

**CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION AGENDA
NORTH PLAINS SENIOR CENTER, 31450 NW Commercial Street
WEDNESDAY, August 13, 2014, 7:00 P.M.**

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL

4. PUBLIC COMMENTS

(This time is provided for questions or statements by persons in the audience on any item of Planning Commission business, except those items which appear on this agenda. Comments shall be limited as determined by the Chairperson.)

5. CONSENT AGENDA: *(The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Planning Commission.)*

A. Approval of Regular Session Agenda

B. Approval of July 9, 2014, Regular Session Minutes

6. PUBLIC HEARING

A. Approval of a final plat for 31790 NW North Avenue-North View Estates

B. Approval of a final plat for 31827 NW Pacific Street-Pacific Estates

C. Comprehensive Plan Update

7. STAFF REPORT

City Manager

8. ADDITIONAL BUSINESS

Time allowed for Board members to bring up old, unfinished or additional issues before meeting is closed.

9. ADJOURNMENT

The Planning Commission meetings to be held at the North Plains Senior Center, 31450 NW Commercial Street, North Plains, Oregon. Meetings will be held on the following dates at 7:00 p.m.:

Wednesday, September 10, 2014

Wednesday, October 8, 2014

Wednesday, November 12, 2014

**CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION MINUTES
JULY 9, 2014, 7:00 P.M.
NORTH PLAINS SENIOR CENTER
31450 NW COMMERCIAL STREET**

1. Chairman King called the meeting to order at 7:00 p.m.
2. The pledge of allegiance was led by Chairman King.
3. **ROLL CALL**
Chair Stewart King, Vice Chair Heather LaBonte, Doug Nunnenkamp, Larry Gonzales, Daryl Olson and Garth Eimers

Excused Absence: Jeff Low

Ex-Officio: City Councilor Glen Warren.

Staff Present: City Manager Martha DeBry and City Recorder Margaret Reh

Audience: None present.

4. **PUBLIC COMMENTS**

None.

5. **CONSENT AGENDA**

A. Approval of the Regular Session Agenda.

B. Approval of June 11, 2014 Regular Session Minutes.

Motion by Nunnenkamp. Second by Olson to approve the consent agenda. Motion approved unanimously.

6. **PUBLIC HEARING.**

A. Discussion of Citywide Notice Regarding the Revision of the Comprehensive Plan and Map; and Chapter 16 Modifications Regarding Zoning

This legislative public hearing was postponed to the August 13, 2014 Planning Commission meeting due to missing one of the deadlines for noticing the public hearing. Drafts of the two notices were distributed to the Commissioners for review. One notice will be sent to all property owners within the city limits along with a Comprehensive Plan Map. The second notice will be published in the Forest Grove NewsTimes.

The Commissioners reviewed the draft Comprehensive Plan and made comments and suggestions for changes. Staff will incorporate these suggestions into the review copy that will be discussed at the August Planning meeting and eventually forwarded to the City Council.

In an effort to encourage more public input to this Comp Plan process, it was suggested to use some of the city events for outreach. It was suggested to set up a table with Plan

information at the National Night Out event and a table at the Thursday Marketplace.

7. **STAFF REPORT**. DeBry reported the ground breaking ceremony for the Sunset Ridge subdivision took place on Tuesday evening, July 8, 2014. Polygon will begin the infrastructure in the next few weeks. Construction on houses may start in October and sales could start at the beginning of 2015.

Other items mentioned were that Sunset Terrace has been delayed again; an application for a Lot Line Adjustment has been submitted for a property on Glencoe Road. This will be an administrative decision; the McKay Fields project is moving forward. The property has been sold to J.T. Roth Construction but the sale excluded the wetlands. Ron Guillory still owns that parcel of land.

8. **UNFINISHED BUSINESS**.
None.

9. **ADJOURNMENT**. Chair King was adjourned the meeting at 8:24 pm. The August 13, 2014 meeting will be held at Jessie Mays Community Hall.

