

# BEFORE THE STAYTON PLANNING COMMISSION

In the matter of The  
Application for Family  
Building Blocks

) Site Plan Review  
)  
) File # 7-08/23

## ORDER OF CONDITIONAL APPROVAL

### I. NATURE OF APPLICATION

The applicant is requesting site plan approval for the construction of a 8,836 square foot day care center with access onto Orchard Court. Students are expected to arrive primarily via bus service provided by the daycare.

### II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on September 25, 2023. At the hearing the Planning Commission reviewed Land Use File # 7-08/23, application for site plan approval, and it was made part of the record.

### III. FINDINGS OF FACT

#### A. GENERAL FACTS

1. Property Owner: Laird Living Trust c/o Northgate Bowl, PO Box 7266, Salem, OR 97301.
2. Applicant: Family Building Blocks, 2425 Lancaster Drive, NE, Salem, OR 97305.
3. Property Address: 955 E. Santiam Street.
4. Assessor's Map and Tax Lot: Map 91W10AD, Tax Lot 4800.
5. Zone: Commercial General (CG).
6. Property Size: A approximately 0.82 acres (35,850 sq. ft.) with 248 feet of frontage on E. Santiam Street.
7. The abutting property to the northeast is vacant and is zoned High Density Residential (HD). The abutting property to the west is developed with a single family dwelling zoned Medium Density Residential (MD). The property across Orchard Street to the west is zoned MD and is developed with a single family dwelling. The properties to the south, across E. Santiam Street, are zoned HD with a multi-family development, and MD with single family dwellings.

#### B. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Santiam Water Control District, Wave Broadband, Stayton Cooperative Telephone Company (SCTC), Pacific Power, Northwest Natural Gas, Stayton Fire District, Stayton Police Department, North Santiam School District, Marion County Public Works, and Marion County Planning Division.

Written comments were received from the City Public Works Department through the City Engineer and Traffic Engineer, with recommended conditions of approval.

#### C. PUBLIC COMMENTS

The surrounding property owners were notified of the public hearing and the application. No comments were received from the public prior to the public hearing.

## D. ANALYSIS

Site plan review applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.220 and applicable provisions of the Development and Improvement Standards of Title 17, Chapter 20. The applicable sections of Chapter 20 are 17.20.060 – Off-Street Parking and Loading; 17.20.090 – Landscaping Requirements; and 17.20.170 – Outdoor Lighting. In addition, the application must meet the requirements of Section 17.26.020 – Access Management Requirements and Standards.

## E. APPROVAL CRITERIA

### Site Plan Review

**Section 17.12.220.5 Site Plan Review Criteria.** Pursuant to SMC 17.12.220.5 the following criteria must be demonstrated as being satisfied by the application:

- a. *The existence of, or ability to obtain, adequate utility systems (including water, sewer, surface water drainage, power, and communications) and connections, including easements, to properly serve development in accordance with the City's Master Plans and Standard Specifications.*

Findings: There is an existing 8” sanitary sewer, 8” water line and 12” storm drain line in Orchard Court. There is an 8” sanitary sewer and a 4” water line within E. Santiam Street, and a 12” storm drain line at the intersection of N. 10<sup>th</sup> Avenue and E. Santiam. Two storm drain grates are on the north side of E. Santiam Street between N. 10<sup>th</sup> and Orchard Court. There are fire hydrants on the west side of Orchard Court about 80 feet north of E. Santiam Street, at the northeast corner of E. Santiam Street and Orchard Court, and at the northwest corner of E. Santiam and 10th Avenue.

The City Engineer has recommended the following engineered plans and supporting documentation be submitted to the City for review and approval prior to submittal of a Site Development Permit.

- a. Site and street improvement plans conforming to the Stayton Development Code and Public Works Design Standards.
- b. Water System Plans conforming to the Stayton Development Code and Public Works Design Standards and meeting the requirements of the Building and Fire Code Official.
- c. Sanitary sewer system plans conforming to the Stayton Development Code and Public Works Design Standards and meeting the requirements of the Building Official.
- d. A stormwater analysis and report conforming to the Public Works Design Standards.
- e. Stormwater conveyance, quality, and quantity facility plans conforming to the Public Works Design Standards and meeting the requirements of the Building Official.
- f. A stormwater and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater facility quality and quantity facilities.
- g. An erosion and sediment control plan for the site grading and earth disturbing activities conforming to the Public Works Design Standards.

To address the round-about a condition of approval calls for the right-of-way to be dedicated to the public before the Site Development Permit review process is concluded. To address the width issue for Orchard Court, consistent with the discussion in the City Engineer's comments, a condition of approval calls for a 5-foot right-of-way on the east side of Orchard Court to be dedicated to the public before the Site Development Permit review process is concluded.

The City Traffic Engineer has recommended the following revisions to the Traffic Impact Analysis be submitted to the City for review and approval prior to submittal of a Site Development Permit.

- a. Page 2, include a Site Plan.
  - b. Page 7, in the Existing Conditions Section include road functional classification, characteristics, posted speed, etc. See Stayton Development Code 17.26.050.3.d.
  - c. Page 13, given the non-standard proposed use, i.e., day care, include information about the number of buses, students, staff, etc. Justify the trip generation numbers.
  - d. Figure 4. If possible include arrow with percentages to indicate the trip distribution assumed, or some other way to convey that information.
  - e. Include a list of appendices.
  - f. Appendices: Appendix A, the proposed Site Plan was not included.
- b. *Provisions have been made for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and for safe access to the property from those public streets and roads which serve the property in accordance with the City's Transportation System Plan and Standard Specifications.*

Finding: The applicant submitted a Transportation Impact Analysis (TIA), prepared by Tegan Enloe, PE. Students are expected to arrive primarily via bus service provided by the daycare.

The TIA estimated traffic generated by the development to be 27 (24 in, 3 out) AM peak hour vehicle trips.

The proposed driveway onto Orchard Court is more than 50 feet from the intersection of E. Santiam and Orchard Court. The City Engineer's comments, p. 5 of 11, state, "As such, the proposed driveway access spacing and distances will need to be reviewed by the Developer's Traffic Engineer as part of the TIA."

Kittelson & Associates, the City's traffic engineering consultant, reviewed the TIA and had minor comments for revisions to the TIA that are shown at the top of this page at a – f.

The City Engineer included comments that the parking lot be designed to minimize congestion, accommodate emergency vehicles, provide ADA parking spaces, provide parking lot lighting and the finish grade shall direct stormwater toward an appropriate stormwater system.

