Application for Subdivision- Sandy Bluff Annex 4

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Location: 15185 SE Kampa Lane
West of Jewelberry Avenue, North of American Street
North of Sandy Bluff Annex 3

Legal Description: Tax Lot 700, T2S R4E Section 11AC, WM

Zoning: SFR – Single Family Residential

Site Size 5.94 Acres

Proposal To develop a 7 lot subdivision, with all lots consistent with the standards of the SFR zone. An existing home would remain on a Tract that would be retained by the owner for future development. A variance to the tree retention standards of Chapter 17.102 is also requested.
INTRODUCTION:

This application requests Tentative Plat approval for a 7 lot subdivision. The subject property is a portion of Tax Lot 700 of Clackamas County Assessor’s Map 2 4E 11AC. This site is located on the north side of American Street at its intersection with Penny Avenue. The property is immediately north of the Sandy Bluff Annex 3 subdivision and is westerly of Jewelberry Avenue.

The property is one of three parcels recently annexed into the City of Sandy. One home is located on the property and it shares a driveway access to Jewelberry Avenue with Tax Lot 900 to the south. A Bonneville Power Administration easement passes through the northwest portion of Tax Lot 700. Forty-eight trees are located on the property; however an arborists report has determined that the majority of the trees are in poor or moderate condition.

The site generally falls to the west and northwest. Public water and sewer are available to the site in American Street. Public storm drain facilities are also available in American Street.

A seven lot subdivision is proposed to create lots in the southern portion of the property near American Street. The existing home is proposed to remain in possession of the applicant on Tract A, for future development.

Figure 1: Vicinity Map
COMPLIANCE WITH APPROVAL CRITERIA:

CHAPTER 17.30 ZONING DISTRICTS

17.30.10 ZONING MAP

The Zoning Map is incorporated herein and is deemed as much a part of this Code as if fully set forth. If a conflict appears between the Zoning Map and the written portion of this Code, the written portion shall control. The map and each amendment shall remain on file in the Planning Director’s Office.

The boundaries of all districts are established as shown on the Zoning Map, which is made a part of this Code. All notations and references and other matters shown shall be and are hereby made part of this Code.

Comment: The Zoning Map identifies the subject property as being located in the Single Family Residential Zone (SFR).

17.30.20 RESIDENTIAL DENSITY CALCULATION PROCEDURE

The number of dwelling units permitted on a parcel of land is calculated after the determination of the net site area and the acreage of any restricted development areas (as defined by Chapter 17.60). Limited density transfers are permitted from restricted development areas to unrestricted areas consistent with the provisions of the Flood and Slope Hazard Area Overlay District, Chapter 17.60.

Calculation of Net Site Area (NSA): Net site area should be calculated in acres based upon a survey of the property boundaries excluding areas dedicated for public use.

Comment: The 5.93 acre site is located north of American Street and west of Jewelberry Avenue. Jewelberry Avenue has a full 30-foot wide half right-of-way on the project side of centerline and American Street has a full 50-foot width where the street has already been dedicated. In Phase 4, the current Phase, 12,472 sq. ft. of public street right-of-way will be dedicated to extend American Street east and to create a new north-south street, Sunflower Drive. Per the submitted Shadow Plat, it is anticipated that with future development an additional 23,489 sq. ft. will be dedicated for public street right-of-ways.

The site has no Restricted Development Areas as defined by Section 17.60.20(A).

A Bonneville Power Administration (BPA) right-of-way cuts across the northwest corner of the property on an angle and the BPA right-of-way encumbers 1.97 acres of the site, 33 percent of the total area. Although the BPA right-of-way cannot have structures built upon it, however the right-of-way area can be utilized for yard area on lots that have buildable areas outside the BPA right-of-way. An application has been submitted to BPA for use of their right-of-way. The BPA right-of-way is an area of the site given for the
purpose of transmission of power for public distribution, although a certain amount of the area can be utilized, in the same manner that a public utility easement on the front of a lot can be utilized.

Because the BPA right-of-way is an unusual feature and it skews the line as to what is considered “usable” or “not usable” area, the following density calculations for the Phase 4 area only and for the total site area look at several different variations as to what could be considered as “usable” BPA right-of-way area in order to determine the Net Site Area used in the allowable minimum and maximum density calculations. Diagrams that reflect the area included in each calculation are located in Appendix A of this narrative.

**DENSITY CALCULATIONS:**

**Calculation 1, Phase 4 Only:**
Tract A is not included in Site Area calculation. Assume Net Site Area includes all of Lots 1 – 7, including the portions of Lots 1 and 6 that fall within the BPA right-of-way. Public street areas are dedicated for public use.

Phase 4 Site Area (does not include Tract A) = 66,929 sq. ft.  
Minus area dedicated for public street use = 12,742 sq. ft.  
Net Site Area = 54,457 sq. ft. = 1.25 Acres

Minimum number of Dwelling Units = 1.25 Acres x 3 units per acre = 3.75 => 3 units

Maximum number of Dwelling Units = 1.25 Acres x 5.8 units per acres = 7.25 => 7 units

**Calculation 2, Phase 4 Only:**
Tract A is not included in the Site Area calculation. Assume Net Site Area includes those portions of Lots 1 through 7 located outside of the BPA right-of-way. Assume that the entire BPA right-of-way and the public street areas are dedicated for public use.

Phase 4 Site Area (does not include Tract A) = 66,929 sq. ft.  
Minus area dedicated for public street use = 12,742 sq. ft.  
Minus lot area within the BPA right-of-way = 2,938 sq. ft.  
Net Site Area = 51,249 sq. ft. = 1.177 Acres

Minimum number of Dwelling Units = 1.177 Ac. x 3 units per acre = 3.53 => 3 units

Maximum number of Dwelling Units = 1.177 Ac. x 5.8 units per acres = 6.82 => 7 units
**Calculation 3, Phase 4 Only.** Phase 4 lots together with a portion of Tract A:
Assume Net Site Area includes all of Lots 1 – 7 together with that portion of Tract A being used in Phase 4 for storm water management. Assume that public street areas are dedicated for public use.

