees having a six (6) inch trunk diameter 3' above grade or greater shall be preserved or replaced with fifteen gallon-sized trees at a 'one-to-one' ratio. Replacement trees shall have a minimum 1-1/2-inch trunk diameter measured at 3' above grade. This criterion shall be met in the submitted landscape plan.

J. Irrigation of plants and trees. Irrigation systems shall be required for all landscape areas and street trees except those designated for native vegetation. Type of irrigation system and approximate line location shall be shown on the site plan provided.

K. Street trees. Street trees are required to be installed on all residential, commercial, and industrial lots fronting on public or private streets, including on lots already platted at the time of adoption of this ordinance (Ord. #2013-04, 05/14/2013), but not yet developed. Street trees shall be provided in accordance with the following requirements:

1. **Street Tree Plan.** A street tree plan shall be provided showing the location of street trees, the types and the installation sizes of the trees and the type of irrigation proposed.

2. **Timing of Improvements.** All street tree(s) shall be installed prior to issuance of a Certificate of Occupancy for said construction. An exception to this shall be when it is not feasible to plant street trees due to cold weather, in which case a posting of a bond for the value of the tree shall be acceptable to ensure the tree is planted at the earliest feasible time as determined by the City.

3. **Number of Trees Required.** The number of street trees planted on each lot is dependent upon the lot width per the table below:

Lot Width	Number of Street Trees Required
Corner Lot	Tree requirements will be based on each street frontage length
50 ft and less	1
51-100 ft	2
101-150 ft	3
151 ft and more	One tree/40 feet of width fronting street

4. Spacing of Trees. Street trees shall be spaced in accordance with the table below:

Lot Width	Tree spacing requirements
50 ft and less	The street tree shall be planted as close as possible to the center of the lot frontage, unless there is a conflict with a driveway, in which case it should be located as close as possible to the center.
50 ft and more	Small canopy and columnar shaped trees shall be planted no further than thirty (30) feet apart
	Medium and large canopy trees shall be planted no further than forty (40) feet apart
Downtown	Per Public Works Standards

An exception to the tree spacing requirements above includes when planting a tree would conflict with existing trees, retaining walls, utilities, driveways, views, or other similar physical barriers. In those cases, the Community Development Director, or designee, may approve alternative spacing.

5. Location of Trees. Street trees shall be planted within existing and proposed planting strips or in City approved sidewalk tree wells on streets without planting strips unless an alternative street tree location is approved during the planning review process. The location of trees shall meet the following setback requirements:

Object Tree Must be Setback from	Distance Street Tree Must Be Setback From Object
Curb or sidewalk	3 ft (small and medium stature tree) and 3 ft (large stature tree); in no cases, shall the tree be more than 10 ft from the curb
Curb line of an intersection, stop/yield signs, and streetlights	25 ft
Adjacent Tree	20 ft
Fire Hydrants, utility poles and directional traffic signs	10 ft
Edge of a driveway	5 ft
Property lines	2 ft

6. Caliper Size. The minimum caliper size at planting shall be 1½ inches for single family residential and 1½ inches for commercial and industrial. If the required caliper is not available, the Community Development Director, or designee, may accept an alternative proposal that is comparable.

7. Approved Tree List. Types of street trees shall be selected from the City Arborist's approved list of trees.

8. **Maintenance.** Maintenance of street trees shall be in accordance with standards listed in Section 3.600 of the Redmond Code.

9. **Utility Easements.** All street trees shall be placed outside utility easements unless the utilities are in a protective conduit. If the existing planter strip contains such easements and is not wide enough to also accommodate street trees, the street tree location requirement in section 4 above may be adjusted by the Community Development Director, or designee, during the development review process.

L. **Maintenance of landscaping.** All landscaping shall be continuously maintained and replaced when necessary to maintain compliance with an approved landscape plan. For landscaping valued in excess of \$5,000, the City may require a maintenance bond.

RESPONSE: A landscape plan for the multi-family complex has been included with the site plan (MP3.1) and shows the above required details. This standard has been met.

6. Parking and Unloading Areas/Docks.

A. **Off-Street Parking Areas.** Parking areas shall be as near the public entrances to the structure served as possible.

B. **Parking lot.** The parking shall be dispersed around the building, emphasizing the importance of the building and accessibility to entrances. In the **MUN and MUE** zones, parking shall be located to the side, rear, or under the building or in a designed central parking lot.

C. **Truck loading areas or docks.** Truck loading areas or docks, where delivery is done by semi-truck with a specified loading dock, shall be located or screened from the street or from the major public entrance to the building. The Applicant shall identify the specific type(s) and size of delivery vehicles which will deliver and/or take goods to/from the building; the hours of delivery, the location of delivery doors and their dimensions. Truck loading areas or docks shall not inhibit circulation onsite or create access problems from adjacent streets.

RESPONSE: Offset parking is distributed equally about the site and is located near the entrances to the residences. Proposed parking shall include required accessible spaces. Truck loading areas are not applicable to the development.

7. General Site Criteria.

A. Grading and Drainage.

1. **Grading.** Grading of on-site private land shall be managed to ensure that there are no adverse conditions created for neighboring lands or public right-of-way. A stormwater grading plan shall be developed that satisfies the following criteria:

- a. On-site maintainability.
- b. Professional civil engineering practices.
- c. Identify responsibility for the management of the stormwater.

2. **Drainage and Stormwater.** Per direction of the City Engineer, and specified in the City of Redmond Standards and Specifications, drainage shall be managed on-site or as determined reasonable for shared responsibility for both conveyance and disposal of private and public right-of-way stormwater. The storm event shall be for the 50-year 24-hour storm event, and require the total of public and private runoff to be contained within development boundaries. At a minimum, a drainage plan shall include engineering calculations meeting professional practice methods of storm volume development, original and new topography of the site, drainage pathways and flow direction, location of retainage, and/or disposal of stormwater.

3. **Blasting.** A permit for explosive blasting shall be obtained from Redmond

Fire & Rescue and City Engineer prior to blasting.

RESPONSE: Grading shall conform to City of Redmond requirements and Appendix J of the OSSC. Stormwater systems (primarily drywells) shall be designed to meet the City of Redmond Stormwater Division requirements. At the time of infrastructure improvements, a blasting permit shall be obtained prior to blasting.

B. Clear Vision Standard. No obstructions greater than three and one half (3 ½) feet high, including any landscaping which will grow greater than three and one half (3 ½) feet high, with the exception of trees whose canopy heights are at all times greater than eight (8) feet, may be placed in a clear vision area as defined in Article I, "Supplementary Provisions".

RESPONSE: Clear vision areas are depicted on the enclosed plans.

C. Trash Collection Areas. Trash collection areas shall not be oriented towards building entrances or public streets other than alleys and shall be screened or enclosed with building material which is compatible with those used in the exterior of the building. Location(s) of all trash collection area(s) shall be reviewed and approved by the Community Development Department Director, or designee.

RESPONSE: Trash Enclosure areas are shown on the multifamily complex site plan. Townhomes and detaches single family housing shall use roll out carts for trash disposal.

D. Water and Sewer Service. Connection to the City's public water and sewer systems shall be required and shall comply with the current Public Works Standards & Specifications.

RESPONSE: All proposed lots and the multifamily complex propose to connect to City of Redmond water and sewer systems.

E. Accessibility. At least one pedestrian pathway, which meets UBC accessibility requirements, shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading and drop off zones, and public streets or sidewalks to an accessible entry. When more than one building or facility is located on a site, at least one accessible route shall be provided between accessible buildings and accessible site facilities. The accessible route shall be the most practical and direct route among accessible building entries, accessible site facilities and the accessible entry to the site. Walks paralleling vehicular ways shall be separated from vehicular ways by curbs, planted areas, railings, or other means between the pedestrian way and vehicular routes.

RESPONSE: A pedestrian access is provided between the multifamily complex and the public sidewalk.

F. Streetscape standards in the MUN zone. New retail, office, commercial and mixed-use development, and major modifications (per RDC 8.3005-8.3010) within the MUN zone shall provide one or more of the Category A pedestrian amenities listed below and all of the Category B amenities, as generally illustrated in the figure below. Pedestrian amenities may be provided within a planting strip or street furnishing zone, building frontage zone or plaza, as shown in the figure below. Use of the public right-of-way requires approval by the roadway authority.

RESPONSE: This standard does not apply.

8. Transportation System Analysis (TIA). The development must meet requirements per Section 8.2815 (Transportation System Analysis).

RESPONSE: An approved TIA is enclosed with the application.

9. Access Management Standards. The development must meet requirements per Section 8.2820 Access Management Standards.

RESPONSE: Proposed access management meet requirements per Section 8.2820.



CITY OF REDMOND
Engineering Division

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TO: MORGAN SNYDER, *Planning Division/Community Development Dept.*

FROM: DAVID PILLING, *Engineering Division/Public Works Dept.*

DATE: May 21, 2024

SUBJECT: **711-23-000227-PLNG-MD, 228-PLNG-SUB & 229PLNG-SP: Pacific Star Estates Phase 1-9 Master Plan**
Vollertsen Living Trust/H.A. McCoy Engineering & Surveying LLC
Tax Lots 15-13-05-400 & 403

Subject property located east of Northwest Way, south of NW Spruce Ave. and north of NW Maple Avenue. 2098 Northwest Way. The Engineering Division provides the following recommendations based on the Master Plan set dated 4-26-24 per Redmond (COR) Development Code (**pre-January 2024 update**) Section 8.0275, 8.0305, 8.1010(1)(C), 8.2000-2840, 8.3000-3050 and City of Redmond Public Works Standards and Specifications (CORPWSS):

1. **Transportation:** All public streets shall be designed, constructed and dedicated to current City of Redmond Standards & Specifications and Transportation System Plan (TSP) standards and extended to the limits of each project phase unless otherwise specified or approved. Five (5) ft. minimum width public utility easement (PUE) shall be dedicated along all street right-of-way per COR Standard Drawing 2-1. Street signage, lane striping, street lights and postal box installation shall be required. Barricades shall be required on all dead-end streets at phase/property boundaries and signed for future extension. All street names shall be approved by Redmond Fire and Rescue and/or Deschutes County. The proposed master plan and public street system complies with City street and TSP standards subject to the following: [COR Code 8.0270(2)(D), 3(B)(1)(a), 3(C)(11) & 3(C)(14)(a))] [COR Code 8.2240(1 & 4) 8.2320(2)(A), 8.2710(1, 2, 3 & 10) & 8.3035(2)] [CORPWSS Development Provisions 03]

A) **Northwest Way (NW 27th St)** - minor arterial street. A paved road and sixty (60) ft. public right-of-way exist, no curb or sidewalk, along project/property frontage. Prior to and/or with Phase 1 plat approval, twenty (20) ft. public right-of-way dedication shall be required along property/project frontage for a total width of fifty (50) ft. east of centerline per City minor arterial standards. Street and right-of-way centerline shall match existing. Prior to Phase 4 plat approval, street frontage improvements conforming to City minor arterial street standards per COR Standard Drawing 2-1 shall be required and constructed along project/property frontage as follows, unless otherwise approved by the City Engineer:

- 1) Full width (3-lane) minor arterial street improvements with new/reconstructed 50 ft. wide pavement section, curb on both sides, separated 10 ft. paved multi-use bike path and street trees on the east side, storm drainage, turn/bike lanes, signage and striping. A slope easement may be required on the east side of the roadway where a 4:1 slope is not achievable behind the multi-use path. Partial street improvements may be considered by the City Engineer where adequate right-of-way is not available and/or terrain conflicts exist on the west side.
- 2) Northbound right-turn deceleration lane onto NW Quince Avenue.
- 3) A key multi-use bike pathway is identified as B13 per current City TSP along Northwest Way and shall be located in public right-of-way unless otherwise approved by the City Engineer.