- c. *Provision has been made for all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development of the site in accordance with Chapter 17.26.*

Finding:

N Tenth Ave is a fully-improved major collector street with 32 feet of pavement, curb, and gutter within a right of way of varying widths.

E Santiam Street west of the intersection of N. 10<sup>th</sup> Avenue is a Marion County maintained street. It is considered to be developed along the frontage with asphalt pavement, curbs, and sidewalks, but they are substandard and most likely past their design life. As such, pavement core test results will need to be provided to the City showing that the existing half-street pavement section within E. Santiam Street complies with the PWDS requirements. If the existing half-street asphalt pavement section is found to be substandard along the frontage, the existing pavement section will need to be removed and replaced per PWDS 303.02 and 305.04. If the existing pavement base is determined to be structurally sound, an overlay of the pavement may be approved per PWDS 305.04.D. The standard 10-foot wide public utility easement is recommended to be provided along the frontage in accordance with the PWDS.

Orchard Court is considered to be developed along the frontage with asphalt pavement, curbs, and sidewalks, but the frontage of Orchard Court and also the intersection with E. Santiam Street is substandard. As such, it is recommended that a 19' wide half-street section be constructed along the frontage through the throat of the long cul-de-sac up to the point of curvature north of the proposed driveway approach to provide the standard 34' wide street section in accordance with the PWDS. Since a 17' wide half-street section is the City's standard street half-section, the additional 2' of pavement to provide for the 19' wide half-section would be considered oversized, and the additional costs would be eligible for SDC credits in accordance with SMC 13.12, and as further defined in a Development Agreement. The existing utility pole within the existing sidewalk will most likely need to be relocated as well if the pole still exists at this location.

Intersection of N. 10th Avenue/E. Santiam Street. Since the frontage at the intersection is controlled by Marion County, any additional street improvement requirements will be as determined by Marion County. An engineering design for the mini-roundabout has not yet been completed; therefore, it is recommended the City work with the Developer to determine the necessary street improvements needed for this intersection. The street improvements for the intersection will need to comply with the City and Marion County Public Works approved engineering design, and comply with the most current edition of the PWDS and Stayton Municipal Code requirements.

- d. Provision has been made for parking and loading facilities as required by Section 17.20.060.*

Finding: See findings relative to Section 17.20.060 below.

- e. Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070.*

Finding: There are no open storage areas or outdoor storage yards as defined existing or proposed.

- f. Site design shall minimize off site impacts of noise, odors, fumes or impacts.*

Finding: The site plan shows a 15 foot landscape buffer will be installed along the west side of the northern portion of the site which is a point of the triangular shaped subject property. Abutting to the west is a detached single family dwelling at 1110 Orchard Court. The triangular point of the subject property is proposed to include a child play area in the point area and to the

south a circular parking lot drive aisle to allow vehicles to circle-around and head out of the parking lot. The landscape buffer will include a 6-foot cyclone security fence.

The Site Plan shows the proposed building will be located near the southeast corner of the subject property. The detached single family dwelling abutting the subject property to the west is west of the northern point of the triangular subject property.

- g. *The proposed improvements shall meet all applicable criteria of Section 17.20.200, Commercial Design Standards.*

Finding: The applicable subsections of 17.20.200 are listed and discussed.

*17.20.200.3.a, Site Design, Height Step Down.*

Finding: The applicant's Narrative and architectural elevations address height stepdown. The building is proposed to be about 200 feet from the only 1-story detached single family dwelling abutting the subject property. The dwelling is to the northwest at 1110 Orchard Court. And, it is about 200 feet from other detached single family dwellings across the current intersection of E. Santiam Street and N. 10<sup>th</sup> Avenue on the southeast corner of the intersection (1004, 1008 N. 10<sup>th</sup>).

The proposed location will be across the round-about from the 10<sup>th</sup> Avenue dwellings. The front of the building east of the front door will be 1-story. The front of the building west of the front door will be 2-story. The proposed building is a height step down design.

*17.20.200.3.b, Site Design, Building Orientation.*

Finding: The applicant's Narrative and architectural elevations address building orientation. The proposed building includes a front door facing E. Santiam Street. For the current location of E. Santiam Street, the plans show a sidewalk from the front door to E. Santiam Street. When the new round-about is constructed, the front door will be 9 feet, plus or minus, from the round-about. The exceptions in 17.20.200.3.b.2 and 3, do not apply.

*17.20.200.3.b, 1) Architectural Standards, Building Orientation, Parking/Driveways/Maneuvering Areas.*

Finding: The applicant's Narrative and architectural elevations address parking, driveways and maneuvering area orientation. The proposed building is oriented to (faces) E. Santiam Street, not N. 10<sup>th</sup> Avenue nor Orchard Court. The parking is not proposed between the building and E. Santiam Street nor N. 10<sup>th</sup> Avenue. The driveway is off of Orchard Court with the parking west of the building between the building and Orchard Court. The off-street parking is oriented internally to the site and is divided by landscaped areas.

*17.20.200.4.a, Architectural Standards, Pedestrian Orientation, 1) Primary Building Entrances.*

Finding: The applicant's Narrative and architectural elevations address primary building entrances. The proposed building is oriented southeast to northwest because the northeast property line is oriented southeast to northwest. The building includes the above noted front door onto E. Santiam Street and the round-about with a central hallway running southeast/northwest through the building with a second door opening onto the drop-off area. The building doors open directly to the outside. The building door opening onto E. Santiam Street and the round-about includes a sidewalk to E. Santiam Street and to the round-about

when it is constructed. The building door opening to the drop-off area includes a sidewalk extending southerly to E. Santiam Street.

*17.20.200.4.a, Architectural Standards, Pedestrian Orientation, 2) Corner Building Entrances.*

Finding: The applicant's Narrative and architectural elevations address corner building entrances. The subject property is the shape of a triangle, it is not a square or a rectangle with a corner that is the obvious location for the building. The proposed building is in the southeast corner of the property at the current corner of E. Santiam Street and N. 10<sup>th</sup> Avenue and the future round-about. It is proposed at the appropriate corner of the subject property's 3 corners. Where it would be at the southwest corner, it would unnecessarily dominate the corner of Orchard Court and E. Santiam Street where detached single family dwellings are across E. Santiam Street and are across Orchard Court to the west. The proposed door opening to the outside at the round-about is consistent with the corner building entrance standard.