Site Area (Phase 4 and a portion of Tract A) = 117,008 sq. ft.
Minus area dedicated for public street use = 12,742 sq. ft.
Net Site Area = 104,266 sq. ft. = 2.394 Acres

Minimum number of Dwelling Units = 2.394 Ac. x 3 units per acre = 7.18 => 7 units

Maximum number of Dwelling Units = 2.394 Ac. x 5.8 units per acre = 13.9 => 14 units

The 7 lots being proposed in Phase 4 meet the maximum and minimum number of dwelling units for the three scenarios presented in Calculations 1 through 3, above.

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**Calculation 4, Complete Site Development Calculation:**
Assume that Net Site Area includes all lot areas, including those portions located inside the BPA right-of-way. The remainder of the BPA right-of-way and the public street areas are for public use.

Total Site Area = 258,624 sq. ft.
Minus area within BPA right-of-way within Tract A = 70,006 sq. ft.
Minus area dedicated for public street use = 35,961 sq. ft.
Net Site Area = 152,657 sq. ft. = 3.505 Acres

Minimum number of Dwelling Units = 3.505 Ac. x 3 units per acre = 10.51 => 11 units

Maximum number of Dwelling Units = 3.505 Ac. x 5.8 units per acre = 20.33 => 20 units

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**Calculation 5, Complete Site Development Calculation:**
Assume that the Net Site Area includes none of the BPA right-of-way. All BPA right-of-way and public street right of way is for public use.

Total Site Area = 258,624 sq. ft.
Minus area within BPA right-of-way = 85,880 sq. ft.
Minus area dedicated for public street use = 35,534 sq. ft.
Net Site Area = 137,210 sq. ft. = 3.150 Acres

Minimum number of Dwelling Units = 3.150 Ac. x 3 units per acre = 9.45 => 9 units

Maximum number of Dwelling Units = 3.150 Ac. x 5.8 units per acre = 18.27 => 18 units
**Calculation 6. Complete Site Development Calculation:**
Assume that the Net Site Area includes the entire site minus the public street right of way for public use.

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Site Area</td>
<td>258,624 sq. ft.</td>
</tr>
<tr>
<td>Minus area dedicated for public street use</td>
<td>35,961 sq. ft.</td>
</tr>
<tr>
<td>Net Site Area</td>
<td>222,663 sq. ft. = 5.112 Acres</td>
</tr>
</tbody>
</table>

Minimum number of Dwelling Units = 5.112 Ac. x 3 units per acre = 15.3 => 15 units

Maximum number of Dwelling Units = 5.112 Ac. x 5.8 units per acre = 29.6 => 30 units

Based on the scenarios presented in Calculations 4 through 6 above, the minimum number of lots for the entire site should be between 9 and 15. The maximum number of lots for the entire site should be between 18 and 30. The shadow plat identifies with the existing home remaining, 17 lots and a small remainder area that could be added to a development to the south would be possible. If the existing home was removed, one additional lot could be created. The shadow plat is consistent with the density calculations for the Total Site Area.

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**B. Minimum and Maximum Dwelling Units for Sites with Restricted Areas**

Comment: This section does not apply as there are no Restricted Development Areas onsite as defined by Section 17.60.20(A).

**C. Lot Sizes:** Lot sizes shall comply with any minimum lot size standards of the underlying zoning district.

Comment: Lot sizes comply with the minimum lot size standards of the SFR Zoning District as demonstrated on the maps submitted with this application and with the response to the criteria of Chapter 17.34 Single Family Residential.

**D. Rounding:** A dwelling unit figure is rounded down to the nearest whole number for all total maximum or minimum figures less than four dwelling units. For dwelling unit figures greater than four dwellings units, a partial figure of one-half or greater is rounded up to the next whole number.

Comment: The minimum and maximum density calculations performed above were rounded in accordance with the criteria identified above.
CHAPTER 17.34 SINGLE FAMILY RESIDENTIAL (SFR)

17.34.10 PERMITTED USES

A. Primary Uses Permitted Outright:
   1. Single detached dwelling subject to design standards in Chapter 17.90;
   2. Single detached manufactured dwelling subject to design standards in Chapter 17.90;

Comment: Single family detached dwellings are proposed for the seven new lots being created in the current subdivision phase. New homes on these lots will need to comply with the design standards in Chapter 17.90. This can be verified at the time of building permit submittal. The existing detached dwelling proposed to remain on Tract A is exempt from meeting the standards of Chapter 17.90.

17.34.30 DEVELOPMENT STANDARDS

<table>
<thead>
<tr>
<th>Type</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Minimum Lot Area</td>
<td></td>
</tr>
<tr>
<td>- Single detached dwelling</td>
<td>7,500 square ft.</td>
</tr>
<tr>
<td>- Other permitted uses</td>
<td>No minimum</td>
</tr>
<tr>
<td>B. Minimum Average Lot Width</td>
<td></td>
</tr>
<tr>
<td>- Single detached dwelling</td>
<td>60 ft.</td>
</tr>
<tr>
<td>C. Minimum Lot Frontage</td>
<td>20 ft. except as allowed by Section 17.100.160</td>
</tr>
<tr>
<td>D. Minimum Average Lot Depth</td>
<td>No minimum</td>
</tr>
<tr>
<td>E. Setbacks (Main Building)</td>
<td></td>
</tr>
<tr>
<td>Front yard</td>
<td>10 ft. minimum</td>
</tr>
<tr>
<td>Rear yard</td>
<td>20 ft. minimum</td>
</tr>
<tr>
<td>Side yard (interior)</td>
<td>7.5 ft. minimum</td>
</tr>
<tr>
<td>Corner Lot</td>
<td>10 ft minimum on side abutting the street</td>
</tr>
<tr>
<td>F. Setbacks (Garage/Carport)</td>
<td>22 ft. minimum for front vehicle access</td>
</tr>
<tr>
<td></td>
<td>15 ft. minimum if entrance is perpendicular to street (subject to Section 17.90.220)</td>
</tr>
<tr>
<td></td>
<td>5 ft. minimum for alley or rear access</td>
</tr>
<tr>
<td>G. Projections into Required Setbacks</td>
<td>See Chapter 17.74</td>
</tr>
<tr>
<td>H. Accessory Structures in Required Setbacks</td>
<td>See Chapter 17.74</td>
</tr>
<tr>
<td>I. Structure Height</td>
<td>35 ft. maximum</td>
</tr>
</tbody>
</table>
J. Building Site Coverage  No minimum

K. Off-Street Parking  See Chapter 17.98

Comment: All lots will be used for construction of single-family homes, so the minimum lot size required by the SFR district would be 7,500 sq. ft. All lots meet or exceed this minimum standard. All lots also meet or exceed the minimum average lot width standard of 60 feet. All lots exceed the minimum frontage requirement of 20 feet. Setback requirement, structure height and building coverage can be addressed at the time of building permit application. Off street parking is addressed in the response to Chapter 17.98 and with the Residential Parking Analysis Plan.