B) **NW Quince Ave.** - local street. A paved street and sixty (60) ft. right-of-way exist east of subject properties. Prior to final land use approval decision, written consent from the owner of property located north of project boundary for NW Quince Ave. public right-of-way dedication and construction shall be required. Prior to Phase 1 engineering construction plan submittal, ten (10) ft. minimum or thirty (30) ft. public right-of-way dedication along NW Quince Ave. north of the project/property boundary by others shall be required. Prior to Phase 1 plat approval, street frontage improvements conforming to City local street standards per COR Standard Drawing 2-1 and/or 2-3 shall be extended along north project/property frontage from existing near east boundary to Northwest Way based on the following scenarios, unless otherwise approved by the City Engineer:

- 1) Thirty (30) ft. public right-of-way dedicated by others north of project (60 ft. total right-of-way) - full street improvements with new 36 ft. wide pavement section, curb on both sides, sidewalk on the south side, storm drainage and thirty (30) ft. minimum right-of-way dedication as proposed. Street and right-of-way centerline shall match existing.
- 2) Ten (10) ft. public right-of-way dedicated by others north of project (40 ft. total right-of-way) - partial street improvements per COR Standard Drawing 2-3 with new 25 ft. wide pavement, curb and sidewalk on the south side, storm drainage and thirty (30) ft. minimum right-of-way dedication. Connection to the existing paved street near the east project boundary will require a transition plan for 2-way travel with pavement tapering, striping and signage as directed and approved by City Engineering. Street and right-of-way centerline shall match existing.

- C) **NW 23rd St. & 25th St.** - local streets. Street improvements conforming to City local street standards shall be required per COR Standard Drawing 2-1 with new 36 ft. wide pavement, curb, sidewalk, storm drainage and sixty (60) ft. right-of-way dedication. SW 25th St. shall match the neighboring Dry Canyon Village approved plan.
- D) **NW 26th St. & Local Street A, B & C** - local streets. Street improvements conforming to City local/cul-de-sac/eyebrow street standards shall be required per COR Standard Drawing 2-1, 2-4 and 2-5 with new 36 ft. wide pavement, curb, sidewalk, storm drainage, sixty (60) ft. right-of-way dedication and fifty-four (54) ft. cul-de-sac radius right-of-way dedication unless otherwise approved by the City Engineer.
- E) **Local Street D** - local street. Street frontage improvements conforming to City partial local street standards shall be required per COR Standard Drawing 2-1 and 2-3 with new 25 ft. wide pavement, curb and sidewalk on the north side, storm drainage and forty (40) ft. minimum right-of-way dedication as proposed along project/property frontage unless otherwise approved by the City Engineer.
- F) **Public Pedestrian/Bike Multi-Use Path** - the separated public pedestrian/bike multi-use path identified as B13 along Northwest Way property frontage per City 2020 Transportation System Plan (TSP) shall be constructed and dedicated per COR Standard Drawing 2-6 for multi-use paths unless otherwise approved by the City Engineer and City Parks Division.
- G) **Pedestrian Connections & Crossings** - specific pedestrian connection and crossing improvements shall be required as follows;
- 1) NW Quince Ave. - Prior to Phase 1 plat approval, the north-south pedestrian crossing on the east side of Northwest Way/Quince Avenue intersection shall be constructed accommodate a full 10 ft. wide pathway crossing and include a striped pedestrian crossing along the pathway alignment, directional accessible ramps, illumination and advance stop bar. NW Quince Avenue shall be stop controlled in the westbound direction.
 - 2) Prior to Phase 8 plat approval, A public pedestrian pathway/sidewalk connection shall be constructed in Tracts C and D and crossing the private alley linking Northwest Way with 26th St/Local Street B. An east-west pedestrian crossing of 26th St. shall be constructed on the north side of 26th St/Local Street B intersection. A minimum 10-foot wide public access easement shall be provided. The path shall meet City of Redmond Standards and Specifications for a sidewalk or multiuse path.
- H) **Private Alley** - proposed private alley shall be privately owned and maintained. Private alley improvements conforming to City paved alley standards per COR Standard Drawing 2-1 are recommended. Approved alley connections to public streets shall be constructed to City driveway standards. Alley connection and public vehicular access to Northwest Way shall not be permitted. A through paved alley connection to Local Street A via the proposed access easement in Phase 8 or approved turnaround at the north end of Phase 9 shall be required. Backup distance minimum of 24 ft. from face of garage or edge of parking stall to opposite side of alley shall be required for turnaround purposes. *[CORPWSS Design Standards II(A)(23)]*
- I) **Street Storm Drainage:**
- 1) Stormwater drainage systems in the public right-of-way shall be subject to current City design standards. *[COR Code 8.2825(2)] [CORPWSS Design Standards II(B)]*
 - 2) New drywells shall comply with City/DEQ pretreatment and City testing requirements. Drywell drain rock shall not extend under any street pavement section. *[COR Code 8.2825(2)] [CORPWSS Design Standards II(B)]*
 - 3) The location of drywells or other UIC's within City streets shall not conflict with existing active private water wells, community water wells or existing/future municipal drinking water wells. Identify all existing water wells that are within 500 ft. or the two-year time of travel zone of subject properties. *[COR Code 8.2825(2)] [CORPWSS Design Standards II(B)]*
- J) **Street Trees:**
- 1) No street trees within 50 ft. of a street intersection per COR Standard Drawing 2-27.
 - 2) No trees within 10 ft. of domestic water service, fire service or public storm facilities.
 - 3) Trees shall not conflict with street or stop sign/control device and pedestrian crossing/ADA ramp line of sight.
 - 4) No trees within driveway clear vision areas or blocking public street lighting.
 - 5) Street tree species shall be selected from Redmond Parks Division approved tree list.
- K) **Lot/Tract Access:** Vehicular access to each new lot or tract shall conform to City access management, corner clearance, clear vision and driveway construction standards. Driveways/curb cuts shall not conflict with water service/meters, fire vaults, fire hydrants or street catch basins. *[COR Code 3.300, 8.0305 & 8.2820]*
- 1) Proposed private paved access to Local Street A shared between Tract B in Phase 8 and the private alley in Phase 9 is acceptable subject to City clear vision standards and shall be constructed/dedicated prior to Phase 8 building occupancy or Phase 9 plat approval, whichever occurs first.
 - 2) Tract A site access shall be relocated to NW 25th St. or Local Street C via lot reconfiguration or private access easement prior to Phase 4, 5 or 9 plat approval or upon tract/site redevelopment. Until then, the existing driveway connection to Northwest Way for the existing residence on Tract A may remain. *[COR Code 8.2820(4)]*
 - 3) Direct vehicular access to Northwest Way, a minor arterial street, shall not be permitted from any lot, tract, alley or access easement except for gated and/or locked emergency/fire and permitted COID access connections unless otherwise approved by the City Engineer.
 - 4) Corner lots and double fronting lots shall take vehicular access from the lower order street, alley or access

easement. *[COR Code 8.2820(4)]*

5) Postal box installation shall be subject to US Postal Service standards and City Engineer approval. *[CORPWSS Design Standards II(A)(16)]*

L) **Traffic Impacts:** The Transportation System Analysis Application (TSAA) dated 2-23-23 and Transportation Impact Analysis (TIA) dated 5-22-23 submitted by Transight Consulting LLC have been reviewed and approved by City Engineering conditioned upon the transportation mitigation requirements identified by the Assistant City Engineer per City Approval Memo dated 10-2-23 unless otherwise specified. A notable required mitigation includes the total proportionate share of \$61,717 for impacts to OR126/SW 27th St. based on the cost of the parallel route improvements at OR126/SW 35th Street. The total payment (\$61,717) shall be due prior to Phase 1 final plat approval or partial payments may be provided prior to final plat approval of each individual phase (\$7,714.63 per each phase). The proportionate share will not be required if the City adopts a separate funding mechanism that addresses the impacts at OR126/27th St. in their entirety prior to plat of Phase 1. *[COR Code 8.0270(3)(C)(11), 8.1010(1)(C) & 8.2815]*

M) Coordination with Cascades East Transit (CET) to confirm whether a transit stop will be sited along the project limits to best support future routing. If required by CET, the stop shall meet CET standards including a standard 6 ft. by 12 ft. concrete pad outside of the sidewalk system with conduit for future power as part of site frontage improvements. Installation of additional stop amenities (signage, shelters, etc.) may be provided by CET when transit service is available.

2. **Water:** An eight (8) inch City water main exists in Quince Ave near the northeast property corner. A twelve (12) inch City water main exists in Northwest Way at Spruce Ave. roughly one-quarter mile north of subject properties.