Stewart King, Chairperson

Margaret L. Reh, City Recorder

Date approved _____

CITY OF NORTH PLAINS PLANNING COMMISSION

Subject: North View Estates Final Plat Approval
From: Martha DeBry, City Manager
Date: August 4, 2014
Application Purpose: An application to approve the final plat for a 5 lot subdivision.
Public Hearing Date: August 13, 2014
Applicant: **Emerio Design, Neil Fernando**
6107 SW Murray Blvd, Suite 147, Beaverton OR 97008
Property Owners: **Michael and Maria Basile**
31790 NW North Ave, North Plains, OR
Site Location: 31790 NW North Avenue
Tax Lot: 1N301BD400
Size: 0.96 Acres
City Land Use Classification: R7.5

Request

The applicant requests approval of the final plat for the North View Estates Subdivision

This request is subject to a Type III process for quasi-judicial review by the Planning Commission. No modifications from the approved tentative plat are proposed.

Compliance with City of North Plains Comprehensive Plan

***FINDING:** Except where required by the North Plains Zoning and Development Ordinance, this application is not required to address the city’s goals and policies related to the development of land, since the North Plains Comprehensive Plan is implemented by the municipal code.*

Compliance with City of North Plains Municipal Code

16.135.030 Final Subdivision Plat

A. Submittal of Final Subdivision Plat

Within one year after approval of the tentative plan, the sub-divider shall have the subdivision surveyed and a plat prepared which conforms to the approved

tentative plan. Unless a request for an extension of the subdivision approval is made in accordance with the provisions of Section 16.00.080.

Finding: Application is timely.

B. Information on Plat

The applicant shall submit one (1) original and five (5) copies of the final subdivision plat. The following information shall be included on the plat:

1. Reference points of existing surveys identified, related to the plat by distance and bearings, and referenced to a field book or map as follows:
 - a. Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision.
 - b. Adjoining corners of adjoining subdivisions.
 - c. Other monuments found or established in making the survey of the subdivision or required to be installed by provisions of this ordinance.
2. The exact location and width of streets and easements intercepting the boundary of the tract.
3. Tract, block and lot boundary lines and street right-of-way and center lines, with dimensions, bearing or deflection angles, radii, arcs, points of curvature and tangent bearings. Normal high water lines for any creek or other body of water and any designated 100-year flood plains. Tract boundaries and street bearings shall be shown to the nearest 30 seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet.
4. The width of the portion of streets being dedicated and width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.
5. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not definitely located of record, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision shall be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's Certificate of Dedication.

6. Lot numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout the subdivision.
7. Identification of land to be dedicated for any purpose, public or private, to distinguish it from lots intended for sale.
8. Building setback lines, if any, are to be made a part of the subdivision restrictions.
9. The following certificates which may be combined where appropriate:
 - a. A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the plat.
 - b. A certificate signed and acknowledged as above, dedicating all land intended for public use except land which is intended for exclusive use of the lot owners in the subdivision, their licenses, visitors and tenants.
 - c. A certificate with the seal of and signed by the engineer or surveyor responsible for the survey and final map.
 - d. Other certifications now or hereafter required by law.

C. Supplemental Information with Plat

The following information shall accompany the final plat:

1. A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.
2. Sheets and drawings showing the following:
 - a. Traverse data including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners, and showing the error of closure, if any.
 - b. The computation of distances, angles and courses shown on the plat.
 - c. Ties to existing monuments, proposed monuments, adjacent subdivisions, street corners and state highway stationing.
3. A copy of any deed restrictions applicable to the subdivision.
4. A copy of any dedication requiring separate documents.

5. A list of all taxes and assessments on the tract which have become a lien on the tract.

D. Technical Plat Review

1. Upon receipt of the final plat, the plat and other data shall be reviewed by the City to determine that the subdivision as shown is substantially the same as it appeared on the approved tentative plan and that the subdivision is in compliance with provisions of state law and this ordinance.
2. The City Engineer may make such field checks as are necessary to verify that the map is sufficiently correct on the ground.
3. If the City Engineer and City determine that changes of additions must be made to the final plat, they shall notify the sub-divider and afford the sub-divider an opportunity to make the changes or additions.

Finding: Applicant has submitted the application package which is included in the Commission's packet. No streets or easements are dedicated to the City. Standard public utility easements are presented on the northern portion of the plat. Additional easements are presented for CWS on lot 3 and 4. The driveway which is owned in common by all property owners is subject to a CWS easement.