*17.20.200.4.a, Architectural Standards, Pedestrian Orientation, 3) Ground Floor Windows.*

Finding: The applicant's Narrative and architectural elevations address ground floor windows. The subject property is oriented to and has 78 feet of frontage on E. Santiam Street. The required 45% of windows results in at least 35 feet of windows and more than 35 feet of windows are provided.

*17.20.200.4.a, Architectural Standards, Pedestrian Orientation, 4) Primary Building Entrance, Weather Protection.*

Finding: The applicant's Narrative and architectural elevations address weather protection for the primary building entrance on E. Santiam Street. The door is less than 9 feet to the new front property line with the round-about and it is entirely covered.

*17.20.200.4.a, Architectural Standards, Pedestrian Orientation, 5) Drive Through Facilities.*

Finding: Section 17.20.200.4.a, 5) does not apply because no drive through facilities are proposed.

*17.20.200.4.b, Architectural Standards, Human Scale Design.*

Finding: The applicant's Narrative and architectural elevations address human scale design. The proposed building is not a retail building which is the type of building that the Architectural Standards assume will be built. The proposed building is 1-story near the round-about and the second floor portion of the building is setback behind 26 feet. The windows are regularly spaced and similarly shaped on both floors. The floors are separated by appropriate architectural features.

*17.20.200.4.c, Architectural Standards, Breaks in Building Length.*

Finding: The applicant's Narrative and architectural elevations address breaks in building length and other architectural standards. The proposed buildings orientation to E. Santiam Street and the round-about includes three 90 degree building off-sets that break-up the 78 foot width. The front door is located centrally in the front elevation which emphasizes the entrance. The off-sets provide variation in scale and design. Roof planes greater than 50 feet in length are broken-up.

*17.20.200.5. Architectural Standards, Lighting.*

Finding: The applicant's Narrative and architectural elevations address lighting. The proposed building does not include rooftop lighting which is prohibited by 17.20.200.5.

h. Repealed.

i. Repealed.

j. *Landscaping of the site shall prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, present an attractive interface with adjacent land uses and be consistent with the requirements for landscaping and screening in Section 17.20.090.*

Finding: See the findings regarding Section 17.20.090 below.

k. *The design of any visual, sound, or physical barriers around the property such as fences, walls, vegetative screening, or hedges, shall allow them to perform their intended function without undue adverse impact on existing land uses.*

Finding: The site plan indicates that a landscape buffer will be installed along the west property line across from the detached single family dwelling across Orchard Court and where the property line diverges from the Orchard Court right-of-way from the single family dwelling about 50 feet from the north end of the west property line. The landscape buffer will include a 6-foot cyclone security fence. Along the northeast property line the northern portion will have a 6' high cyclone fence along the northern portion of that property line.

l. *The lighting plan satisfies the requirements of Section 17.20.170.*

Finding: See the findings regarding Section 17.20.170 below.

m. *The applicant has established continuing provisions for maintenance and upkeep of all improvements and facilities.*

Finding: The application acknowledges the maintenance responsibilities for landscaping and stormwater facilities.

n. *When any portion of an application is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Finding: The property is not within the specified distances of the named water bodies.

### **Section 17.20.060 – Off Street Parking Requirements**

The following is the applicable provision from Section 17.20.060

*17.20.060.5 LOCATION. Off street parking and loading areas shall be provided on the same lot with the main building or use except that in any commercial, industrial, or public district, the parking area may be located within 500 feet of the main building.*

Finding: The parking and loading areas are provided on the same lot with the main building.

*17.20.060.7.b REQUIREMENTS FOR AUTOMOBILE PARKING. The minimum number of required off-street parking spaces for a Family Child Care Center or Day Care Facility is 2 parking spaces per 1,000 square feet. Other Requirements include Drop-off and pick-up facilities.*

Finding: Based on the Landscape Plan sheet L1.1 prepared by Ronald James Ped Architect the 1<sup>st</sup> Floor is 6,451 sq. ft., the 2<sup>nd</sup> Floor is 2,385 sq. ft. and the total is 8,836 sq. ft. Based on the Traffic

Impact Analysis, p. 1, “The total structure is estimated at 6,000 sq. ft. with access to the building located on Orchard Court.” Because the Landscape Plan sheet was prepared by the project Architect, the 8,836 sq. ft. figure is used here. Two parking spaces per 1,000 sq. ft. requires 8.8 parking spaces, rounded up to 9. Thirteen spaces are proposed. No dimensions are provided on the Site Plans and Landscape Plans. It is not clear that all of the spaces will allow the turnaround circle and drive aisles comply with the minimum dimensions or will work for emergency vehicle turnarounds. Compliance with the parking space dimensions, drive aisle standards and emergency turnaround standards must be shown on the materials submitted for the Site Development Permit.

*17.20.060.8.a HANDICAPPED/DISABLED PARKING. When applied to the this project, this section requires a minimum of one handicapped parking space.*

Finding: Included in the proposed 13 spaces is one handicapped parking space.

*17.20.060.10. DEVELOPMENT REQUIREMENTS. All parking and loading areas shall be developed and maintained as follows:*

*b. Surfacing. All driveways, parking and loading areas shall be paved with asphalt or concrete surfacing and shall be adequately designed, graded, and drained as required by the Public Works Director. In no case shall drainage be allowed to flow across a public sidewalk. Parking areas containing more than 5 parking spaces shall be striped to identify individual parking spaces.*

Finding: The parking area is proposed to be paved with asphalt.

*d. Design of parking areas. Except where provided for by subsection 7 of this section parking area design shall comply with Title 12 and Standard Specifications.*

*1) Entrances and exits shall be clearly marked with pavement markings and/or signs. Entrances and exits should favor right hand turns into and out of the area where possible and should be located at least 50 feet from intersections where possible.*

*2) Backing into or across a street, sidewalk, or right-of-way from any parking area shall be prohibited. The perimeter shall prevent access to or from the parking area except at designated entrances and exits.*

Finding: The parking area will be accessed by one driveway. The driveway from Orchard Court is designed to be a two-way driveway. The driveway will be approximately 80 feet north of the Orchard Court/E. Santiam Street intersection. Its location is limited from being farther north by the separation of the west property line from the east right-of-way line of Orchard Court (where Orchard curves westerly) and the subject property no longer has frontage on Orchard Court. The parking lot is designed to prevent access to spaces except by the designated driveway.