A) Connection to the City's public water system shall be required for each new tract/lot. *[COR Code 8.2240(5) & 8.2715(3)]*

B) The Infrastructure Allocation Analysis Application for connection to City water may be waived and will not be required by City Engineering with expansion of the City's existing water system and public water main extensions throughout the project per current City Water System Master Plan (WSMP). *[COR Code 8.0270(2)(G), 3(B)(1)(a) & 3(C)(12)]*

C) The proposed public water system complies with City "to & through" Public Facility Requirement and current City WSMP standards for service to each new lot and adjacent property subject to the following: *[COR Code 8.0270(2)(G), 3(B)(1)(a) & 3(C)(12)]* *[CORPWSS Development Provisions 03]*

1) The twelve (12) inch public water main identified as P4572 per current WSMP shall be extended in Northwest Way along project/property frontage and constructed with street frontage improvements prior to Phase 4 plat approval.

2) The eight (8) inch public water main identified as P-2 per current WSMP shall be extended in Quince Ave. along project/property frontage west from existing near the northeast project/property corner to Northwest Way prior to Phase 1 plat approval.

3) Main line stubs shall be required in all directions at each street intersection at the discretion of the City Water Division.

3) Design review of the public improvement construction plans for compliance to City standards.

4) Domestic and fire water systems located on-site and beyond public right-of-way shall be privately owned and maintained.

D) A separate domestic water service connection conforming to City standards shall be required for each new lot with meter located at the property/right-of-way line. A single water master meter shall be required for all multi-family tracts/lots. A City approved backflow prevention device shall be required for all multi-family and non-residential properties, water services larger than one (1) inch, fire sprinkler systems and irrigation systems. *[COR Code 4.200, 4.161, 8.2240(5) & 8.2715 (3 & 4(C))]*

E) Fire flow, fire hydrant locations and fire code requirements to be determined by Redmond Fire & Rescue (RFR).

1) A water system/fire flow analysis and mitigation plan prepared by a registered professional engineer shall be provided as required by the Redmond Fire Marshal. *[CORPWSS Development Provisions 04.2.00]* *[CORPWSS Design Standards II(D)(1(a) & 3(a))]*

2) Public water system improvements may be required as deemed necessary by the fire flow analysis mitigation plan to meet minimum fire code and fire flow requirements for the proposed development. *[COR Code 8.2235(1)(D)]* *[CORPWSS Design Standards II(D)(1(a) & 3(a))]*

F) New fire hydrants and fire/water lines located on-site shall be privately owned and maintained with City approved backflow prevention device located at the property/right-of-way line. *[COR Code 8.3035(7)(D)]* *[CORPWSS Design Standards II(D)(1)(d)]*

G) Abandonment of any existing water well, cistern or other private water facility located on subject properties shall be in accordance with Oregon Water Resource Department regulations. *[CORPWSS Development Provisions 04.7.00 & 22(13)]*

3. **Wastewater:** A ten (10) inch City gravity sewer main exists in Quince Ave. at 22nd St. just east of subject properties. An eight (8) inch City gravity sewer main exists in Quince Ave. near the northeast property corner. The thirty (30) inch Far West Sewer Interceptor (FWSI) City gravity sewer trunk line exists in Northwest Way at Spruce Ave. roughly one-quarter mile north of subject properties per current Redmond Wastewater System Master Plan (RWSMP).

A) Connection to the City's public sewer system shall be required for each new tract/lot. *[COR Code 8.2240(5) & 8.2715(3)]*

B) Subject properties are located within sanitary sewer basins planned for gravity service by the both the existing ten (10) inch City gravity sewer main in Quince Ave. at 22nd St. and the FWSI with gravity collection mains extended south in Northwest Way from Spruce Ave. or extended in future Quince Ave. west of Northwest Way. Connection to the existing

ten (10) inch sewer main in Quince Ave. will be permitted for easterly majority of the subject properties (Phases 1-7) as predetermined and allocated by the City for the Northwest Area Sewer Basin plan dated 7-30-08. The remaining westerly portion of subject properties shall connect to the future FWSI and gravity collection main lines in Northwest Way or Quince Ave. (west of NW Way). Therefore, the Infrastructure Allocation Analysis Application for connection to City sewer may be waived and will not be required by City Engineering. [COR Code 8.2235(D) & 8.2240(6)]

C) Proposed public gravity sewer system complies with City "to & through" Public Facility Requirement and RWSMP standards for complete gravity service to each new lot and adjacent property subject to the following: [COR Code 8.0270(2)(G), 3(B)(1)(a) & 3(C)(12)] [CORPWSS Development Provisions 03]

1) City gravity sewer must be extended to and be made available at Northwest Way/Quince Avenue either by others (Spruce Northwest Master Plan development Phase 4, approved 1-23-24) from the west or along Northwest Way from the north and existing City sewer at Spruce Ave for service in Phase 8-9 prior to or in coordination with Phase 4 Northwest Way street construction.

2) Public gravity sewer main extension in Northwest Way shall be designed, sized, deepened for gravity sewer service to neighboring properties within the established gravity sewer basin to the west and south. The Northwest Way sewer main serving Phase 8-9 shall be extended prior to or in coordination with Phase 4 Northwest Way street construction.

3) All public gravity sewer mains shall be designed, extended and constructed to provide a gravity service to each new lot, phase and neighboring properties unless otherwise approved by the City Engineer.

4) Sewer services shall be located to provide complete gravity service.

5) Sewer manholes shall be located on street centerline whenever possible, at 400 ft. max spacing and at any main line terminus. Manholes shall be added or moved accordingly to match street alignments and to avoid conflicts with public water.

6) Public sanitary sewer facilities located in the private alley or access easement and beyond public right-of-way will require dedication of City sewer and/or public utility easements that provide unobstructed City access and turnarounds. [COR Code 8.2215(2)(E) & 3(B)), 8.2320(2)(B) & 8.2715(8)(4)] [CORPWSS Development Provisions 07]

7) Design review of the public improvement construction plans for compliance to City standards.

8) Sanitary sewer systems located on-site and beyond public right-of-way or easements shall be privately owned and maintained.

D) A separate sanitary sewer service conforming to City standards shall be required for each new lot with cleanout located at the property/right-of-way or easement line. All sewer services shall be connected at right angles to the sewer mainline, and not to manholes, unless otherwise approved by the City Engineer. [COR Code 8.2240(5) & 8.2715(3 & 4(C))]

E) Any existing sewage drill hole, septic tank or other private sewer facility located on subject property shall be permanently abandoned in accordance with Deschutes County and Oregon Dept. of Environmental Quality (DEQ) regulations, unless an exception is granted by the City Engineer for the existing residence on Tract A. [COR Code 4.304(3)] [CORPWSS Development Provisions 04.7.00 & 22(13)]

4. Subdivision Grading and Drainage: A subdivision site grading and drainage plan with erosion/sediment control plan and drainage report shall be required upon development of each project phase per current City standards and the following: [COR Code 8.0270(3)(C)(7 & 12) & 8.2720] [CORPWSS Development Provisions 23] [CORPWSS Design Standards II(B)]

A) Lot and Tract grading shall conform to current COR Development Code 8.2720 and shall not create steep banks, extreme cut/fills or areas unsightly to adjacent properties or lots.

B) All storm water runoff and drainage shall be maintained on each lot or tract and shall not drain onto public streets, neighboring properties or irrigation canals/ditches except as provided for in City standards.

C) Total contributing area to the public storm system shall include all right-of-way surface runoff and 100% of the future developed lots potential contributing areas unless otherwise approved by the City Engineer.

D) The stormwater system shall be designed to pass up-gradient flow through the site without damage to the proposed development, public stormwater facilities or neighboring properties.

E) Storm water runoff from private property shall not impact public right-of-way or easements unless otherwise approved by the Public Works Director or City Engineer.

F) New on-site private drywells and other underground injection control (UIC) systems not part of the public drainage system must be registered and approved or permitted by the Oregon Department of Environmental Quality (DEQ) prior to construction or building permit issuance. Contact DEQ UIC Program Coordinator at 503-229-5945. Send copy of UIC Registration Packet to DEQ and City of Redmond, 3100 NW 19th Street, Redmond, OR, 97756.

G) Private drywells serving paved areas may not be located within public or community wellhead protection areas or 500 ft. of existing irrigation or drinking water wells. Please note that this site may be located within 500 ft. of existing private water wells. Privately owned drywells within 500 ft. of any private water well will require a general permit from the Oregon DEQ prior to construction plan approval. Locate and identify existing water wells and wellhead protection zones that could affect the location of proposed drywells. [CORPWSS Development Provisions 23] [OAR 340-044-0018]

H) Maintenance agreement required for any on-site private storm system.

5. Construction Plans: Upon land use approval, a separate set of construction drawings may be submitted directly to the Engineering Division for design review of all required and/or proposed public improvements, utilities and subdivision site grading. [COR Code 8.2720 & 8.2800] [CORPWSS Development Provisions 04 & 23] [CORPWSS Design Standards]

Morgan Snyder

From: David Pilling
Sent: Wednesday, June 5, 2024 9:59 AM
To: Morgan Snyder
Cc: Sean Cook; Kyle Roberts; Sarah Vowell; Megan Peninger; Jamie Buddenbohn; Erica Waldbillig; Veronica Reinertson; Jon Spurlin; Steve Wilson; Jake Sherman; Evan Malone; Mark Goodwin; Mark James; Gary Hucke; Ryan O'Connor; Ben Sigloh; Anthony Ortgies; Travis Robbins; Ryan Kirchner; Jeremy Stachowski; Larry Morse; Jessica MacClanahan; Lindsey Crowsigt
Subject: RE: 711-23-000227-PLNG-MD: Pacific Star Estates Master Plan - Revised Plan 5-23-24
Attachments: 23-227PLNG-MD Pacific Star Estates Tract A Concept Plan 5-30-24.pdf; 23-227PLNG-MD Pacific Star Estates Master Dev Plan revised 5-23-24.pdf; 23-227PLNG-MD Pacific Star Estates Prelim Shadow Plat 2-15-24.pdf; 23-228PLNG-SUB_dr1 Final 5-21-24.docx

Hi Morgan – only one additional comment on the attached revised master plan dated 5-23-24 and Tract A concept plan dated 5-30-24; the proposed NW 26th St. extension south to Tract A will require an update to the previously submitted shadow plat of neighboring tax lot 15-13-05-402 dated 2-15-24 (attached) for review by City Planning and Engineering.

Otherwise, no change to my previously submitted comments dated 5-21-24 (attached).