17.34.40 MINIMUM REQUIREMENTS

A. Must connect to municipal water.
B. Must connect to municipal sewer if service is currently within 200 feet of the site. Sites more than 200 feet from municipal sewer, may be approved to connect to an alternative disposal system provided all of the following are satisfied:
   1. A county septic permit is secured and a copy is provided to the city;
   2. The property owner executes a waiver of remonstrance to a local improvement district and/or signs a deed restriction agreeing to complete improvements, including but not limited, to curbs, sidewalks, sanitary sewer, water, storm sewer or other improvements which directly benefit the property;
   3. The minimum size of the property is one acre or is a pre-existing buildable lot, as determined by the city;
   4. Site consists of a buildable parcel(s) created through dividing property in the city, which is less than five acres in size.
C. The location of any real improvements to the property must provide for a future street network to be developed.
D. Must have frontage or approved access to public streets.

Comment: All seven new lots will connect to municipal water and municipal sewer, and will have frontage an access to a City street. The existing house remaining on Tract A will stay on a well and septic system until such time as the remainder of the property is developed. The improvements allow for a future street system to be developed per the Future Street Plan submitted with this application.

17.34.50 ADDITIONAL REQUIREMENTS

A. Design review as specified in Chapter 17.90 is required for all uses.
B. Lots with 40 feet or less of street frontage shall be accessed by a rear alley or a shared private driveway.
C. Lots with alley access may be up to 10 percent smaller than the minimum lot size of the zone.
D. Zero Lot Line Dwellings: Prior to building permit approval, the applicant shall submit a recorded easement between the subject property and the abutting lot.
next to the yard having the zero setback. This easement shall be sufficient to guarantee rights for maintenance purposes of structures and yard, but in no case shall it be less than 5 ft. in width.

Comment: Design review for the new homes can be verified at the time of building permit application. Lots with 40 feet or less of street frontage, lots with alley access, and zero lot lines dwellings are not proposed with this application. Subsections B through D do not apply to the proposed application.

CHAPTER 17.98 PARKING, LOADING AND ACCESS REQUIREMENTS

17.98.200 RESIDENTIAL ON-STREET PARKING REQUIREMENTS

A. Residential On-Street Parking Requirements. Residential on-street parking shall conform to the following standards:

1. In addition to required off-street parking, all new residential planned developments, subdivisions and partitions shall provide one (1) on-street parking space within 200 feet of each dwelling except as provided in Section 17.98.200(A)(6) below.

Comment: On street parking spaces are identified on the Residential Parking Analysis Plan submitted with the application.

2. The location of residential on-street parking shall be reviewed for compliance with this section through submittal of a Residential Parking Analysis Plan as required in Section 17.98.10(M).

Comment: A Residential Parking Analysis Plan has been submitted with the application.

3. Residential on-street parking shall not obstruct required clear vision areas and shall not violate any local or state laws.

Comment: Clear vision areas are not obstructed with the proposed parking analysis.

4. Parallel residential on-street parking spaces shall be 22 feet minimum in length.

Comment: On-street parallel parking spaces are 22 feet minimum length.

5. Residential on-street parking shall be measured along the curb from the outside edge of a driveway wing or curb cut. Parking spaces must be set back a minimum of 15 feet from an intersection and may not be located within 10 feet of a fire hydrant.

Comment: On-street parking spaces are set back at least 15 feet from an intersection, 10 feet from a fire hydrant and do not encroach into a driveway wing.
6. Portions of residential on-street parking required by this section may be provided in parking courts that are interspersed throughout a development when the following standards are met:

Comment: Parking courts on not proposed with this application.

CHAPTER 17.100 LAND DIVISION

17.100.60 SUBDIVISIONS

Approval of a subdivision is required for a land division of 4 or more parcels in a calendar year. A two-step procedure is required for subdivision approval: (1) tentative plat review and approval; and (2) final plat review and approval.

A. Preapplication Conference. The applicant for a subdivision shall participate in a preapplication conference with city staff to discuss procedures for approval, applicable state and local requirements, objectives and policies of the Sandy Comprehensive Plan, and the availability of services. The preapplication conference provides the opportunity to discuss the conceptual development of the property in advance of formal submission of the tentative plan in order to save the applicant unnecessary delay and cost.

Comment: A pre-application conference was held on July 10, 2013 regarding the proposed subdivision.

B. Application Requirements for a Tentative Plat. Subdivision applications shall be made on forms provided by the planning department and shall be accompanied by:

Comment: A subdivision application form has been completed and is included with this application submittal. The required copies of the tentative plan, application fee and technical service deposit preliminary title search and list of affected property owners is included with this submittal. The Tentative Plat satisfies the size requirements of 17.100.60.C and contains the information listed in 17.100.60.D.

E. Approval Criteria. The Director or Planning Commission shall review the tentative plat for the subdivision based on the classification procedure (Type II or III) set forth in Section 17.12 and the following approval criteria:

1. The proposed subdivision is consistent with the density, setback and dimensional standards of the base zoning district, unless modified by a Planned Development approval.

Comment: The subject property is zoned Single Family Residential (SFR), which allows a residential density in the range of 3 to 5.8 units per net acre. As
demonstrated in response to Section 17.30.20 the proposed seven lot density is consistent with this allowable range. All lots will be used for construction of single-family homes, so the minimum lot size required by the SFR district would be 7,500 sq. ft. All lots meet or exceed this minimum standard. The minimum average lot width standard 60 feet in the SFR zone and all lots meet or exceed this width. All lots exceed the minimum frontage requirement of 20 feet. Setback requirements of the SFR district will be met and will be reviewed at the time of building permit application.