*e. Screening. When any development with over 6 parking spaces or a loading area is adjacent to any residential district, that area shall be screened from all adjacent residential properties. Screening shall be done with an ornamental fence, wall, or hedge at least 4 feet high but not more than 7 feet high, except along an alley.*

Finding: The site plan indicates a 15 foot setback to the two spaces in the southwest corner of the site on the south side of the driveway and a 10 foot setback to the 4 spaces north of the driveway. A landscape buffer is west of the two parking spaces and west of the 4 spaces where single family dwellings exist across Orchard Court to the west. The landscape buffer will include a 6-foot cyclone fence on the west property line from the north end of the water quality facility to the north property corner.



f. *Lighting. Any light used to illuminate a parking or loading area shall meet the standards of Section 17.20.170.*

Finding: See the findings regarding Section 17.20.170 below.

*17.20.060.11 PARKING AREA LANDSCAPING DESIGN STANDARDS. Landscaping required by the following standards shall be counted towards the overall landscaping requirements of Section 17.20.090.*

a. *Perimeter Landscaping. All parking areas shall be landscaped along the property boundaries as required by 17.20.090.11.*

Finding: See the findings for Section 17.20.090 below.

b. *Interior Landscaping. Interior landscaping of parking areas with 20 or more parking spaces shall meet the following standards.*

- 1) *One landscaped island shall be required for every 10 parking spaces in a row. The interior islands shall be a minimum of 6 feet in width (as measured from the inside of the curb to the inside of the curb) and shall include a minimum of 1 tree per island.*
- 2) *Divider medians between rows of parking spaces, that are a minimum of 6 feet in width (as measured from the inside of the curb to the inside of the curb) may be substituted for interior islands, provided that 1 tree is planted for every 40 feet and shall be landscaped in accordance with Section 17.20.090. 8. Where divider medians are parallel with the buildings, there shall be designated pedestrian crossings to preserve plant materials.*
- 3) *A row of parking spaces shall be terminated on each end by a terminal island that is a minimum of 6 feet in width (from the inside of the curb to the inside of the curb). The terminal island shall have 1 tree is planted and shall be landscaped in accordance with Section 17.20.090.8.*
- 4) *At the sole discretion of the decision authority, the requirement for landscaped islands or medians may be met through the design of additional parking area landscaping if the configuration of the site makes the use of islands or medians impractical.*
- 5) *Approved Parking Area Trees. Tree species for parking area plantings shall be selected from a list of approved species maintained by the Director of Public Works. Other varieties may only be used with approval of the decision authority.*
- 6) *Preservation of existing trees is encouraged in the off street parking area and the City Planner may allow these trees to be credited toward the required total number of trees.*

Finding: 17.20.060.11.b does not apply because it applies only to parking areas of 20 spaces or more and the proposed parking area is 13 spaces.

c. *Pedestrian Access. Off street parking areas shall be required to meet the following pedestrian access standards:*

- 1) *The off street parking and loading plan shall identify the location of safe, direct, well lighted and convenient pedestrian walkways connecting the parking area and the buildings.*
- 2) *All pedestrian walkways constructed within parking lots areas be raised to standard sidewalk height.*
- 3) *Pedestrian walkways shall be attractive and include landscaping and trees.*

Finding: Regarding c, 1, the applicant’s narrative, p. 9, states, “This standard assumes a more rectilinear and larger parking. The irregular property lines make it difficult to create pedestrian walkways that have more utility or safety than a direct line to the entrance.” Regarding c, 2, the applicant’s narrative, p. 9, states, “No pedestrian walkways are anticipated. The sidewalk at the required drop-off is flush with asphalt paving to maximize accessibility.” Regarding c, 3, the applicant’s narrative, p. 9, states, “No pedestrian walkways are anticipated. There are 13 parking spaces with 6 islands, the increased tree islands will make the parking seem smaller, reduce heat islands, and be more attractive.” Where the parking lot does not intend to comply with the standards, a variance would be required.

### **Section 17.20.090 – Landscaping Requirements**

The following are the applicable provisions from Section 17.20.090

*17.20.090.2: The minimum area of a site to be retained in landscaping in the CG zone is 15%.*

Finding: The total area of the site is 36,777 sq. ft. (Landscape Plan sheet L1.1) before dedications of right-of-way. It is 29,992 sq. ft. after the dedications. The dedication area does not appear to include the 5 feet along the east side of Orchard Court along the Orchard Court frontage of the property. The Landscape Plan sheet L1.1 indicates the 15% figure from the post dedication area of 29,992 sq. ft. results in 4,499 sq. ft. of landscaping is required. Sheet L1.1 indicates 23.7% of the site is proposed to be landscaped or 7,138 sq. ft.

*17.20.090.5: Required Tree Plantings. Plantings of trees is required along public street frontages, and long private driveways more than 150 feet long. Trees shall be planted outside the street right of way except where there is a designated planting strip or a City-adopted street tree plan.*

*a. Street trees species shall be selected from a list of approved species maintained by the Director of Public Works. Other varieties may be used only with approval by the decision authority.*

Finding: The site does not include a long private driveway. The Landscape Plan sheet L1.1 shows an existing tree south of the Orchard Court driveway. The Existing Survey, sheet A1.1, shows the tree is in the existing Orchard Street right-of-way. The Landscape Plan sheet L1.1 shows several existing trees along the western portion of the E. Santiam Street frontage. The Existing Survey, sheet A1.1, shows the trees are in the existing E. Santiam Street right-of-way. Other existing trees farther to the east along the current E. Santiam Street frontage are in the area that will become the round-about. The sheet L1.1 does not propose planting of trees on the subject property along the public street frontages discussed above. Sheet L1.1 shows Norway Maple (Crimson King) planted at the southeast and southwest corners of the building along the round-about. The Plant List includes Norway Maple in the list of Street Trees and Vine Maple in the list of Ornamental Trees. In the two front building insets west of the front door, Vine Maple are proposed. It is not clear from the Plant List on Sheet L1.1 if Norway Maple and Vine Maple are included in the list of approved street tree species maintained by the Director of Public Works. Compliance with the tree planting requirements must be shown on the materials submitted for the Site Development Permit.