Thanks



David Pilling | City of Redmond Public Works Dept
Engineering Development Manager
phone 541.504.2013
email David.Pilling@redmondoregon.gov
243 E. Antler Ave. Suite 100, Redmond, Oregon 97756

From: David Pilling
Sent: Tuesday, May 21, 2024 10:36 AM
To: Morgan Snyder <morgan.snyder@redmondoregon.gov>
Cc: Sean Cook <Sean.Cook@redmondoregon.gov>; Kyle Roberts <kyle.roberts@redmondoregon.gov>; Sarah Vowell <sarah.vowell@redmondoregon.gov>; Megan Peninger <megan.peninger@redmondoregon.gov>; Jamie Buddenbohn <jamie.buddenbohn@redmondoregon.gov>; Erica Waldbillig <Erica.Waldbillig@redmondoregon.gov>; Veronica Reinertson <veronica.reinertson@redmondoregon.gov>; Jon Spurlin <jon.spurlin@redmondoregon.gov>; Steve Wilson <Steve.Wilson@redmondoregon.gov>; Jake Sherman <jake.sherman@redmondoregon.gov>; Evan Malone <evan.malone@redmondoregon.gov>; Mark Goodwin <mark.goodwin@redmondoregon.gov>; Mark James <Mark.James@redmondoregon.gov>; Gary Hucke <Gary.Hucke@redmondoregon.gov>; Ryan O'Connor <Ryan.O'Connor@redmondoregon.gov>; Ben Sigloh <Ben.Sigloh@redmondoregon.gov>; Anthony Ortgies <Anthony.Ortgies@redmondoregon.gov>; Travis Robbins <travis.robbins@redmondoregon.gov>; Ryan Kirchner <Ryan.Kirchner@redmondoregon.gov>; Jeremy Stachowski <Jeremy.Stachowski@redmondoregon.gov>; Larry Morse <Larry.Morse@redmondoregon.gov>; Jessica MacClanahan <jessica.macclanahan@redmondoregon.gov>; Lindsey Crowsigt <lindsey.crowsigt@redmondoregon.gov>
Subject: RE: 711-23-000227-PLNG-MD: Pacific Star Estates Master Plan - Revised Plan



city of
REDMOND
oregon

Engineering Department
243 E. Antler Ave, Suite 100
Redmond, OR 97756-0100
541-504-2002

siteplan@redmondoregon.gov
www.redmondoregon.gov

TRANSPORTATION SYSTEM ANALYSIS APPLICATION

Applicability: Required when a proposed development involves either a Subdivision, Site and Design Review, Planned Unit Development, Master Plan, Comprehensive Plan Amendment, a change or expansion of use, or any other development that the City Engineer deems necessary. This application is not required for residential site plan review (4 units or less) or for partitions (3 lots or less).

This application must be approved prior to submitting a land use application for the project.

Applicant Information

Applicant: Joe Bessman Email: joe@transightconsulting.com
Company: Transight Consulting, LLC Phone: 503 997 4473
Address: 61271 Splendor Lane, Bend, OR 97702
Date Submitted: 2/23/2023

Owner Information

Owner: Hayes McCoy Email: hayes@ham-engr.com
Company: HA McCoy Engineering & Surveying Phone: 541 923 7554
Address: _____

Project Information

Project Title: Vollertsen Master Plan Tax Lot Number(s): 1513050000403, 1513050000400
Project Address: No Address, 2098 Northwest Way
Zone: UH-10 / Designated R-3, R-4, and R-5 Area (SF): 32.11 Acres
Existing Use: Rural/Agricultural
Proposed Use(s) and code(s) per the Institute of Transportation Engineer's (ITE) Manual, 11th Edition:
Various Residential Products (Single-Family Detached, Attached, and Multifamily) ITE 210, 215, 220
Total PM Peak Trips: 152 Average Daily Trips (ADT): 1656

Reserved for City of Redmond Approval

Reviewed by: LINDSEY CROMSIGT SEE ATTACHED MITIGATION
Approved (date): 10/2/23 MEMO.
Approved PM Peak Trips: 152
Approved ADT: 1656

CITY OF REDMOND ENGINEERING APPROVAL

THIS STAMP DOES NOT CONSTITUTE APPROVAL OF BLASTING OR ANY OTHER PUBLIC
IMPROVEMENTS THAT MAY BE REQUIRED BY CONDITIONS OF APPROVAL.

Lindsey Crowsigt 10/02/2023 11:24:30 AM



CITY OF REDMOND
Engineering Department

243 East Antler Avenue, Suite 100
Redmond, OR 97756-0100

(541) 504-2002

Fax: (541) 548-0253

siteplan@redmondoregon.gov

www.redmondoregon.gov

October 2, 2023

Re: Approval Memo - 711-23-000030-PW; Vollertsen Annexation Area

Transportation mitigations for the subject project will be required as follows:

All Phases

- To the extent practical, all construction access will be required to utilize NW Northwest Way.
- Suitable fire access must be maintained for all project phases. Temporary turn-arounds may be required at the termination of streets longer than 150' as required by Redmond Fire.
- Local streets should be dedicated as a 60' public ROW (30-feet from centerline) and constructed per City of Redmond Standards and Specifications.
- No direct driveway access will be provided onto NW Northwest Way.
- Directional curb ramps will be required at all intersections serving crossings in all directions.

Prior to Final Plat of Phase 1

- A total proportionate share of \$61,717.00 is required for impacts to OR 126/SW 27th Street, based on the cost of the parallel route improvements at OR 126/SW 35th Street. The total payment (\$61,717) is either due prior to final plat approval of Phase 1 or may be paid at prior to final plat approval of each individual phase (\$7,714.63 per each phase). The proportionate share will not be required if the City adopts a separate funding mechanism that addresses the impacts at OR 126/27th Street in their entirety prior to plat of Phase 1.
- 100' ROW dedication (50' from centerline) should be dedicated along NW Northwest Way throughout Master Plan limits.
- All local streets within Phase 1 should be located within a dedicated public ROW and constructed per local and alley street standards. NW 25th Street should be designed with suitable traffic calming throughout its length.
- NW Quince Avenue to be connected to the Dry Canyon Trail system, with marked crosswalks along the off-site sidewalk system and installation of an accessible crossing of NW 19th Street.
- The north-south crossing at NW Northwest Way/NW Spruce Avenue intersection should accommodate a full 10' wide pathway crossing and include a striped pedestrian crossing along the pathway alignment, along with illumination and an advance stop bar.
- Construct NW Quince Avenue to a $\frac{3}{4}$ local street standard within a public ROW, linking NW 22nd Street and NW Northwest Way.
- The NW Quince Avenue/NW Northwest Way intersection should be stop-sign controlled in the westbound direction, and directional accessible ramps should be installed on the eastern quadrants.
- Coordination with CET should confirm where a transit stop should be sited along NW Northwest Way to best support future routing. The stop should include a standard 6' by 12' concrete pad outside of the sidewalk system with conduit for future power as part of site frontage improvements. Installation of additional stop amenities (signage, shelters, etc.) to be provided by CET when transit service is available.

Prior to Final Plat of Phase 2

- All local streets within Phase 2 should be located within a dedicated public ROW and constructed per local street standards.

Prior to Final Plat of Phase 3

- All local streets within Phase 3 should be located within a dedicated public ROW and constructed per local street standards.

Prior to Final Plat of Phase 4

- Local streets within Phase 4 should be dedicated as a 60' public ROW and constructed as a $\frac{3}{4}$ (minimum) street section. NW 25th Street should be designed with suitable traffic calming throughout its length.
- NW 25th Street to be extended through the future Phase 6 to complete a second ingress/egress to the subdivision. Curb bulb-outs should be installed throughout its length.
- Frontage improvements along NW Northwest Way to be completed to match the section established by the Dry Canyon PUD, including a multiuse pathway along the east side of the roadway. Tapering of the cross-section will be required beyond the site frontage. A northbound left turn lane will be required, unless already constructed.
- A northbound right-turn deceleration lane onto NW Quince Avenue is required.

Prior to Final Plat of Phase 5

- Local streets within Phase 5 should be dedicated as a 60' public ROW and constructed per local street standards.

Prior to Final Plat of Phase 6

- Local streets within Phase 6 should be dedicated as a 60' public ROW and constructed per local street standards.

Prior to Final Plat of Phase 7

- Local streets within Phase 7 should be dedicated as a 60' public ROW and constructed per local street standards.

Prior to Final Plat of Phase 8

- Local streets within Phase 8 should be dedicated as a 60' public ROW and constructed per local street standards.
- A pedestrian connection to be provided through Tract C and Tract D, linking NW Northwest Way with sidewalks along Local Street B.

This approval is valid based on the information presented in the TSA and expires 180 days from the date on this letter.



Lindsey Crowsigt, Assistant City Engineer
City of Redmond

After Recording Return To:
City of Redmond
411 SW 9th Street
Redmond, OR 97756

Deschutes County Official Records	2022-42616
D-ANXCON	
Stn=1 BN	12/07/2022 09:02 AM
\$30.00 \$11.00 \$10.00 \$61.00 \$6.00	\$118.00
I, Steve Dennison, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Official Records. Steve Dennison - County Clerk	

ANNEXATION AGREEMENT

This Annexation Agreement is made and entered into this 6th day of December, 2022, by and between the City of Redmond, Oregon, an Oregon municipal corporation (hereinafter "City") and Vollertsen Living Trust, Terry Vollertsen trustee/owner (hereinafter "Owner").