2.  *The proposed subdivision is consistent with the design standards set forth in this chapter.*

Comment: The proposed subdivision conforms to all design standards set forth in Chapter 17.100.60, as discussed below in this narrative.

3.  *The proposed street pattern is connected and consistent with the Comprehensive Plan or official street plan for the City of Sandy.*

Comment: The street pattern continues the street pattern planned for this area and will provide for connectivity consistent with the official street plan for the City of Sandy.

4.  *Adequate public facilities are available or can be provided to serve the proposed subdivision.*

Comment: As discussed at the pre-application conference, sanitary sewer is available from the existing lines in Penny Avenue and American Street. Water service is also available in American Street. Storm water from new streets will be collected in catch basins and treated and detained in a manner consistent with City standards. Please refer to the preliminary Utility Plan, Sheet 3 for additional information.

5.  *All proposed improvements meet City standards.*

Comment: The proposed streets and utility improvements will be designed in accordance with City of Sandy standards.

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

Comment: Not applicable. The project will be developed in a single phase.

**17.100.70 LAND DIVISION DESIGN STANDARDS**

*All land divisions shall be in conformance with the requirements of the applicable base zoning district and this chapter, as well as with other applicable provisions of this Code. Modifications to these requirements may be accomplished through a Planned*
Development. The design standards in this section shall be used in conjunction with street design standards included in the City of Sandy Transportation System Plan and standards and construction specifications for public improvements as set forth in adopted Public Facilities Plans and the Sandy Municipal Code.

Comment: The proposed subdivision lots have been designed to conform to the dimensional standards of the SFR district, as discussed above. Because all lots conform to the standards of the underlying zoning district, a Planned Development is not proposed. The proposed streets have been designed in conformance with the provisions of this chapter and the City of Sandy Transportation System Plan.

17.100.80 CHARACTER OF THE LAND

Land which the Director or the Planning Commission finds to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the partition or subdivision and the surrounding areas, shall not be developed unless adequate methods are formulated by the subdivider and approved by the Director or the Planning Commission to solve the problems created by the unsuitable land conditions.

Comment: The subject property is not located in a flood plain area, does not have improper drainage, steep slopes, rock formations or other adverse natural features that would be harmful to safety, health or the general welfare of present or future inhabitants.

17.100.90 ACCESS CONTROL GUIDELINES AND COORDINATION

Comment: Not applicable. The proposed subdivision does not involve access to Highway 26.

17.100.100 STREETS GENERALLY

No subdivision or partition shall be approved unless the development has frontage or approved access to an existing public street. In addition, all streets shall be graded and improved in conformance with the City's construction standards, approved by the City Engineer, in accordance with the construction plans.

Comment: The proposed subdivision and all lots within it will have frontage upon public streets.

A. Street Connectivity Principle. The pattern of streets established through land divisions should be connected to: (a) provide safe and convenient options for cars, bikes and pedestrians; (b) create a logical, recognizable pattern of circulation; and (c) spread traffic over many streets so that key streets (particularly U.S. 26) are not overburdened.
Comment: As shown on the Tentative Plat, the future street plan would provide for a new street connection that would allow traffic from American Street to access to Jewelberry Avenue via Sunflower Drive. This subdivision implements the first section of this eventual connection, which is consistent with the provisions of this section.

B. Transportation Impact Studies. Transportation impact studies may be required by the city engineer to assist the city to evaluate the impact of development proposals, determine reasonable and prudent transportation facility improvements and justify modifications to the design standards. Such studies will be prepared in accordance with the following:

1. A proposal established with the scope of the transportation impact study shall be coordinated with, and agreed to, by the city engineer. The study requirements shall reflect the magnitude of the project in accordance with accepted transportation planning and engineering practices. A professional civil or traffic engineer registered in the State of Oregon shall prepare such studies.

2. If the study identifies level-of-service conditions less than the minimum standards established in the Sandy Transportation System Plan, improvements and funding strategies mitigating the problem shall be considered as part of the land use decision for the proposal.

Comment: A traffic analysis letter was required at the pre-application conference. This letter has been prepared by Lancaster Engineering, Inc. and is included with the application submittal.

C. Topography and Arrangement. All streets shall be properly related to special traffic generators such as industries, business districts, schools, and shopping centers and to the pattern of existing and proposed land uses.

Comment: All adjacent land uses are residential in character. The proposed streets are designed as local streets consistent with this land use pattern.

D. Street Spacing. Street layout shall generally use a rectangular grid pattern with modifications as appropriate to adapt to topography or natural conditions.

Comment: The proposed street pattern continues the local rectangular street grid of the adjacent neighborhoods and provides for a future street connection to Jewelberry Avenue.

E. Future Street Plan. Future street plans are conceptual plans, street extensions and connections on acreage adjacent to land divisions. They assure access for future development and promote a logical, connected pattern of streets. It is in the interest of the city to promote a logical, connected pattern of streets. All applications for land divisions shall provide a future street plan that shows the pattern of existing and proposed future streets within the boundaries of the proposed land divisions, proposed connections to abutting properties, and extension of streets to adjacent
parcels within a 400 foot radius of the study area where development may practically occur.

Comment: A future street plan is depicted on the Tentative Plan map in conformance with the requirements of this section. Due to the BPA power lines located north and west of the site, few streets are anticipated in those directions.

F. Connections. Except as permitted under Exemptions, all streets, alleys and pedestrian walkways shall connect to other streets within the development and to existing and planned streets outside the development and to undeveloped properties which have no future street plan. Streets shall terminate at other streets or at parks, schools or other public land within a neighborhood.

Where practicable, local roads shall align and connect with other roads when crossing collectors and arterials.

Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops, and existing or planned neighborhood activity centers, such as schools, shopping areas and parks.

Comment: The proposed street design extends American Street to the east so that it may be extended to serve undeveloped land in that direction. American Street presently dead-ends at the western boundary of the site so that it may be extended to undeveloped land to the west. Sunflower Drive, the new street within the subdivision, extends to the north so that it may serve the remainder of TL 700 and, in the future, connect to Jewelberry Avenue.