16.135.035 Final Subdivision Plat Review

- A. The final subdivision plat shall be submitted to the Planning Commission for review pursuant to the Application Review section of this chapter. The Planning Commission shall review the plat to assure compliance with the approved preliminary plat and with the conditions of approval. The Planning Commission Chairman or Commission designee shall signify Planning Commission approval of the final plat by signing the recorder's plat sheet and exact duplicate. However, if the plat includes dedication of any newly created public roads the City Council shall either accept a deed of dedication on a form acceptable to the City, or authorize the mayor or other City Council designee to sign an acceptance of dedication on the final plat.
- B. A sub-divider shall, without delay, submit the plat for signatures of other public officials required by law. Approval of the final plat shall be null and void if the plat is not recorded within 90 days after the date of the last required approving signature has been obtained.
- C. At the time of submittal for final approval, the sub-divider shall pay to the City a final plat filing fee to defray the cost incurred by the City in checking, investigating, and otherwise reviewing the final plat for conformance to all

applicable laws. The final plat filing fee must be paid at the time of submittal, in no way assures approval and cannot be refunded.

Finding: *Application was submitted in accordance with Municipal Code 16.135.035*

16.135.040 Improvements/Bonding

Prior to the recording of the Final Subdivision Plat, all improvements required by the conditions of approval shall be constructed or the construction shall be guaranteed through an irrevocable letter of credit, assignment of bank account, performance bond, cash or other instrument acceptable to the City Attorney. The assurance sum shall cover the cost of the improvements and repairs, including related engineering and incidental expenses identified in an itemized improvement estimate provided by the developer and certified by a registered civil engineer. A Development Agreement between the City and the developer shall be recorded with the final plat. In the event the developer fails to carry-out the provisions of the agreement, and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit letter of credit or other instrument for reimbursement. The developer shall not cause termination of nor allow expiration of the guarantee without first having secured written authorization from the City.

Finding: *A bond is in place and public improvements have been completed in North Avenue, including the extension of a water line and installation of a hydrant.*

16.170.012 Type III Quasi-Judicial Decisions by the Planning Decision

- A. Pre-application Conference. A pre-application conference is required for all Type III quasi-judicial applications under this Section. The requirements and procedures for a pre-application conference are described in Chapter 16.170.001.

Finding: *The City Manager waived the preapplication requirement for the final plat.*

- B. Application Requirements.
 - 1. Application form. A quasi-judicial application shall be made on forms provided by the City Planner or designee. The application shall include the property owner's signature of consent. Entities with condemnation authority are not required to provide a consent signature.
 - 2. Submittal Information. When a quasi-judicial application is required, it shall include:
 - a. The information requested on the application form;
 - b. One copy of a narrative statement that explains how the application satisfies each of the relevant criteria and standards in sufficient detail for review and decision-making.

- c. The required fee pursuant to Chapter 16.00.070; and
- d. One set of pre-stamped and pre-addressed envelopes for all real property owners of record who will receive a notice of the application within 250 feet. The records of the Washington County Assessor's office are the official records for determining ownership. The applicant shall produce the notice list. At the applicant's request, and upon payment of a fee noted on the City's fee list, the City may prepare the public notice mailing list. The City or the applicant shall use the most current County real property assessment records to produce the notice list. The City shall mail the notice of application.

Finding: *The applicant has met the requirements of 16.170.012.*

Conclusion

The applicant has demonstrated compliance with Municipal Codes and the requirements of other public agencies and utilities. It is recommended that the North View Estates Final Plat be approved, and the developer may record the plat.

CITY OF NORTH PLAINS

NOTICE OF PUBLIC HEARING & REQUEST FOR COMMENTS

The purpose of this notice is to invite comments on:

An application requesting the approval of a final plat for a 5-lot subdivision of single-family detached dwellings on a 0.96 acre lot located at 31790 NW North Avenue designated R-7.5 on the City of North Plains Zoning Map. Tax lot #1N301BD400.

The City will accept all written comments received prior to the hearing scheduled for
August 13, at 7 p.m.