W I T N E S S E T H

WHEREAS, Owner is the record owner of the property legally described on Exhibit A attached hereto and incorporated herein (hereinafter referred to as the "Property"); and

WHEREAS, the Property is within the City's Urban Growth Boundary and is proposed to be annexed to the City; and

WHEREAS, Owner desires to have the Property annexed to the City; and

WHEREAS, Owner has submitted a petition for annexation and provided the City with all required consents for annexation; and

WHEREAS, the City is willing to annex the Property on the terms and conditions, and subject to the provisions, of this Agreement; and

WHEREAS, the City will initiate zoning upon the successful annexation of said property by resolution to the City, and

NOW, THEREFORE, in consideration of the representations, promises and mutual covenants contained herein, the City and Owner agree as follows:

1. **RECITALS:** The foregoing recitals are incorporated herein as is fully set forth in this Section.
2. **ANNEXATION:**
 - a. City agrees that it will initiate a resolution annexing the Property into the City once all required consents and a signed Annexation Agreement have been received by the City, and an approved master plan with proposed zone amendments has been achieved. This agreement is void if the Property is not annexed to the City within 12 months after the effective date of this Agreement.
 - b. Owner may terminate this Agreement by serving written notice to the City. The notice must be received by the City at least 60 days prior to the public hearings for council consideration of the annexation. If the City receives such notice, this Agreement terminates as of the effective date of the notice. After the annexation resolution is adopted by the City, this Agreement may only be terminated or amended by written consent of Owner and City.
3. **COMPREHENSIVE PLAN/ZONING:** Prior to development and annexation of the property, the Owner is required to receive master plan approval for the Property in compliance with the Redmond Comprehensive Plan 2040 and Redmond Development Code. The master plan will

identify Comprehensive Plan and Zoning designations, subject to City Council review and approval. Upon adoption of the master plan, successful annexation, and a Comprehensive Plan Map/Zone Map adoption, the City will apply the Comprehensive Plan and Zoning designations identified in the Master Plan.

4. DEVELOPMENT: Owner agrees as follows:

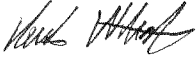
- a. Owner shall waive and shall not assert any claim against the City that may now exist or that may accrue through the date of annexation of the Property that it may claim due to its ownership of the Property. This includes any claim arising out of any land use regulation or under Measure 37 (ORS 197.352), Measure 49, and Measure 56 (ORS 227.186).
- b. Owner agrees that any development of the property will comply with the applicable approved Northwest Area Plan and master plan for the property, except as modified consistent with City requirements.
- c. Owner agrees to incorporate and apply the City's Great Neighborhood Principles as found in the Redmond Comprehensive Plan 2040 and Redmond Development Code. The City shall determine the applicability of the Great Neighborhood Principles to the subject property as necessary.
- d. Owner agrees to incorporate and apply any City Engineering requirements for infrastructure and street frontage.
- e. All development must comply with federal, state and city regulations.
- f. Owner agrees that it will, without any cost to the City, dedicate the necessary rights-of-way or easements for all Planned Improvements identified in the City's Public Facilities Plan.
- g. Owner shall supply draft CCR/HOA documents to City for review, modification, and preliminary approval prior to the land use hearing for the master plan. The documents shall include, but not limited to, requirements or standards regarding on street parking and a prohibition on using residential units as short-term or vacation rentals.
- h. Owner shall provide, at Owner's expense, an HOA maintained half acre park 'Mini Park.' Example amenities include lawn and/or drought resistant vegetation, places to sit, and a small play area. This park and the costs to maintain it shall be at Owner's expense.
- i. Owner shall provide a meandering 10-foot pedestrian sidewalk along Northwest Way Street.
- j. A complete site plan and architectural rendering for the multi-family housing area shall be submitted for review with the master plan for the property.
- k. Owner shall provide no more than 60% detached single-family housing and no less than 40% other types of units (e.g., middle housing).
- l. Owner shall remove all additional Central Oregon Irrigation District (COID) irrigation water rights from Property, unless use is otherwise approved by COID.
- m. Owner shall remove all ground water rights from Property unless partial use is otherwise approved by the Redmond City Council. If required, Owner is directed to remove water rights via sale or transfer to the City. Removal shall occur prior to the platting of the first phase of development.

- n. Owner agrees to not remonstrate against the formation of a local improvement district or reimbursement district created for funding public improvements that will serve the Property. This waiver applies to the Property until all utility service and all required infrastructure that will service or benefit the Property is completed and accepted by City. If the property is developed in phases, the waiver may be removed on a phase-by-phase basis if all utility service and all required infrastructure that will service or benefit the Property is completed and accepted by City.
- o. Owner agrees to donate funds to the Redmond Committee for Art in Public Places or install an artistic feature. Public art fee of \$100 per housing unit will be charged and paid in lump sum at the time of any plat approval for the property. If an artistic feature is installed, it is required to provide focal points, preferably at the gateways to neighborhoods, in and around the center of neighborhoods, or trailheads.
5. **AMENDMENT:** This Agreement and any exhibits attached hereto may be amended only by the mutual written consent of both parties.
6. **SEVERABILITY:** If any provision, covenant or portion of this Agreement or its application to any person, entity, property or portion of property is held invalid, or if any ordinance or resolution adopted pursuant to this Agreement or its application to any person, entity, property or portion of property is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of this Agreement or other ordinances or resolutions passed pursuant hereto, and to that end, all provisions, covenants, and portions of this Agreement and of the ordinances and resolutions adopted pursuant hereto are declared to be severable.
7. **NO WAIVER OF RIGHT TO ENFORCE AGREEMENT:** Failure of any party to this Agreement to insist upon the strict and prompt performance of the terms, covenants, agreements and conditions herein contained, or any of them, upon any other party imposed, shall not constitute or be construed as a waiver or relinquishment of any party's right thereafter to enforce any such term, covenant, agreement or condition, but the same shall continue in full force and effect.
8. **ENTIRE AGREEMENT:** This Agreement supersedes all prior agreements, negotiations and exhibits and is a full integration of the entire agreement of the parties relating to the subject matter hereof. The parties shall have no obligations other than specifically stated in this Agreement except those of general applicability.
9. **SURVIVAL:** The provisions contained in this Agreement shall survive the annexation of the property and shall not be merged or expunged by the annexation of the property or any part thereof to the City.
10. **SUCCESSORS AND ASSIGNS:** This Agreement shall run with the land described on Exhibit A and inure to the benefit of, and be binding upon, the successors in title of the Owners and their respective successors, grantees, lessees, and assigns, and upon successor corporate authorities of the City and successor municipalities.
11. **TERM OF AGREEMENT:** This Agreement shall be binding upon the parties and their respective successors and assigns for twenty (20) years, commencing as of the date of this Agreement
12. **ENFORCEMENT:** Owner agrees that if it fails to perform as required under this Agreement, the City Council may, at the Council's option, de-annex and that Owner will not object or oppose such de-annexation in any manner or any forum.

13. **ATTORNEY FEES:** In any proceeding to enforce, apply or interpret this Agreement, each party shall bear its own attorneys' fees and costs.

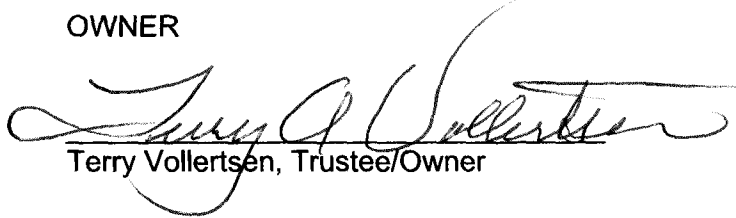
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

CITY



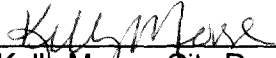
Keith Witcosky, City Manager

OWNER



Terry Vollertsen, Trustee/Owner

ATTEST:



Kelly Morse, City Recorder

STATE OF OREGON)
) ss.
County of Deschutes)

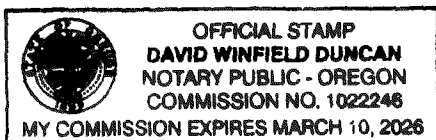
Keith Witcosky, City Manager, on behalf of the City of Redmond, who acknowledged that he had authority to sign on behalf of the City of Redmond and this instrument to be the City's voluntary act and deed, acknowledged this instrument before me this 6th day of December 2022.



Kelly Morse
Notary Public for Oregon

STATE OF OREGON)
) ss.
County of MULTNOMAH)
County of Deschutes)

This instrument was acknowledged before me this 18 day of November 2022, by TERRY A. VOLLERTSEN, TRUSTEE, who acknowledged this instrument to be his/her voluntary act and deed.



David Duncan
Notary Public for Oregon

Exhibit "A"

The Northwest Quarter of the Southeast quarter (NW1/4SE1/4) of Section Five (5), Township Fifteen (15) South, Range Thirteen (13), East of Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM Description of a parcel of land situated in and being the South Half of the South Half of the South Half of the Northwest Quarter of the Southeast Quarter (S1/2S1/2S1/2NW1/4SE1/4) of Section Five (5), Township Fifteen (15) South, Range Thirteen (13), East of Willamette Meridian, Deschutes County, Oregon, Being more particularly described as follows:

Commencing at a 1" steel pin at the South quarter corner of said Section 5, the initial point; thence North 00°41'06" West along the North-South centerline of said Section 5 1323.21 feet to a ½" pipe at the Southwest corner of said NW1/4SE1/4 and the point beginning; thence North 00°41'06" West along the West line of said NW1/4SE1/4 165.40 feet to a ½" pipe; thence North 88°40'50" East along the North line of said S1/2S1/2S1/2NW1/4SE1/4, 1319.43 feet to a ½" pipe; thence South 00°39'48" West along the East line of said NW1/4SE1/4, 165.19 feet to a ½" pipe at the Southeast corner of said NW1/4SE1/4; thence South 88°40'19" West along the South line of said NW1/4SE1/4, 1319.37 feet to the point of beginning.

AND ALSO EXCEPTING: Description of a parcel of land located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Five (5) Township Fifteen (15) South, Range Thirteen (13), East of Willamette Meridian, Deschutes County, Oregon, beginning the West Half of the North Half of the South Half of the South Half of the Northwest Quarter of the Southeast Quarter (N1/2S1/2S1/2NW1/4SE1/4) of said section 5 being more particularly described as follows.

The West Half of the parcel described as: Commencing at a 1" steel pin at the South Quarter Corner of said Section 5, the initial point; thence North 00°41'06" West along the North-South centerline of said Section 5, 1488.61 feet to a ½" pipe the point of beginning; thence North 00°41'06" West along the North-South centerline of said Section 5, 165.4 feet; thence North 88°41'20" East, 1319.49 feet to the East line of said NW1/4SE1/4, thence South 00°39'48" West along the East line of said NW1/4SE1/4 165.19 feet; thence South 88°40'50" West, 1319.43 feet to the North-South Centerline of said Section 5, the point of beginning.