Norway Maple (Crimson King) is also proposed at the southwest corner of the subject property just west of the western end of the water quality facility. Another Norway Maple is proposed in the angle area between the 5 parking space area and the 2 parking space area in the southwest corner of the property. It would be about 20 feet from the future E. Santiam Street right-of-way on the north side of the water quality facility. Another Norway Maple is proposed on the south side of the driveway (close to the driveway) and about 10 feet from the east right-of-way line of Orchard Street after the 5 foot dedication. The last Norway Maple that might be a street tree is proposed on

the north side of the driveway and is the south boundary of the 4-space parking area. It would be about 15 feet from the east right-of-way line of Orchard Street after the 5 foot dedication. As above, the Plant List includes Norway Maple in the list of Street Trees and Vine Maple in the list of Ornamental Trees. It is not clear from the Plant List on Sheet L1.1 if Norway Maple are included in the list of approved street tree species maintained by the Director of Public Works. Compliance with the tree planting requirements must be shown on the materials submitted for the Site Development Permit.

- b. *Spacing of Street Trees. Trees with a medium canopy shall be spaced 20 feet on center. Trees with a large canopy shall be spaced 25 feet on center.*

Finding: The Sheet L1.1 shows the two Vine Maple along the east side of Orchard Street are about 45 feet apart. However, in between the two trees is an existing tree located very close to the existing sidewalk. It is not known at this time if it can be retained. Where it is not retained the approximately 45 foot spacing would need to be closed with a new tree.

- c. *Trees shall be trimmed to a height that does not impede sight distance, pedestrian traffic or vehicular traffic.*

Finding: The landscape plan does not indicate how street trees will be trimmed.

17.20.090.6: *TREE PLANTING RESTRICTIONS. Street trees shall not be planted:*

- a. *Within 10 feet of fire hydrants and utility poles, unless approved otherwise by the City Engineer.*
- b. *Where the decision authority determines the trees may be a hazard to the public interest or general welfare.*
- c. *Under overhead power lines, if tree height at mature age exceeds the height of the power line.*

Finding: There is a hydrant at the northeast corner of Orchard Court and E. Santiam Street. Another hydrant is at the northwest corner of E. Santiam Street and N. 10<sup>th</sup> Street, but it will be moved for the round-about. There are overhead power lines along E. Santiam Street and the power pole at the northeast corner of E. Santiam Street and Orchard Court may need to be moved as part of the Orchard Court improvement. The trees will be on private property and provided they are set back far enough would not be under the power lines within the E Santiam St right of way.

17.20.090.7: *IRRIGATION. Due to an increasing public demand for water and the diminishing supply, economic and efficient water use shall be required. Landscaping plans shall include provisions for irrigation. Specific means to achieve conservation of water resources shall be provided as follows:*

- a. *Any newly planted landscaped area shall have a permanent underground or drip irrigation system with an approved back flow prevention device.*

Finding: An irrigation plan was not submitted.

17.20.090.8: *Requirements for Plant Materials.*

- a. *At least 75% of the required landscaping area shall be planted with a suitable combination of trees, shrubs, evergreens and/or ground cover. The intent of this Section is to avoid large expanses of lawn without other landscaping features and the decision authority shall determine what constitutes a suitable combination of landscape material as part of the review of each landscape plan.*

- b. *Use of native plant materials or plants acclimated to the Pacific Northwest is encouraged to conserve water during irrigation.*
- f. *Shrubs shall be a minimum of 2 feet in height when measured immediately after planting.*
- i. *Turf areas shall be planted in species normally grown as permanent lawns in western Oregon. Either sod or seed are acceptable. Acceptable varieties include improved perennial ryegrasses and fescues used within the local landscape industry.*
- a. *Landscaped areas may include architectural features such as sculptures, benches, masonry or stone walls, fences, and rock groupings. The exposed area developed with such features shall not exceed 25% of the required landscaped area.*
- b. *Landscaped areas may include minimal areas of non-living ground covers where the applicant can demonstrate that plant ground covers are not appropriate. Artificial ground covers such as bark, mulch chips, gravel or crushed stone shall not exceed 15% of the landscaped area. This percentage shall be based on the anticipated size of landscape plants at maturity, not at planting.*

**Finding:** The landscape plan calls for the establishment of landscaping with trees, shrubs and 3' minus gravel mulch. It is not clear what the green pattern is that covers much of the landscape area - grass or ground covers. The landscape plan indicates shrubs by gallon size, not height at planting.

**11.20.090.11 BUFFER PLANTING-PARKING, LOADING AND MANEUVERING AREAS:** *Buffer plantings are used to reduce building scale, provide transition between contrasting architectural styles, and generally mitigate incompatible or undesirable views. They are used to soften rather than block viewing. Where required, a variety of plants shall be used to achieve the desired buffering effect.*

- a. *Buffering is required for any commercial, industrial, or multi-family development with more than 4 parking spaces. Buffering shall occur in the following manner:*
  - 1) *Any parking area, loading area, or vehicle maneuvering area shall be landscaped along property boundaries. The landscaped area shall meet the minimums in Table 17.20.090.11.a.1. Table 17.20.090.11.1 requires a 10-foot buffer between a commercial use and neighboring single family residences; and a 10-foot buffer between a commercial use and a collector street.*

**Finding:** Sheet L1.1 provides for 10 and 15 feet of landscaped buffer between the western parking area and the single family homes to the west across Orchard Court. A 10 foot buffer is between the turn-around circle and the playground and the dwelling on the property abutting to the west.

### **Section 17.20.170 – Outdoor Lighting**

- 2. **GENERAL STANDARDS.** *Lighting may be provided which serves security, safety and operational needs but which does not directly or indirectly produce deleterious effects on abutting properties or which would impair the vision of the traveling public on adjacent roadways. Lighting fixtures with more than 800 lumens of light output shall be cut-off fixtures so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings. Direct or indirect illumination shall not exceed 0.5 foot candles upon abutting lots in residential use measured at the property line.*

**Finding:** An outdoor lighting plan showing pole location and specifying a fixture schedule was not submitted. A 17-page “electrical cutsheet” was submitted.