North Plains Senior Center, 31450 NW Commercial Street, North Plains, Oregon 97133



LOT SIZE: 0.96 acres

ZONING: R-7.5

OWNER AND APPLICANT: Emerio Design (Neil Fernando)

DATE OF THIS NOTICE: July 9, 2014

WHAT IS THE DECISION PROCESS? The North Plains Planning Commission will make a decision on the application for a final plat for a 5-Lot single family residential subdivision after the public hearing. The Planning Commission's decision may be appealed to the City Council.

HOW CAN I REVIEW THE DOCUMENTS AND STAFF REPORT? You can review application and staff report materials at City Hall, online after August 6, 2014 at www.northplains.org or request a copy by emailing martha@northplains.org

INFORMATION TO INCLUDE IN COMMENTS: Issues which may provide the basis for an appeal to the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue. Failure of an issue to be raised in a hearing, in person, or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue, precludes appeal.



City of North Plains

31360 NW Commercial St. North Plains, OR 97133

Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

GENERAL LAND USE APPLICATION

Applicant General Information

Applicant Name: Emerio Design, Neil Fernando

Mailing Address: 6107 SW Murray Blvd., Suite 147
Street Apartment/Unit #
Beaverton, Oregon 97008
City State ZIP Code

Email Address: neil@emeriodesign.com Phone: (503)746-8812

Property Owner: Michael and Marie Basile

Mailing Address: 31790 NW North Avenue
Street Apartment/Unit #
North Plains, Oregon 97133
City State ZIP Code

Email Address: _____ Phone: () -

Property Description

Address: 31790 NW North Avenue
Street Apartment/Unit #
North Plains, Oregon 97133
City State ZIP Code

Tax Lot ID: 1N3 01BD 400 Existing Zoning: R 7.5

Property Area: 0.96 acre Existing Land Use: Single-family dwelling

General Development Description: 5-lot subdivision per Planning Commission Approval - Final Plat

Fees

Land Use Process	Fee	Land Use Process	Fee
<input type="checkbox"/> Annexation	\$10,000 deposit*	<input type="checkbox"/> Non-Conforming Use	\$200
<input type="checkbox"/> Appeal	\$218	<input checked="" type="checkbox"/> Subdivision	\$2,615
<input type="checkbox"/> Comp Plan Amendment, Text	\$8,000	<input type="checkbox"/> Manu Home Park	\$3,372
<input type="checkbox"/> Comp Plan Amendment, Map	\$5,000	<input type="checkbox"/> Modification - Minor	\$142
<input type="checkbox"/> Conditional Use, Residential	\$328	<input type="checkbox"/> Modification - Major	\$1,941
<input type="checkbox"/> Conditional Use, Ind. & Comm.	\$544	<input type="checkbox"/> SNR Permit	\$1,486
<input type="checkbox"/> Design Review Type II	\$175	<input type="checkbox"/> Similar Use	\$567**
<input type="checkbox"/> Design Review Type III	\$879	<input type="checkbox"/> Street Vacation	\$1,441
<input type="checkbox"/> Floodplain Permit	\$1,699	<input type="checkbox"/> UGB Expansion	\$28,000
<input type="checkbox"/> Partition, with street dedication	\$669	<input type="checkbox"/> Variance, Administrative	\$105
<input type="checkbox"/> Partition, no street dedication	\$331	<input type="checkbox"/> Variance, PC Hearing	\$1,078
<input type="checkbox"/> Lot Line Adjustment	\$202	<input type="checkbox"/> Zoning Code Amendment	\$2,621
<input checked="" type="checkbox"/> Other: <u>Final Plat</u>			