G. Exemptions.

Comment: Not applicable. No exemption from the requirement for a future street plan is proposed.

17.100.110 STREET STANDARDS AND CLASSIFICATION

Street standards are illustrated in the figures included at the end of this chapter. Functional definitions of each street type are described in the Transportation System Plan as summarized below.

Comment: All streets within the proposed subdivision are local streets and have been designed in conformance with local street standards. No cul-de-sacs or alleys are proposed.
17.100.120 BLOCKS AND ACCESSWAYS

A. Blocks. Blocks shall have sufficient width to provide for two tiers of lots at appropriate depths. However, exceptions to the block width shall be allowed for blocks that are adjacent to arterial streets or natural features.

Comment: The block pattern established and planned in this area will provide for two tiers of lots at depths consistent with the SFR district.

B. Residential Blocks. Blocks fronting local streets shall not exceed 400 feet in length, unless topographic, natural resource, or other similar physical conditions justify longer blocks. Blocks may exceed 400 feet if approved as part of a Planned Development, Specific Area Plan, adjustment or variance.

Comment: No new blocks are formed by the proposed subdivision, but the planned block shown on the future street plan would conform to this 400 foot block length standard when the street system is completed to Jewelberry Avenue.

C. Commercial Blocks. Blocks located in commercial districts shall not exceed 400 feet in length.

Comment: Not applicable. This is a residential subdivision.

D. Pedestrian and Bicycle Access Way Requirements. In any block in a residential or commercial district over 600 feet in length, a pedestrian and bicycle accessway with a minimum improved surface of 10 feet within a 15-foot right-of-way or tract shall be provided through the middle of the block. To enhance public convenience and mobility, such accessways may be required to connect to cul-de-sacs, or between streets and other public or semipublic lands or through greenway systems.

Comment: Not applicable. No blocks in excess of 600 feet would be created by this subdivision or the future street plan.

17.100.130 EASEMENTS

A minimum eight (8) foot public utility easement shall be required along property lines abutting a right-of-way for all lots within a partition or subdivision. Where a partition or subdivision is traversed by a watercourse, drainage way, channel or stream, the land division shall provide a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as determined needed for water quality and quantity protection.

Comment: All public utility easements within the proposed subdivision have been designed to conform to these standards. Please refer to the tentative plan map. The site does not contain any waterways.
17.100.140 PUBLIC ALLEYS

Comment: Not applicable. No public alleys are proposed.

17.100.150 RESIDENTIAL SHARED PRIVATE DRIVES

Comment: Not applicable. No shared private drives are proposed.

17.100.160 PUBLIC ACCESS LANES

Comment: Not applicable. No public access lanes are proposed.

17.100.170 FLAG LOTS

Comment: Not applicable. No flag lots are proposed.

17.100.180 INTERSECTIONS

A. Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than 75 degrees shall not be acceptable. No more than two streets shall intersect at any one point unless specifically approved by the City Engineer. The city engineer may require left turn lanes, signals, special crosswalks, curb extensions and other intersection design elements justified by a traffic study or necessary to comply with the Development Code.

Comment: One new intersection within the proposed subdivision is proposed, the intersection of Sunflower Drive with American Street, which will occur at a right angle.

B. Curve Radius. All local and neighborhood collector streets shall have a minimum curve radius (at intersections of rights-of-way) of 20 feet, unless otherwise approved by the City Engineer. When a local or neighborhood collector enters on to a collector or arterial street, the curve radius shall be a minimum of 30 feet, unless otherwise approved by the City Engineer.

Comment: The proposed subdivision design conforms to this requirement.

17.100.190 STREET SIGNS

The subdivider shall pay the cost of street signs prior to the issuance of a Certificate of Substantial Completion. The City shall install all street signs and upon completion will bill the developer for costs associated with installation. In addition, the subdivider may be required to pay for any traffic safety devices related to the development. The City Engineer shall specify the type and location of the street signs and/or traffic safety devices.
Comment: The developer will be responsible for the cost of street signs, as required by this section.

17.100.200 STREET SURFACING

Public streets, including alleys, within the development shall be improved in accordance with the requirements of the City or the standards of the Oregon State Highway Department. An overlay of asphalt concrete, or material approved by the City Engineer, shall be placed on all streets within the development. Where required, speed humps shall be constructed in conformance with the City's standards and specifications.

Comment: The streets within the subdivision will be paved in accordance with these standards.

17.100.210 STREET LIGHTING

A complete lighting system (including, but not limited to: conduits, wiring, bases, poles, arms, and fixtures) shall be the financial responsibility of the subdivider on all cul-de-sacs, local streets, and neighborhood collector streets. The subdivider will be responsible for providing the arterial street lighting system in those cases where the subdivider is required to improve an arterial street. Standards and specifications for street lighting shall be coordinated with the utility and any lighting district, as appropriate.

Comment: Street lighting will be provided within the subdivision in accordance with these standards.

17.100.220 LOT DESIGN

A. The lot arrangement shall be such that there will be no foreseeable difficulties, for reason of topography or other conditions, in securing building permits to build on all lots in compliance with the Development Code.

Comment: Topography on the site is gently sloping and will not pose foreseeable difficulties for the future residences to be built on the lots.

B. The lot dimensions shall comply with the minimum standards of the Development Code. When lots are more than double the minimum lot size required for the zoning district, the subdivider may be required to arrange such lots to allow further subdivision and the opening of future streets to serve such potential lots.

Comment: As discussed above, all lot dimensions are consistent with the minimum dimensional standards of the SFR district.

C. The lot or parcel width at the front building line shall meet the requirements of the Development Code and shall abut a public street other than an alley for a width of at least 20 feet. A street frontage of not less than 15 feet is acceptable in the case of a
flag lot division resulting from the division of an unusually deep land parcel which is of a size to warrant division into not more than two parcels.

Comment: All lots front on a public street other than an alley for a width exceeding 20 feet.

D. Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography or orientation.

Comment: No double frontage lots are proposed.

E. Lots shall avoid deriving access from major or minor arterials. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Director or the Planning Commission may require that such lots be served by a common access drive in order to limit possible traffic hazards on such streets. Where possible, driveways should be designed and arranged to avoid requiring vehicles to back into traffic on minor or major arterials.