4. *NON-RESIDENTIAL LIGHTING STANDARDS. The following additional standards shall apply to all commercial, industrial, public and semi-public uses:*

c. *Lighting of Parking Areas. Parking area lighting shall provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets.*

1) *All lighting fixtures serving parking areas shall be full cut-off fixtures.*

3) *Parking area lighting shall meet the following mounting height, minimum illumination level, and uniformity ratios. In the CR Zone the maximum mounting height is 20 feet, the minimum illumination level is 0.3 foot-candle, the maximum average illumination level is 1.6 foot-candle and uniformity ratio is 4:1. The minimum color rendering index is 65.*

**Finding:** The application materials do not show light fixtures. An illuminance diagram was not submitted.

### **Section 17.26.020 – Access Management Requirements and Standards**

2. *NUMBER OF ALLOWED ACCESSES.*

c. *Number of Allowed Accesses for Non-Residential Uses.*

*The number of driveways allowed for non-residential uses shall be based on the daily trip generation of the site in question. One driveway shall be allowed for up to 2,500 daily trips generated with a maximum of two driveways. An exception shall be allowed if it is proven through a traffic impact study that this limitation creates a significant traffic operations hardship for on-site traffic. The primary criteria to allow more driveways will be level of service (see standards in 17.26.050) analysis, queuing analysis, and safety analysis of the site accesses. If a development has a need for more than two access points, then signalization of the main access shall be investigated as a potential option prior to allowing additional driveways. A signal warrant study will then be required to study whether or not signalization of the main access is required. The Public Works Director or his/her designee shall determine whether the traffic study adequately proves that more accesses are needed for a particular project.*

**Finding:** The site plan includes one two-way driveway access onto Orchard Court. The TIA indicated the day care center would generate 27 AM peak trips (24 in and 3 out). The City's transportation engineering consultant did not comment on the driveway access.

3. *LOCATION OF ACCESSES.*

*Vehicle access locations shall be provided based on the following criteria:*

a. *Corner Lot Access.*

*Corner lot driveways on local streets shall be a minimum of 50 feet from the intersecting property lines or in the case where this is impractical, the driveway shall be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line. Corner lots on arterial or collector streets shall have driveways located on the minor cross street. If this is not feasible, then the corner lot driveway on an arterial or collector street must follow the minimum access spacing standard in Table 17.26.020.3.h. or in the*

*case where this is impractical, the driveway shall be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line.*

**Finding:** The property is located at the corner of two local streets. The driveway entering Orchard Court is more than 50 feet from the intersection and more than 5 feet from a property line.

*h. Access Spacing Standards*

*The streets within Stayton are classified as arterials, minor arterials, collectors, and local streets. The access spacing standards are shown in Table 17.26.020.3.h. for both full intersection spacing and driveway spacing. Table 17.26.020.3.h requires driveways be 150 feet from neighboring intersections or driveways.*

**Finding:** The driveway entering Orchard Court is more than 50 feet from the intersection and is approximately 100 feet from the residential driveway on Orchard Court to the northwest.

**4. ACCESS STANDARDS.**

*a. Driveway Design.*

- 1) See Standard Specifications for Public Works Construction, Section 300 – Street Design Standards, 2.22b for minimum and maximum driveway widths.*

**Finding:** The applicant's site plans do not show the width of the proposed driveway. When the applicant applies for a Site Development Permit the width will need to be shown and that it complies with the Street Design Standards, 2.22b for driveway widths.

- 2) Driveways providing access into off-street, surface parking lots shall be designed in such a manner to prevent vehicles from backing into the flow of traffic on the public street or to block on-site circulation. The driveway throat approaching the public street shall have adequate queue length for exiting vehicles to queue on-site without blocking on-site circulation of other vehicles. The driveway throat approaching the public street shall also have sufficient storage for entering traffic not to back into the flow of traffic onto the public street. A traffic impact study, subject to approval by the Public Works Director or his/her designee, shall be used to determine the adequate queue length of the driveway throat. This requirement shall be applied in conjunction with the design requirements of parking lots in section 17.20.060.9. If there is a conflict between these two code provisions, then this code provision supersedes those of 17.20.060.9.*

**Finding:** The driveway entering Orchard Court is designed with a driveway throat of about 20 – 25 feet in length. The driveway is designed to prevent vehicles from backing into the flow of traffic on Orchard Street or to block on-site circulation.

- 3) Driveway. Sight distance triangle requirements are identified in 17.26.020.4.c and 17.26.020.4.d. Construction of driveways along acceleration lanes, deceleration lanes, or tapers shall be prohibited due to the potential for vehicular weaving conflicts unless there are no other alternatives for driveway locations. Only after a traffic impact study is conducted as defined in 17.26.050 and concludes that the driveway does not create a safety hazard along acceleration lanes, deceleration lanes, or taper shall the driveway be considered for approval. Approval of a driveway location along an acceleration lane, deceleration lane, or taper shall be based on the Public Works Director or his/her designee agreeing with the conclusions of the traffic impact study.*

Finding: The sight distances from the proposed driveway were not provided. The TIA submitted with the application indicated that sight distances should be verified after construction of the driveways.

### III. CONCLUSION

Based on the facts above, the Planning Commission concludes that the application meets the requirements established in SMC Section 17.12.220.5, and Sections 17.20.060, 17.20.090, 17.20.170, and 17.26.020, except for the following:

1. 17.12.220.5.a. This section requires the ability to obtain adequate utility connections to serve the development. The Sheet L1.1 did not indicate that connection to the water system was planned and did not indicate the landscaping would be irrigated. This standard could be met if the landscape plan is revised to show the connection to the city water system and the proper protection to prevent cross contamination from the irrigation system.
2. 17.20.090.5.a. This section requires that street trees be selected from a list of approved species maintained by the Public Works Director. It is not clear which of the trees shown on the Sheet L1.1 are the proposed street trees and whether they are from the list of approved species. This standard could be met if the applicant identifies which trees are proposed to be street trees and receives approval from the Public Works Director or revises the landscape to plan to select an approved species.
3. 17.20.090.5.c. This section requires street trees to be trimmed to a height that does not impede sight distance, pedestrian traffic or vehicular traffic. The landscape plan does not indicate how street trees will be trimmed. This standards could be met if the landscape plan indicates how street trees will be trimmed so they do not impede sight distance, pedestrian traffic or vehicular traffic.
4. 17.20.090.7. This section requires that newly planted landscaped areas have a permanent underground or drip irrigation system. An irrigation plan was not submitted with the landscape plan. This standard could be met if an irrigation plan meeting the requirements of Section 17.20.090.4 is submitted.
5. Section 17.20.170.2. This section limits direct or indirect illumination at the property line of abutting lots in residential use to no more than 0.5 foot candles. An illuminance diagram was not submitted, therefore, it could not be concluded that the illumination at the western property line of the abutting residential use will be no more than 0.5 foot candles. This standard could be met if an illuminance diagram meeting the standard Section 17.20.170.2 is submitted.
6. Section 17.20.170.4. This section establishes illumination levels in parking areas. An illuminance diagram was not submitted, therefore, it could not be concluded that the illumination standards are met for the parking area.
7. 17.26.020.4.a.3. This section requires driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view, citing the minimum sight distance requirements of Section 17.26.020.4.c. The TIL did not provide the sight distances from the proposed driveway. This standards could be met if a revised TIA is submitted that verifies the sight distances at the proposed driveway upon completion of construction and planting of the landscaping, the sight distances are verified, documented and stamped by a registered professional engineer.