ALSO EXCEPTING THEREFROM: Redmond Northwest Market Road (Northwest Way)

DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PACIFIC STAR ESTATES

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DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PACIFIC STAR ESTATES

The undersigned, Terry A. Vollertsen, Trustee of the Terry A. Vollertsen Living Trust Dated June 27, 2002 ("Declarant"), is the owner of the real property described as Tax Lot 403 and an eastern portion of Tax lot 400 in the City of Redmond, Deschutes County, Oregon (hereinafter referred to as "the Property"), and hereby makes the following Declaration of Covenants, Conditions and Restrictions ("Declaration"), covering the Property, specifying that this Declaration shall constitute covenants to run with all of said land and be binding upon all persons claiming under them, and that all covenants and restrictions shall be for the benefit of, and limitations upon all future owners, occupants, and tenants of said Property. Declarant intends to develop named Pacific Star Estates as a Class I planned community. To establish Pacific Star Estates as a planned community, Declarant desires to impose these mutually beneficial covenants, conditions, restrictions, easements, assessments and liens on the Property, under a comprehensive general plan of improvement and development for the benefit of all Lots and Common Area in Pacific Star Estates.

1. Land Use and Building Type. Pacific Star Estates consists 147 Lots, and 3.07 acres of R5 zoned area, all of which are restricted to dwellings used for residential purposes ("Home").

2. Dwelling and Other Structures. All dwellings and other buildings shall be constructed on site, and in accordance with the building requirements of the State of Oregon and the City of Redmond. Accessory Dwelling Units (ADU) are permitted on the Lot. Any ADU constructed on the Property shall be constructed to be compatible with the main dwelling in style and exterior materials and colors. No shops are permitted on the Lot. Small equipment sheds in the backyard shall be permitted if not visible from the street.

3. Completion of Construction. The construction of any building on any Lot, including painting and all exterior finish, shall be completed within twelve (12) months from the beginning of the construction so as to present a finished appearance when viewed from any angle. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval from the Declarant. If construction has not commenced within three (3) months after the project has been approved by the Declarant, the approval shall be deemed revoked unless the owner has applied for and received an extension of time from the Declarant.

4. Structures Prohibited As Residences. No tents, shacks, garages or other out buildings shall be allowed for residences.

5. No Commercial Use. No building or any part of any thereof shall be erected, maintained, or used on any Lot for any commercial purpose; provided that home occupations permitted in accordance with City of Redmond ordinances (such as a home office or art studio) may be allowed, provided that such home occupation does not generate significant pedestrian or vehicular traffic.

6. Nuisance. No obnoxious, noxious, or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may reasonably become an annoyance or nuisance to other persons in the subdivision. Parking of machinery, heavy duty vehicles or equipment on the street shall be deemed a nuisance. No inoperable motor vehicles, vehicles in disrepair or not currently licensed, equipment or similar items, shall not be stored on a Lot and/or street, except in the confines of the garage. Wood piles shall be adequately screened from view of the neighboring Lots and street. Such screening shall be subject to approval by the Architectural Review Committee (ARC). No outside burning of leaves, debris, trash, garbage or household refuse shall be permitted.

7. Garbage and Refuse Disposal. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or waste shall not be kept, except in sanitary containers. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.

8. Exterior Materials. Roofing material shall be tile or Architectural Composition in colors of gray, black, or Brown, with a minimum life expectancy of twenty-five (25) years. All exterior walls shall be constructed with siding such as cedar, redwood, concrete based lap, wood composite or other equivalent materials. Exterior trim, fences, doors, railings, decks, eaves, gutters and the exterior finish of garages and other accessory buildings shall be designed, built and maintained to be compatible with the exterior of the structure they adjoin.

9. Fences and Retaining Walls. No fence shall exceed six (6) feet in height and/or be forward of the front building line of the Home. Fences shall be constructed of wood, brick, wrought iron or stone and shall be good quality material. Wood fences shall be painted with Sherwin Williams color "Shagbark"

10. Parking. Parking shall be permitted in designated areas, driveways, and on street where not prohibited. No semi-truck, motor home, large boat, equipment trailers or camper trailer shall be stored or parked forward of the front building line for more than seventy-two (72) hours in one calendar month. Storage of said vehicles for any period longer than this time period shall be behind a sight-obscuring fence and shall be in an area fenced on all exterior sides. No owner shall permit any vehicle which is in extreme state of disrepair to be abandoned or to remain parked upon any Lot or street for a period in excess of twenty-four (24) hours.

11. Easements on the Plat. The Lots are subject to the easements and rights-of-way shown on the plat.

12. Service Facilities Antennas and Satellite Dishes. Service facilities (garbage containers, fuel tanks, clotheslines, etc.) shall be screened such that such facilities are not visible at any time from the street. All telephone, electrical, cable television and other utility installations shall be placed underground in conformance with applicable law. Except as otherwise provided by law or this section, no exterior antennas, satellite dishes, microwave, aerial, tower or other devices for the transmission or reception of television, radio or other forms of sound or electromagnetic radiation shall be erected, constructed or placed on any Lot. Exterior satellite dishes or antennas with a surface diameter of one (1) meter or less and antennas designed to receive television broadcast signals or multi-channel multi-point distribution (wireless cable) only may be placed on any Lot. This section and such rules shall not unreasonably delay or increase the cost of installation, maintenance or use or preclude reception of a signal of acceptable quality.

13. Oil and Mining Operations. No part of the Property shall be used for the purpose of mining, exploring for, taking thereof or producing therefrom any substances.

14. Utility and Drainage Easements. Notwithstanding anything expressed or implied to the contrary, this Declaration shall be subject to all easements granted or acquired by Declarant for the installation and maintenance of utilities and drainage facilities necessary for the development of Pacific Star Estates. No structure, planting or other material that may damage or interfere with the installation or maintenance of utilities, that may change the direction of flow of drainage channels in the easements, or that may obstruct or retard the flow of water through drainage channels in the easement areas shall be placed or permitted to remain within any easement area.

15. Building Location. All Homes within the Property shall comply with City of Redmond setback requirements.

16. Animals. No animals, livestock or poultry of any kind, other than a reasonable number of cats, dogs or birds as household domestic pets that are not kept, bred, or raised for commercial purposes and that are reasonably controlled so as not to be a nuisance, shall be raised, bred, kept or permitted within any Lot. Excluded from the foregoing restriction shall be small birds, fish, small reptiles and small animals which are kept in cages or tanks which are permanently kept within the interior of a Home. Owners must meet all applicable local laws for keeping of the same. Owners, whose animals cause any inconvenience or unpleasantness to other owners, shall take all steps reasonably necessary to prevent recurrence thereof. Owners whose pets damage other owners' Lots or personal property shall reimburse such other owners for reasonable costs actually incurred by such other owners in repairing such damage. An owner shall ensure that such owner's dog is leashed when off the Property or outside of the fenced area of such owner's Lot.

17. Use of Improvements During Construction; Damage or Destruction. No improvement upon any Lot shall be occupied until the same is completed and made to comply with covenants, conditions and restrictions contained in this Declaration. Any improvements which are partially or totally destroyed or damaged by fire, earthquake or otherwise, shall be removed, repaired or replaced within a reasonable time after such destruction or damage occurs.

18. Maintenance by Owner. Each owner shall be responsible for maintenance of owner's Lot and Home in a clean, sanitary and attractive condition and shall keep the same free from rubbish

and litter and maintain such Lot in a good condition as not to create a fire hazard, and repair and adequately paint, stain or otherwise maintain, repair and replace all improvements located thereon. In addition, each owner shall keep all shrubs, trees, grass, and plantings, of every kind on owner's Lot, neatly trimmed, irrigated, properly cultivated and free of trash, weeds and other unsightly material, including the strip of land, called a planting strip, which is between the street curb and the public sidewalk in front of the Lot, as if it were part of the Lot, and maintain street trees in this strip or within an easement on the Lot as may be required by the City code on street trees.

19. Rental of Homes. An owner may rent or lease such owner's Home or a portion thereof, provided that the following conditions are met:

19.1 Written Rental Agreements Required. The owner and the tenant enter into a written rental or lease agreement specifying that (i) the tenant shall be subject to all provisions of the Declaration and rules and regulations, and (ii) a failure to comply with any provision of the Declaration and rules and regulations shall constitute a default under the rental or lease agreement;

19.2 Tenant Must be Given Documents. The owner gives each tenant a copy of the Declaration and rules and regulations.

19.3 Minimum Rental Term. The minimum rental period shall be no less than thirty days. No residence or any portion thereof shall be used as a short term, or vacation rental.

20. Landscaping. Landscaping for all portions of the Lot shall commence within one hundred twenty (120) days after sale of a Home from the builder to a third party, and shall be completed within six (6) months after such sale. Each owner shall obtain the ARC prior approval of all landscaping plans before commencing installation of any landscaping. Owners shall irrigate their entire yard to keep lawns green and other landscaping fresh. Weeds and diseased or dead lawn, trees, ground cover or shrubs shall be removed and replaced. Lawns shall be neatly mowed and trees and shrubs shall be neatly trimmed.

21. Signs and Holiday Lights. No sign of any kind shall be displayed to the public view on any Lot except one professional sign conforming to City of Redmond's sign regulations regarding placement and dimensions, advertising the property for sale or rent or signs used by a builder to advertise the property during the construction and sales period. Real estate signs must be removed within three (3) days of the closing of the sale or signing of a rental agreement. Holiday lights and displays must be removed within seven (7) days of the end of the holiday. Standard street signs and visual address signs for directing fire, life and safety personnel shall be allowed. Political yard signs are allowed and may be posted no more than three (3) months prior to a scheduled vote and must be removed within three (3) weeks of the vote. Temporary garage sale and similar personal signs may be placed by the owner for no more than four (4) days in a row or within a month.

22. Benefit. The protective covenants, conditions, and restrictions contained herein shall inure to the benefit of and shall be binding upon Declarant and all parties who claim any interest in the Property, including, without limitation, all residents of the Property. These

provisions shall constitute a covenant running with the land, and shall be deemed to touch and concern the land.