Comment: No lots fronting on or taking access from major or minor arterials are proposed.

17.100.230 WATER FACILITIES

Water lines and fire hydrants serving the subdivision or partition, and connecting the development to City mains, shall be installed to provide adequate water pressure to serve present and future consumer demand. The materials, sizes, and locations of water mains, valves, service laterals, meter boxes and other required appurtenances shall be in accordance with the standards of the Fire District, the City, and the State.

If the city requires the subdivider to install water lines in excess of eight inches, the city may participate in the oversizing costs. Any oversizing agreements shall be approved by the city manager based upon council policy and dependent on budget constraints. If required water mains will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement for the proportionate share of the cost.

Comment: As shown on the preliminary utility plan, an existing water main is located in American Street. The water main in American Street will be extended east and a new water main will be installed in Sunflower Drive, the new street. A fire hydrant is proposed at the intersection of American Street and Sunflower Drive. All lots will be provided with water service from a water line that is existing or one that will be installed to City standards.
17.100.240 SANITARY SEWERS

Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains. Design of sanitary sewers shall take into account the capacity and grade to allow for desirable extension beyond the subdivision.

If required sewer facilities will directly serve property outside the subdivision, the city may enter into an agreement with the subdivider setting forth methods for reimbursement by nonparticipating landowners for the proportionate share of the cost of construction.

Comment: As shown on the preliminary utility plan, an existing sanitary sewer main is located in American Street. The sewer main in American Street will be extended east and a new sewer main will be installed in Sunflower Drive, the new street. All lots will be provided with sewer service from a sewer line that is existing or one that will be installed to City standards.

17.100.250 SURFACE DRAINAGE AND STORM SEWER SYSTEM

A. Drainage facilities shall be provided within the subdivision and to connect with off-site drainage ways or storm sewers. Capacity, grade and materials shall be by a design approved by the city engineer. Design of drainage within the subdivision shall take into account the location, capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

Comment: As shown on the preliminary utility plan, drainage facilities in American Street were installed with Sandy Bluff Annex 3 and was constructed to City of Sandy standards. New storm drainage facilities will be provided within the proposed subdivision consistent with City standards. No offsite areas drain through the subdivision.

B. In addition to normal drainage design and construction, provisions shall be taken to handle any drainage from preexisting subsurface drain tile. It shall be the design engineer's duty to investigate the location of drain tile and its relation to public improvements and building construction.

Comment: The applicant is not aware of any preexisting subsurface drain tiles on this site.

C. The roof and site drainage from each lot shall be discharged to either curb face outlets (if minor quantity), to a public storm drain or to a natural acceptable drainage way if adjacent to the lot.

Comment: Roof drains will be collected and directed to a water quality swale, a detention pond under the BPA easement. The outflow will be a broad sheet flow release from the detention pond under the BPA easement area, the natural direction of runoff from the site.
17.100.260 UNDERGROUND UTILITIES

All subdivisions or major partitions shall be required to install underground utilities (including, but not limited to, electrical and telephone wiring). The utilities shall be installed pursuant to the requirements of the utility company.

Comment: All utilities will be installed underground per the requirements of this section and pursuant to the utility companies’ requirements.

17.100.270 SIDEWALKS

Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision.

Comment: Sidewalks will be installed by the builders along all lot street frontages within the proposed subdivision.

17.100.280 BICYCLE ROUTES

If appropriate to the extension of a system of bicycle routes, existing or planned, the Director or the Planning Commission may require the installation of bicycle lanes within streets. Separate bicycle access ways may be required to reduce walking or cycling distance when no feasible street connection is available.

Comment: No bicycle routes are existing or planned in this area.

17.100.290 STREET TREES

Where planting strips are provided in the public right-of-way, a master street tree plan shall be submitted and approved by the Director. The street tree plan shall provide street trees approximately every 30’ on center for all lots.

Comment: Street trees will be installed on approximately 30’ centers along all street frontages per the requirements of this section. Proposed street tree locations are located on Sheet 5 of the submitted plans.

17.100.300 EROSION CONTROL

Grass seed planting shall take place prior to September 30th on all lots upon which a dwelling has not been started but the ground cover has been disturbed. The seeds shall be of an annual rye grass variety and shall be sown at not less than four pounds to each 1000 square feet of land area.

Comment: The requirements for grass seed planting will be met.
17.100.310 REQUIRED IMPROVEMENTS

The following improvements shall be installed at no expense to the city, consistent with the design standards of Chapter 17.84, except as otherwise provided in relation to oversizing.

A. Drainage facilities
B. Lot, street and perimeter monumentation
C. Mailbox delivery units
D. Sanitary sewers
E. Sidewalks
F. Street lights
G. Street name signs
H. Street trees
I. Streets
J. Traffic signs
K. Underground communication lines, including broadband (fiber), telephone, and cable. Franchise agreements will dictate whether telephone and cable lines are required.
L. Underground power lines
M. Water distribution lines and fire hydrants

Comment: The applicant agrees to the provision of all above improvements at no cost to the city and consistent with the design standards of Chapter 17.84.

17.100.320 IMPROVEMENT PROCEDURES

Comment: The applicant agrees to comply with the improvement procedures specified in this section.

17.100.330 OPTIONS FOR IMPROVEMENTS

Comment: The applicant agrees to install the required improvements, enter into an agreement with the City for the installation of the improvements, or form an Improvement District to provide for the installation of all required improvements.

17.100.340 PERFORMANCE GUARANTEE

Comment: Depending upon the option chosen for the installation of required improvements, the applicant will, if appropriate, provide a performance guarantee per the requirements of this section.
CHAPTER 17.102  URBAN FORESTRY

17.102.20 APPLICABILITY
This chapter applies only to properties within the Sandy Urban Growth Boundary that are greater than one acre including contiguous parcels under the same ownership.

A. General: No person shall cut, harvest, or remove trees 11 inches DBH or greater without first obtaining a permit and demonstrating compliance with this chapter.

1. As a condition of permit issuance, the applicant shall agree to implement required provisions of this chapter and to allow all inspections to be conducted.

2. Tree removal is subject to the provisions of Chapter 15.44, Erosion Control, Chapter 17.56, Hillside Development, and Chapter 17.60 Flood and Slope Hazard.