8. The City Engineer recommended the following engineered plans and supporting documentation be submitted to the City for review and approval prior to submittal of a Site Development Permit.
  - a. Site and street improvement plans conforming to the Stayton Development Code and Public Works Design Standards.
  - b. Water System Plans conforming to the Stayton Development Code and Public Works Design Standards and meeting the requirements of the Building and Fire Code Official.
  - c. Sanitary sewer system plans conforming to the Stayton Development Code and Public Works Design Standards and meeting the requirements of the Building Official.
  - d. A stormwater analysis and report conforming to the Public Works Design Standards.
  - e. Stormwater conveyance, quality, and quantity facility plans conforming to the Public Works Design Standards and meeting the requirements of the Building Official.
  - f. A stormwater and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater facility quality and quantity facilities.
  - g. An erosion and sediment control plan for the site grading and earth disturbing activities conforming to the Public Works Design Standards.
9. The City Traffic Engineer has recommended the following revisions to the Traffic Impact Analysis be submitted to the City for review and approval prior to submittal of a Site Development Permit.
  - a. Page 2, include a Site Plan.
  - b. Page 7, in the Existing Conditions Section include road functional classification, characteristics, posted speed, etc. See Stayton Development Code 17.26.050.3.d.
  - c. Page 13, given the non-standard proposed use, i.e., day care, include information about the number of buses, students, staff, etc. Justify the trip generation numbers.
  - d. Figure 4. If possible include arrow with percentages to indicate the trip distribution assumed, or some other way to convey that information.
  - e. Include a list of appendices.
  - f. Appendices: Appendix A, the proposed Site Plan was not included.

#### **IV. ORDER**

Based on the conclusion above, the Planning Commission approves the application for site plan approval, as shown on an 8-sheet set of plans entitled Architectural Set & Site Plans prepared by



Ronald James Ped Architect, PC, dated February 21, 2023, and the accompanying materials that comprised the complete application, subject to the attached standard conditions of approval and the following specific conditions of approval:

1. A site development permit is required from the Public Works Department prior to initiation of any construction activity.
2. The applicant shall file a “combination request” with the Marion County Assessor’s Office to combine the three tax lots into one.
3. Prior to the submittal of the application for a site development permit, the applicant shall submit a revised landscaping plan. The revised landscaping plan shall:
  - a. Include an irrigation plan meeting the submission requirements of Section 17.20.090.4 and the standards of Section 17.20.090.7;
  - b. Show the connection to the public water system and appropriate backflow prevention devices.
  - c. Include a tree species to be planted along E Santiam St that is on the Public Works Department’s list of approved street trees or have the approval of the Public Works Director for the paperbark maple.
  - d. Indicate how trees planted along the street will be trimmed.
4. Prior to the submittal of the application for a site development permit, the applicant shall submit a revised site plan. The revised site plan shall eliminate the E Santiam St driveway.
5. Prior to the submittal of the application for a site development permit, the applicant shall submit a supplemental TAL that clarifies the existing sight distances at the existing driveway on N Tenth Ave, and documents the required sight distances based on design speed of the roadway.
6. Prior to the submittal of the application for a site development permit the applicant shall submit the following engineered plans and supporting documentation for review and approval by the City Public Works Department, in accordance with review memo from John Ashley, PE dated June 18, 2018. Plans shall also be submitted to Marion County Public Works, if any work in the E Santiam St right of way is proposed, recognizing that Marion County is the Road Authority with jurisdiction over E Santiam St.
  - a. A site improvement plan conforming to Public Works Standards. All necessary easements and tracts shall be provided and shall comply with the SMC and Public Works Standard requirements.
  - b. Street improvement plans for any work to be conducted in the public right of way.
  - c. Water system plans meeting the requirements of the Fire Marshal and Building Official for connection of the irrigation system to the public water system. The irrigation system shall be provided with approved backflow devices. A utility easement in accordance with Public Works Design Standards 102.08 shall be provided if a public water main and or fire hydrant is located outside of the public right of way.
  - d. A final stormwater analysis, drainage report, plans and supporting documentation conforming to PWDS.

An acceptable point of discharge is to be designed by the Design Engineer and approved by the City.

Stormwater quality and quantity provisions will be required in accordance with PWDS 607 and 608. Stormwater quality facilities meeting the requirements of the PWDS will be required. Best management practices shall be used to minimize any degradation of stormwater quality caused by the development. See PWDS 607 for stormwater quality requirements. Source control measures shall be implemented for the project in accordance with PWDS 602.01.N. The SWMM Source Control Manual defines the source control characteristics and uses and identifies structural source controls that must be implemented to manage the pollutants at their source.

Stormwater quantity facilities will be required to detain post-developed peak runoff rates from the 2-year, 5-year, 10-year, and 50-year 24-hour storm events to the respective pre-developed peak runoff rates, and the post-developed peak runoff rate for the 25-year storm event will be required to be detained to the 10-year predeveloped peak runoff rate. The stormwater facility shall have an overflow system with the capacity to safely pass the 100-year storm event. See PWDS 608 for stormwater quantity requirements.

Provisions for an adequate and approved emergency overflow system are required to convey the un-detained, post-developed 100-year storm event flows to an acceptable point of discharge. Additional provisions shall be provided at all locations where the overflow system will create ponding to hazardous depths. Emergency access shall be provided at all times. Appropriate setbacks from the edge of the stormwater management facility's maximum water surface to the property lines shall be provided, unless an easement with adjacent property owners is provided, in accordance with the SWMM requirements.

The Developer shall provide a stormwater operation and maintenance plan/agreement (as approved by the City) to ensure future operation and maintenance of the private stormwater facilities. The stormwater operation and maintenance plan shall be recorded in the Marion County Deed Records.

- e. An erosion and sediment control plan for any site grading or earth disturbing activities, conforming to PWDS.
7. Before the Site Development Permit review process is concluded the right-of-way for the round-about shall be dedicated to the public and a 5-foot wide strip on the east side of Orchard Court shall be dedicated to the public for right-of-way purposes.