23. Architectural Review. No improvement shall be commenced, erected, placed or altered on any Lot until the construction plans and specifications showing the nature, shape, heights, materials, colors, and proposed location of the improvement have been submitted to and approved in writing by the Architectural Review Committee ("ARC"). Once plans are submitted, then approval or denial shall be determined by the ARC within one (1) month. Denial must be in writing and delivered to the applicant within one (1) week of the determination specifically listing in detail which aspects of the plans or specifications are lacking, otherwise they are automatically approved. Declarant shall be the ARC until Pacific Star Estates is 100% built out and all Lots are sold with dwellings occupied. After that, the owners may elect from among themselves a three (3) member ARC. No election is valid without 75% participation of the owners, one vote per lot. The ARC, at its sole discretion, may withhold consent to any proposed work if the ARC finds the proposed work would be inappropriate for the particular Lot or incompatible with the design standards that the ARC intends for Pacific Star Estates. The ARC may consider siting, shape, size, color, design, height, solar access or other effect on the enjoyment of other Lots or any other factors that it reasonably believes to be relevant in determining whether or not to consent to any proposed work. Consent by the ARC to any matter proposed to it or within its jurisdiction shall not be deemed to constitute precedent or waiver impairing its right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent. The Declarant shall not be liable to any person or entity for any damage, loss or prejudice suffered or claimed on account of any action or failure to act, provided only that the Declarant has, in accordance with its or his actual knowledge, acted in good faith. The Declarant shall not be responsible for determining compliance with structural and building codes, solar ordinances, zoning codes or other governmental regulations, all of which are the applicant's responsibility.

24.

FUNDS AND ASSESSMENTS

1.1 Purpose of Assessments; Expenses. The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, aesthetics and welfare of the Owners and Occupants of Pacific Star Estates, for the improvement, operation and maintenance of the Common Area and the Commonly Maintained Property (including private alleys), for the payment of obligations of the Association, for the administration and operation of the Association and for property and liability insurance.

1.2 Covenants to Pay. Owners covenant and agree to pay the Association the assessments and any additional charges levied pursuant to this Declaration or the Bylaws. All assessments for operating expenses, repairs and replacement and reserves shall be allocated among the Lots and their Owners as set forth in Section 10.4.2. Provided, however, Lots owned by the Declarant shall not be subject to assessment.

1.2.1 Funds Held in Trust. The assessments collected by the Association shall be held by the Association for and on behalf of each Owner and shall be used solely as set forth in Section 10.1. The assessments are the property of the Association and are not refundable to Owners or Lots. Upon the sale or transfer of any Lot, the Owner's interest in such funds shall be deemed automatically transferred to the successor in interest to such Owner.

1.2.2 Offsets. No offsets against any assessment shall be permitted for any reason, including, without limitation, any claim that the Association is not properly discharging its duties.

1.2.3 Right to Profits. Association profits, if any, shall be the property of the Association and shall be contributed to the Current Operating Account.

1.3 Basis of Assessment; Commencement of Assessments. The Declarant shall pay all common expenses of the Association until the Lots are assessed for common expenses. The amount of the initial annual assessment to Owners other than the Declarant shall be determined by the Declarant. The Declarant shall be exempt from paying any assessments (operating, special and reserve) on all Lots owned by it.

1.3.1 Commencement of Operating Assessments. The date of commencement of the operating assessments for a Lot shall be ninety (90) days following the date a building permit is issued for a Lot. Operating assessments may not be accrued. The Declarant shall be exempt from paying the operation portion of the assessment on all Lots owned by it.

1.3.2 Commencement of Reserves. The reserve portion of the assessment shall commence for a Lot from date of transfer of ownership of that Lot from the Declarant to a third party, but can be accrued if the Lot is sold to a home builder for building a Home. The accrued reserves must be paid when the home builder sells the completed Home to a third party. Provided, however, the reserves cannot be accrued beyond the date of the Turnover Meeting. If the Lot is not being sold to a home builder, then the reserves may not be accrued and must be paid when billed. The Declarant shall be exempt from paying the reserve portion of the assessment on all Lots owned by it.

1.4 Annual Assessments. Annual assessments for each year shall be established when the Board approves the budget for that year. The initial assessment and the implementation thereof shall be determined by the Declarant and shall be prorated on a monthly basis. For prospective purposes, any portion of a month shall count as a full month. Unless otherwise specified by the Board, annual assessments shall be due and payable on the first day of each calendar year during the term of this Declaration.

1.4.1 Budgeting. Regardless of the number of Members or the amount of assets of the Association, each year the Board shall prepare, approve and make available to each Member a pro forma operating statement (budget) containing: (i)

estimated revenue and expenses; (ii) the amount of the total cash reserves of the Association currently available for replacement or major repair of the Common Area, Commonly Maintained Property and for contingencies; (iii) an itemized estimate for the remaining life of, and the methods of funding to defray repair, replacement or additions to major components of the Common Area and Commonly Maintained Property; and (iv) a general statement setting forth the procedures used by the Board in the calculation and establishment of reserves to defray the costs of repair, replacement or additions to major components of the Common Area and Commonly Maintained Property. Once assessments begin, the Board shall annually prepare and approve the budget and distribute a copy thereof to each Member, together with written notice of the amount of the annual assessments to be levied against the Owner's Lot, not less than thirty (30) days and not more than ninety (90) days prior to the beginning of the calendar year.

1.4.2 Allocation of Assessments. The total amount in the budget shall be charged equally against all Lots that are subject to assessment.

1.4.3 Nonwaiver of Assessments. If before the expiration of any year the Association fails to fix annual assessments for the next year, the annual assessments established for the preceding year shall continue until a new annual assessment is fixed.

1.5 Special Assessments. The Board and/or the Owners shall have the power to levy special assessments against an Owner or all Owners in the following manner for the following purposes; provided however, the Declarant shall be exempt from special assessments:

1.5.1 Correct Deficit. To correct a deficit in the operating budget, by vote of a majority of the Board;

1.5.2 Special Obligations of an Owner. To collect amounts due to the Association from an Owner for breach of the Owner's obligations under this Declaration, the Bylaws, or the Rules and Regulations, by vote of a majority of the Board;

1.5.3 Repairs. To collect additional amounts necessary to make repairs or renovations to the Common Area or Commonly Maintained Property if sufficient funds are not available from the operating budget or replacement reserve accounts, by vote of a majority of the Board; or

1.5.4 Capital Improvements. To make capital acquisitions, additions or improvements, by vote of at least eighty percent (80%) of all votes allocated to the Lots.

1.6 Accounts.

1.6.1 Types of Accounts. Assessments collected by the Association shall be deposited into at least two (2) separate accounts with a bank, which accounts shall be

clearly designated as (i) the Current Operating Account and (ii) the Reserve Account. The Board shall deposit those portions of the assessments collected for current maintenance and operation into the Current Operating Account and shall deposit those portions of the assessments collected as reserves for major maintenance, repair, replacement and deferred maintenance of the Common Area and Commonly Maintained Property into the Reserve Account. Withdrawal of funds for the Association's Reserve Account shall require the approval of either two (2) Directors or one (1) Director and an officer of the Association who is not a Director. In its books and records, the Association shall account separately for operating expenses relating to the Common Area and Commonly Maintained Property and operating expenses relating to all other matters, as well as for necessary reserves relating to the Common Area and Commonly Maintained Property and necessary reserves relating to all other matters.

1.6.2 Reserve Account. Declarant shall establish a Reserve Account, in the name of the Association, which shall be kept separate from all other funds held by the Association. The Association shall pay out of the Reserve Account only those costs that are attributable to the maintenance, repair or replacement of Common Area property and Commonly Maintained Property that normally requires major maintenance, repair or replacement, in whole or in part, within one (1) to thirty (30) years and not for regular or periodic maintenance and expenses. No funds collected for the Reserve Account may be used for ordinary current maintenance and operation purposes.

1.6.2.1 Calculation of Reserve Assessment; Reserve Study and Maintenance Plan. The reserve assessment is based on the estimated remaining life and current replacement cost of Common Area property and Commonly Maintained Property which normally requires major maintenance, repair or replacement, in whole or in part, within one (1) to thirty (30) years. Not less often than annually, the Board of Directors shall inventory all items of Common Area property and Commonly Maintained Property and shall estimate the remaining life of each item and the current replacement cost of each of such items. The total Reserve Account assessment shall be equal to the sum of the estimated major maintenance, repair or replacement cost of each item which has an estimated life of greater than one (1) but less than thirty (30) years, divided by the estimated number of years of life for such item. The Board of Directors shall establish a thirty (30)-year plan for maintenance, repair and replacement of Common Area and Commonly Maintained Property with regular and adequate contributions, adjusted by estimated inflation and interest earned on reserves, to meet the maintenance, repair, and replacement schedule. The Board of Directors shall, within thirty (30) days after conducting the reserve study, provide to every owner a written summary of the reserve study and of any revisions to the thirty (30)-year plan adopted by the Board of Directors or the Declarant as a result of the reserve study. The reserve account assessment shall be allocated pursuant to Section 10.4.2. The Board of Directors shall annually conduct a reserve study and a maintenance plan for the common elements, or review and update an existing study of Common Area or Commonly Maintained Property to determine the reserve account requirements.

1.6.2.2 Loan From Reserve Account. After the Turnover Meeting, the Board may borrow funds from the Reserve Account to meet high seasonal demands on the Association's regular operating fund or to meet unexpected increases in expenses. Funds borrowed must be repaid later from assessments if the Board has adopted a resolution, which may be an annual continuing resolution, authorizing the borrowing of funds. Not later than the adoption of the budget for the following year, the Board shall adopt by resolution a written payment plan providing for repayment within a reasonable period.

1.6.2.3 Investment of Reserve Account. Assessments paid into Reserve Accounts shall be kept with a safe and responsible depository, shall be accounted for separately and, if invested, the Association must comply with the restrictions set forth in the Planned Community Act.

1.6.2.4 Refunds of Assessments. Assessments paid into the Reserve Account are the property of the Association and are not refundable to sellers or Owners of Lots. Sellers or Owners of Lots may treat their outstanding share of the Reserve Account's balance as a separate item in the sales contract providing for the conveyance of their Lot. No Owner shall have any individual rights in any of these reserves, although it is understood that the value of an Owner's Lot may increase in proportion to such Lot's right to receive repair, maintenance and replacement therefrom.

1.6.3 Current Operating Account. All costs other than those to be paid from the Reserve Account may be paid from the Current Operating Account.