B. Exceptions: The following tree removals are exempt from the requirements of this chapter.

1. Tree removal as required by the city or public utility for the installation or maintenance or repair of roads, utilities, or other structures.

2. Tree removal to prevent an imminent threat to public health or safety, or prevent imminent threat to public or private property, or prevent an imminent threat of serious environmental degradation. In these circumstances, a Type I tree removal permit shall be applied for within seven days following the date of tree removal.

Comment: The property is located within the Sandy Urban Growth Boundary and it is more than 1 acre in size. The provisions of this chapter apply.

17.102.30 PROCEDURES AND APPLICATION REQUIREMENTS

A person who desires to remove trees shall first apply for and receive one of the following tree cutting permits before tree removal occurs:

E. Type III Permit. The following applications shall be reviewed under a Type III procedure:

1. Request for a variance to tree retention requirements as specified in Section 17.102.50 may be permitted subject to the provisions of 17.102.70.

F. An application for a Type III Permit shall contain the same information as required for a Type I permit in addition to the following:

a. A list of property owners on mailing labels within 300 feet of the subject property.
b. A written narrative addressing applicable code sections 17.102.50, 17.102.60, and 17.102.70.

Comment: The applicant requests a variance to the tree retention requirements and has submitted for a Type III Permit. Written narrative addressing applicable code section follows.

**17.102.50 TREE RETENTION AND PROTECTION REQUIREMENTS**

A. Tree Retention: The landowner is responsible for retention and protection of trees required to be retained as specified below:

1. At least three trees 11 inches DBH or greater are to be retained for every one-acre of contiguous ownership.
2. Retained trees can be located anywhere on the site at the landowner's discretion before the harvest begins. Clusters of trees are encouraged.
3. Trees proposed for retention shall be healthy and likely to grow to maturity, and be located to minimize the potential for blow-down following the harvest.
4. If possible, at least two of the required trees per acre must be of conifer species.
5. Trees within the required protected setback areas may be counted towards the tree retention standard if they meet these requirements.

Comment: The applicant requests a variance to the tree retention requirements and has submitted for a Type III Permit. See the discussion under 17.102.70.

B. Tree Protection Area: Except as otherwise determined by the Planning Director, all tree protection measures set forth in this section shall be instituted prior to any development activities and removed only after completion of all construction activity. Tree protection measures are required for land disturbing activities including but not limited to tree removal, clearing, grading, excavation, or demolition work.

1. Trees identified for retention shall be marked with yellow flagging tape and protected by protective barrier fencing placed no less than 10 horizontal feet from the outside edge of the trunk.
2. Required fencing shall be a minimum of six feet tall supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade.
3. No construction activity shall occur within the tree protection zone, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.

Comment: The tree protection measures set forth in this section will be met.

C. Inspection. The applicant shall not proceed with any tree removal or construction activity, except erosion control measures, until the City has inspected and approved
the installation of tree protection measures. Within 15 days of the date of accepting an application for a Type I permit, the city shall complete an onsite inspection of proposed activities and issue or deny the permit. Within 15 days of issuing a Type II or Type III permit, the city shall complete an onsite inspection of proposed activities.

For ongoing forest operations, the permit holder shall notify the city by phone or in writing 24 hours prior to subsequent tree removal. The city may conduct an onsite re-inspection of permit conditions at this time.

Comment: The necessary inspections will be completed prior to tree removal.

17.102.60 TREE REPLANTING REQUIREMENTS

1. All areas with exposed soils resulting from tree removal shall be replanted with a ground cover of native species within 30 days of harvest during the active growing season, or by June 1st of the following spring.
2. All areas with exposed soils resulting from tree removal occurring between October 1 and March 31 shall also be covered with straw to minimize erosion.
3. Removal of hazard trees as defined shall be replanted with two native trees of quality nursery stock for every tree removed.
4. Tree Removal allowed within the FSH Overlay District shall be replanted with two native trees of quality nursery stock for every tree removed.
5. Tree Removal not associated with a development plan must be replanted following the provisions of OAR Chapter 629, Division 610, Section 020-060

Comment: Areas where trees will be removed will be replanted with native ground cover within 30 days of harvest. No trees are being removed from a FSH Overlay District. Trees will be removed according to the submitted development plan, the provisions of subsection 5, above, do not apply.

17.102.70 VARIANCES

Under a Type III review process, the Planning Commission may allow newly-planted trees to substitute for retained trees if:

1. The substitution is at a ratio of at least two-to-one (i.e., at least two native quality nursery grown trees will be planted for every protected tree that is removed); and
2. The substitution more nearly meets the intent of this ordinance due to:
   a. The location of the existing and proposed new trees, or
   b. The physical condition of the existing trees or their compatibility with the existing soil and climate conditions; or
   c. An undue hardship is caused by the requirement for retention of existing trees.
   d. Tree removal is necessary to protect a scenic view corridor.
Comment: Forty-eight trees are currently located on the roughly 6-acre property. The project arborist deemed seventeen to be in poor condition, fourteen to be in moderate condition and seventeen to be in good condition (see arborist report prepared by Live Earth Inc. included in the application). Of the seventeen trees identified to be in good condition, four (#’s 16, 17, 28 & 29) are fully or partially located under the BPA easement and are subject to removal by BPA. Of the remaining thirteen healthy trees not under the BPA easement, six (#’s 18-20, 24, 41 & 42) will be located with the proposed right-of-way or public utility easement for Sunflower Drive.

Although tree removal for the installation of roadways and utilities is exempt per code Section 17.102.20.B.1, the applicant looked at alternative locations for where Sunflower Drive could be placed that would retain more trees. Sunflower Drive is proposed to be located 205 feet east of Penny Avenue, with 155 feet between the edges of the two right-of-ways, five feet more than the minimum permitted by Section 17.84.50.C.2. Moving Sunflower Drive 5 feet west would not allow any additional healthy trees to be saved.