## **V. OTHER PERMITS AND RESTRICTIONS**

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Stayton Land Use review and approval process does not take the place of, or relieve the Applicant of responsibility for, acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

In accordance with Section 17.12.120.7, the land use approval granted by this decision shall be effective only when the exercise of the rights granted herein is commenced within 1 year of the effective date of the decision. In case such right has not been exercised or extension obtained, the

approval shall be void. A written request for an extension of time may be filed with the Director of Planning and Development at least 30 days prior to the expiration date of the approval.

**VI. APPEAL DATES**

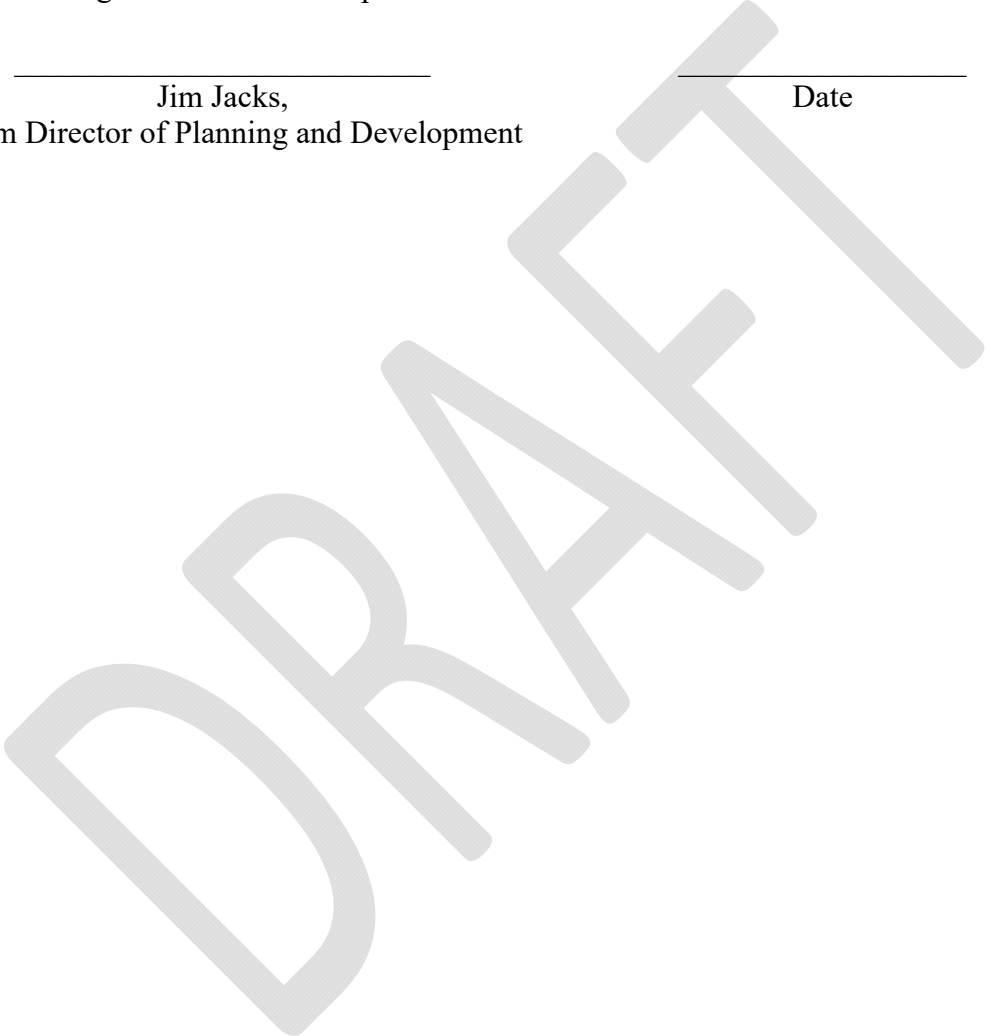
The Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS.

\_\_\_\_\_  
Ralph Lewis,  
Planning Commission Chairperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jim Jacks,  
Interim Director of Planning and Development

\_\_\_\_\_  
Date



## Standard Conditions of Approval for Land Use Applications

1. Minor variations to the approved plan shall be permitted provided the development substantially conforms to the submitted plans, conditions of approval, and all applicable standards contained in the Stayton Land Use and Development Code.
2. **Agency Approval:** The applicant shall obtain all necessary permits and approvals from the City of Stayton prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided on the parcel.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.
5. **Utilities** - Utility companies shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
6. **Agency Approval** - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances and Standard Specifications. The developer is also responsible for securing design approval from all City, State and Federal agencies having jurisdiction over the work proposed. This includes, but is not limited to, the City of Stayton, the Fire District, Marion County, DEQ, ODHS (water design), DSL, 1200C (state excavation permit), etc
7. **Construction Bonding** - Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, the developer shall provide a construction bond in the amount of 100% of the total project costs, plus added City costs associated with public construction. The bond shall be in a form acceptable to the Director of Public Works.
8. **Inspection** - At least five days prior to commencing construction of any public improvements, the Developer shall notify the Director of Public Works in writing of the date when (s)he proposes to commence construction of the improvements, so that the City can arrange for inspection. The written notification shall include the name and phone number of the contracting company and the responsible contact person. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.
9. **Public Works Standards** - Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton Public Works Design Standards, Public Works Standard Construction Specifications, and Public Works Standard Specification Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC). (SMC 12.08.310.1)
10. **Engineered Plans** - Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must

meet the Stayton PW Standards. Engineered construction plans and specifications shall be reviewed by the City Engineer and signed approved by the City Engineer, or Stayton Public Works Department, prior to construction.

11. **Street Acceptance** - Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210.
12. **Construction Approval** - All public improvements and public utilities shall be fully constructed and a letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued unless the required improvements are deferred under a non-remonstrance or other agreement approved and signed by the City. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
13. **Maintenance Bond** - After completion and acceptance of a public improvement by the City, the developer shall provide a 1-year maintenance bond in the amount of 30% of the construction bond amount. The bond shall be in a form acceptable to the Director of Public Works.
14. **As-Builts** - Where public improvements are required, the developer shall submit to the City, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
15. **Drainage Permit** – A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.
16. **SDC** - Systems Development Charges are applied to the project at the time of issuance of a building permit.