1.7 Default in Payment of Assessments; Enforcement of Liens.

1.7.1 Personal Obligation. All assessments properly imposed under this Declaration or the Bylaws shall be the joint and several personal obligation of all Owners of the Lot to which such assessment pertains. In a voluntary conveyance (that is, one other than through foreclosure or a deed in lieu of foreclosure), the grantees shall be jointly and severally liable with the grantors for all Association assessments imposed through the recording date of the instrument effecting the conveyance. A suit for a money judgment may be initiated by the Association to recover such assessments without either waiving or foreclosing the Association's lien.

1.7.2 Association Lien. The Association shall have a lien against each Lot for any assessment (of any type provided for by this Declaration or the Bylaws) or installment thereof that is delinquent. The Association's lien shall accumulate all future assessments or installments, reimbursement assessments, interest, late fees, penalties, fines, attorneys' fees (whether or not suit or action is instituted), actual administrative costs, and other appropriate costs properly chargeable to an Owner by the Association, until such amounts are fully paid. Recording of the Declaration constitutes record notice and perfection of the lien. Said lien may be foreclosed at any time pursuant to the Planned Community Act. The Association shall record a notice of a claim of lien for assessments and other charges in the deed records of Deschutes

County, Oregon, before any suit to foreclose may be filed. The lien of the Association shall be superior to all other liens and encumbrances except property taxes and assessments, any first mortgage, deed of trust or land sale contract recorded before the Association's notice of lien.

1.7.3 Interest; Fines; Late Fees; Penalties. The Board, in its reasonable discretion, may from time to time adopt resolutions to set the rate of interest and to impose late fees, fines and penalties on delinquent assessments or for violations of the provisions of this Declaration, the Bylaws, Architectural Standards and the Rules and Regulations adopted by the Board or the ARC. The adoption of such impositions shall be communicated to all Owners in writing before the effective date by a notice mailed to the assessment billing address of such Owners or transmitted electronically to the Owners as permitted by the Planned Community Act. Such impositions shall be considered assessments that are lienable and collectible in the same manner as any other assessments; provided, however, that fines or penalties for violation of this Declaration, the Bylaws or any rule and regulation, other than late fees, fines or interest arising from an Owner's failure to pay regular or special assessments may not be imposed against an Owner or such Owner's Lot until such Owner is given an opportunity for a hearing as elsewhere provided herein.

1.7.4 Acceleration of Assessments. If an Owner is delinquent in payment of any assessment or installment on any assessment, the Association, upon not less than ten (10) days' written notice to the Owner, may accelerate the due date of the full annual assessment for that calendar year and all future installments of any special assessments.

1.7.5 Association's Right to Rents; Receiver. In any foreclosure suit by the Association with respect to such lien, the Association shall be entitled to collect reasonable rent from the defaulting Owner for the use of such Owner's Lot or shall be entitled to the appointment of a receiver.

1.8 Statement of Assessments.

1.8.1 The Association shall provide, within ten (10) business days of receipt of a written request from an Owner, a written statement that provides:

1.8.1.1 The amount of assessments due from the Owner and unpaid at the time the request was received, including:

- (a) Regular and special assessments;
- (b) Fines and other charges;
- (c) Accrued interest; and
- (d) Late payment charges.

1.8.1.2 The percentage rate at which interest accrues on assessments that are not paid when due.

1.8.1.3 The percentage rate used to calculate the charges for late payment or the amount of a fixed charge for late payment.

1.8.2 The Association is not required to comply with Section 10.8.1 if the Association has commenced litigation by filing a complaint against the Owner and the litigation is pending when the statement would otherwise be due.

25.

ARTICLE 11

GENERAL PROVISIONS

2.1 Records. The Board shall preserve and maintain minutes of the meetings of the Association, the Board and any committees. The Board also shall keep detailed and accurate financial records, including individual assessment accounts of Owners, the balance sheet, and income and expense statements. Individual assessment accounts shall designate the name and address of the Owner or Owners of the Lot, the amount of each assessment as it becomes due, the amounts paid upon the account, and the balance due on the assessments. The minutes of the Association, the Board and Board committees, and the Association's financial records shall be maintained in the state of Oregon and reasonably available for review and copying by the Owners. A reasonable charge may be imposed by the Association for providing copies.

2.2 Indemnification of Directors, Officers, Employees and Agents. The Association shall indemnify any Director, officer, employee or agent who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by the Association) by reason of the fact that such person is or was a Director, officer, employee or agent of the Association or is or was serving at the request of the Association as a Director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by said person in connection with such suit, action or proceeding if such person acted in good faith and in a manner that such person reasonably believed to be in, or not opposed to, the best interest of the Association, and, with respect to any criminal action or proceedings, had no reasonable cause to believe that such person's conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or with a plea of nolo contendere or its equivalent, shall not of itself create a presumption that a person did not act in good faith and in a manner which such person reasonably believed to be in, or not opposed to, the best interest of the Association, and, with respect to any criminal action or proceedings, had reasonable cause to believe that such person's conduct was unlawful. Payment under this clause may be made during the pendency of such claim, action, suit or proceeding as and when incurred, subject only to the right of the Association to reimbursement of such payment from such person, should it be proven at a later time that such person had no right to such payments. All persons who are ultimately held liable for their actions on behalf of the Association as a Director, officer, employee or agent shall have a right of contribution over and against all other Directors, officers, employees or agents and members of the Association who participated with or benefited from the acts which created said liability.

2.3 Enforcement; Attorneys' Fees. The Association and the Owners and any mortgagee holding an interest on a Lot shall have the right to enforce all of the covenants, conditions, restrictions, reservations, easements, liens and charges now or hereinafter imposed by any of the provisions of this Declaration as may appertain specifically to such parties or Owners by any proceeding at law or in equity. Failure by either the Association or by any Owner or mortgagee to enforce any covenant, condition or restriction herein contained shall in no event be deemed a waiver of their right to do so thereafter. No Owner may compel the Association to take any specific enforcement

action. In the event suit or action is commenced to enforce the terms and provisions of this Declaration (including without limitations, for the collection of assessments), the prevailing party shall be entitled to its actual administrative costs incurred because of a matter or event which is the subject of the suit or action, attorneys' fees and costs in such suit or action to be fixed by the trial court, and in the event of an appeal, the cost of the appeal, together with reasonable attorneys' fees, to be set by the appellate court. In addition thereto, the Association shall be entitled to its reasonable attorneys' fees and costs incurred in any enforcement activity or to collect delinquent assessments, together with the Association's actual administrative costs, whether or not suit or action is filed.

2.4 Construction Defect Claim Procedure. No litigation shall be commenced against the Declarant, contractor or builder of the Home or any Owner of a Lot in respect to any alleged defect in a Home or on any Common Area except in compliance with the process set forth in ORS 701.560 to 701.595 and ORS 701.605.

2.5 Severability. Invalidation of any one of these covenants, conditions or restrictions by judgment or court order shall not affect the other provisions hereof and the same shall remain in full force and effect.

2.6 Duration. The covenants, conditions and restrictions of this Declaration shall run with and bind the land for a term of thirty-five (35) years from the date of this Declaration being recorded, after which time they shall be automatically extended for successive periods of ten (10) years, unless rescinded by a vote of at least ninety percent (90%) of the Owners and ninety percent (90%) of the first mortgagees; provided, however, that amendments that do not constitute rescission of the planned community may be adopted as provided in Section 11.7.

2.7 Amendment. Except as otherwise provided in Section 11.6 or ORS 94.590, and the restrictions set forth elsewhere herein, this Declaration may be amended at any time by an instrument approved by not less than seventy-five percent (75%) of the total votes of members that are eligible to vote. Any amendment must be executed, recorded and certified as provided by law; provided, however, that no amendment of this Declaration shall effect an amendment of the Bylaws or Articles without compliance with the provisions of such documents, and the Oregon Nonprofit Corporation Act and that no amendment affecting the general plan of development or any other right of Declarant herein contained may be effected without the express written consent of Declarant or its successors and assigns, including, without limitation, amendment of this Section.

2.8 Release of Right of Control. ¹Declarant may give up its right of control in writing at any time by notice to the Association.

2.9 Unilateral Amendment by Declarant. In addition to all other special rights of Declarant provided in this Declaration, Declarant may amend this Declaration in order to comply with the requirements of the Federal Housing Administration of the United States, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Mortgage Loan Corporation, any department, bureau, board, commission or agency of the United States or the State of Oregon, or any other state in which the Lots are marketed and sold, or any corporation wholly owned, directly or indirectly, by the United States or the State of Oregon, or such other state, the approval of which entity is required in order for it to insure, guarantee or provide financing in connection with development of the Property and sale of Lots. Prior to the Turnover Meeting, no such amendment shall require notice to or approval by any Class A member.

26. Construction Buildings and Marketing Rights. Declarant shall have the right to construct a temporary construction office and maintain a sales office and model on one or more of the Lots which Declarant owns. Declarant and prospective purchasers and their agents shall have the right to use and occupy the sales office and models during reasonable hours any day of the week. Declarant may maintain a reasonable number of "For Sale" signs at reasonable locations on the Property.
27. Titles Subject to Restrictions. Nothing contained in this Declaration shall impair or defeat the lien of any mortgage or deed of trust made in good faith and for value, but titles to any property subject to this Declaration obtained through sale in satisfaction of any such mortgage or deed of trust shall, therefore, be held subject to all of the protective covenants, conditions and restrictions hereof.
28. Enforcement: Attorneys' Fees. The Lot owners or any mortgagee on any Lot shall have the right to enforce all of the covenants, conditions, restrictions, reservations, easements, liens and charges now or hereinafter imposed by any of the provisions of this Declaration as may appertain specifically to such parties or owners by any proceeding at law or in equity. Failure by the owners or mortgagee to enforce any covenant, condition or restriction herein contained shall in no event be deemed a waiver of their right to do so thereafter. In the event suit or action is commenced to enforce the terms and provisions of this Declaration, the prevailing party shall be entitled to its attorneys' fees and costs in such suit or action to be fixed by the trial court, and in the event of an appeal, the cost of the appeal, together with reasonable attorneys' fees, to be set by the appellate court.
29. Severability. Invalidation of any one of these covenants, conditions and restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
30. Amendment and Termination. This Declaration of Covenants, Conditions, and Restrictions may be amended with the seventy-five percent (75%) consent of the owners of all Lots and the consent of the Declarant so long as the Declarant owns a Lot in Pacific Star Estates. Once Declarant no longer owns any Lot in Pacific Star Estates, the Declaration may be amended with the consent of seventy-five percent (75%) of all owners.