The other option for moving Sunflower Drive to the west would be to align Sunflower Drive with Penny Avenue and the street would curve east through the BPA easement toward Jewelberry Avenue. This alignment could potentially save two trees (#41 & 42) that would no longer fall in a street right-of-way, however trees 18-20 and 24 would still remain in a street right-of-way as the street extension would generally pass through the same area where the future knuckle is currently shown. The drawback with this possible street arrangement is that the future cul-de-sac expected to serve Tax Lot 900 would have 6 additional homes added on to it (3 on each side of American Street) and the length of the cul-de-sac would be extended by 205 feet, making it approximately 590 feet long and exceeding the maximum permitted cul-de-sac length of 400 feet.

Alternatively, Sunflower Drive could be moved eastward. Section 17.34.30.E requires a 10 foot street-side setback for corner lots and Sunflower Drive could be moved up to 91 feet eastward before it would encroaching into the street side setback for the existing home. To save any additional healthy trees, Sunflower Drive would have to be moved east at least 30 feet. A 30-foot move could potentially save tree #24. Moving Sunflower Drive 50 feet east could also potentially save tree #42, although this tree may be impacted by franchise utility trenching in the American Street PUE. The drawback with moving Sunflower Drive east is that the farther the street is moved east, the more irregular the street pattern becomes. As discussed above and as shown on the Future Street Plan, it is expected that American Street will turn south with a knuckle and will become a cul-de-sac that will serve Tax Lot 900 when that parcel develops. The farther that Sunflower Drive is moved east, the more irregular the Sunflower Drive / American Street intersection / knuckle arrangement would become. Moving the intersection the entire 91 feet and placing it as close to the existing home as possible would create a highly irregular intersection/knuckle arrangement that may by confusing to drivers who are not familiar with the neighborhood.

The submitted site plan attempts to provide blocks consistent with Section 17.100.120 and lots consistent with both Section 17.100.220 and the minimum standards of the SFR
zone, while providing streets within the development meeting the connectivity requirements for neighboring properties identified in Section 17.100.100.

Given the proposed location for Sunflower Drive, as many as 7 healthy trees could possibly be saved if they fell in locations that worked well for the lots being proposed. However, most of the existing healthy trees do not fall in locations that work well with the proposed street and lot pattern. An analysis of the seven healthy trees that fall within proposed lots has been prepared below:

Tree #3 – 27-inch Western Red Cedar. Tree #3 is located in the SE corner of the site and could be saved during the current phase of the project. It is anticipated that if the remainder of the neighborhood develops according to the submitted shadow plat that this tree will fall in the front of a future lot where it would severely limit the ability to build a home on the lot and where it would be susceptible to damage during construction. It is anticipated that this tree will be removed.

Tree #8 – 24-inch Western Red Cedar. Tree #8 is located in the NE corner of the property. It is expected that tree #8 can remain on the rear of a future lot. This tree can remain.

Trees #34 – 27-inch Western Red Cedar. Tree #34 is located within the proposed Lot 5. The tree is located 42 feet behind the front lot line and 15 feet south of the northern lot line. It is expected to fall within the building envelope for a new home on Lot 5. This tree should be removed.

Tree #35 – 13-inch Western Red Cedar. Similar to Tree #34, Tree #35 is located within the proposed Lot 5. The tree is located 36 feet behind the front lot line and is nearly centered in the 60-foot wide lot. It is expected to fall within the building envelope for Lot 5. This tree should be removed.

Tree #37 – 17-inch Western Red Cedar. Similar to Trees #34 & 35, Tree #37 falls within the proposed Lot 5. The tree is located 49 feet behind the front lot line and 14 feet north of the southern lot line. It is expected to fall within or close to the building envelope for a new home on Lot 5. This tree should be removed.

Tree #38 – 22-inch Western Red Cedar. Tree #38 is located on the south side of the proposed Lot 5, close to the property line with Lot 4. The tree is located 5 feet away from the property line in a location where the building on Lot 5 could be constructed around the tree. This tree can remain. Two moderately healthy trees are proposed to also be retained along with Tree #38. Tree #39 is a 20-inch Western Red Cedar that has a broken top and no central leader. Tree #40 is a two-stemmed Western Red Cedar (15 and 21-inch stems) also with a broken top and a central leader that has been damaged. These two moderately healthy trees are proposed to be retained because removing them may possibly damage Tree #38.
Tree #44 – 34-inch Western Red Cedar. Tree #44 is located in the NE corner of the proposed Lot 4, 20 feet behind the front lot line and 20 feet south of the north lot line. Because it is expected that a future home on Lot 4 will face Sunflower Drive, Tree #44 is expected to fall within the driveway serving Lot 4. This tree should be removed.

Based on the information above, two of the seven healthy trees located outside of proposed street right-of-ways (#’s 8 & 38) are proposed to be saved. In addition to these two healthy trees, two moderately healthy trees (#’s 39 & 40) will also be retained as removing them may potentially damage tree #38. One other healthy tree, Tree #3 can be retained for now, but it may need to be cut with future development.

With the parent parcel having an area of 5.937 acres and with a tree retention requirement of three trees per contiguous acre, eighteen trees would be required to be retained, if there were eighteen healthy trees onsite. However, only seventeen healthy trees are located on the property, and only thirteen are located outside of the BPA easement area. Of the thirteen healthy trees located outside the BPA easement, 2 are proposed for retention. The other eleven healthy trees are proposed for removal because they are not located where they work well with the street and lot pattern created. Moving the proposed new street far enough to where it would potentially allow more healthy trees to remain would create an irregular street pattern for the neighborhood.

The applicant proposes to mitigate for the healthy trees being removed outside the BPA easement area. The proposed mitigation includes 22, six-foot tall Noble Firs, a mitigation ratio of 2:1 for the 11 healthy trees being removed. The proposed mitigation trees are shown on the Tree Removal and Mitigation Plan submitted with the application. Two healthy trees located partially in the BPA easement area (#’s 28 & 29) and three moderately healthy trees (#15, 23 & 30) located in the same vicinity can remain until such time that they may be removed by BPA.

CONCLUSION:

The foregoing narrative and accompanying plans and documents, together demonstrate that the proposed subdivision generally conforms with the applicable criteria and standards of the City’s Development Code. It has been demonstrated that the development satisfies the requirements of the City of Sandy or can satisfy requirements through improvements constructed to support the development. Therefore, the applicant requests that the Planning Commission approve the application with reasonable conditions necessary to guarantee the City’s requirements are met.