* plus \$9,000 election deposit ** waived until 2013

Information to Include with Your Application

- Narrative describing the Development Proposal and addressing the Decision Criteria. *All applications will be reviewed based on the criteria of North Plains Zoning Ordinance.* Ask Staff for the applicable chapters to address in your narrative.
- Application and fee
- Plans drawn to scale showing:
 - All property boundaries in which development is occurring
 - All adjacent roads (with names and dimensions)
 - Location and dimensions of all existing and proposed accessways/driveways
 - Location, number, dimensions, setbacks, and types of existing and proposed utilities, including water, sewer, stormwater, electric, gas, phone, and cable
 - Location, size (area), and setbacks of all existing and proposed fire hydrants
 - Location, size (area), and setbacks of all existing and proposed buildings and structures
 - Location, size (area), and layout of existing and proposed landscaping
 - Location, number and dimensions of existing and proposed parking areas, including handicapped spaces
 - Location, number and dimensions of existing and proposed loading areas
 - Location, number, dimensions, and types of existing and proposed lighting
 - Location, number, dimensions, setbacks, and types of existing and proposed fencing and or/screening
 - Location, number, dimensions, setbacks, and types of existing and proposed mechanical equipment, such as rooftop equipment and transformer boxes. Show any screening of proposed equipment.
 - Pedestrian circulation
 - Outdoor seating areas
 - Flood plains
 - Water courses
 - Significant vegetation
 - Easements
- If required, mailing labels for all property owners and residents within 250 feet of the subject property or properties. A list of property owners/site addresses may be obtained from a title insurance company. Please ask staff if mailing labels are required for your application.
- If required, a traffic study shall be submitted. Please ask staff if a traffic study is required.

After initial review, the City may require additional information.

Additional Information

In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs.

Date: 7-15-14

Signature of Applicant: _____

Deborah

Date: 7-16-14

Signature of Property Owner: _____

Michael Basile

FOR OFFICE USE

Received by: _____

Date: _____

Fee paid: \$2615.00 Receipt No. _____

Application No. _____



OWNERSHIP INFORMATION

Owner	: Basile Michael H	Bldg #	1 Of 1
CoOwner	: Basile Maria E	Ref Parcel Number	: 1N301BD 00400
Site Address	: 31790 NW North Ave North Plains 97133	Parcel Number	: R0728724
Mail Address	: PO Box 394 North Plains Or 97133	T: 01N R: 03W S: 01 Q: NW QQ: SE	
Telephone	:	County	: Washington (OR)

PROPERTY DESCRIPTION

Map Page Grid : 563 A1
 Census Tract : 327.00 Block: 2
 Neighborhood : NPLN
 Subdivision/Plat :
 School District : North Plains
 Building Use : Single Family Res
 Land Use : 1010 Res, Improved
 Legal : NORTH PLAINS, BLOCK 1, LOT PT 26,
 : ACRES .96
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$173,570
 Mkt Structure : \$48,150
 Mkt Total : \$221,720
 %Improved : 22
 M50AssdTotal : \$122,200
 Levy Code : 07014
 13-14 Taxes : \$1,856.15
 Millage Rate : 15.1893
 Zoning : R7.5

PROPERTY CHARACTERISTICS

Bedrooms	: 2	Year Built	: 1925	Patio SqFt	:
Bathrooms	: 1.00	EffYearBlt	: 1925	Deck SqFt	: 200
Heat Method	: Stove	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Post Pier	BsmUnfinSF	: 780	Const Type	: Wd Stud'shtg
Lot Acres	: .96	BldgSqFt	: 2,670	Roof Shape	: Gable
Lot SqFt	: 41,818	1stFlrSF	: 780	Roof Matl	: Comp Shingle
Garage Type	: Detached	UpperFISF	:	Porch SqFt	: 140
Garage SF	: 720	Attic SqFt	: 1,110	Paving Matl	:

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Basile Michael H	:06/10/1998	61601	:\$85,000	:Warranty	:\$82,450	:Conven
:Voelker Leonid W	:	3870017	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

RE: NORTH VIEW AND PACIFIC ESTATES PLAT RELEASE

Jon Feigion [jonf@emeriodesign.com]

Sent: Wednesday, August 06, 2014 11:08 AM
To: Martha DeBry
Cc: king@emeriodesign.com; Frahm, Katie J. [KFrahm@firstam.com]
Attachments: NORTHVIEWPLAT.pdf (741 KB)

Hi Martha,
Here is a pdf of the plat.
There are no deed restrictions on either plat.
There appears to be a lien on the North View Estates plat in the amount of \$514.66 per Doc. No. 2005-002760. We can work with the Title Co. to have this removed from title. The County will not record the plat if the lien is still in place.
Perhaps you can mention City approval contingent on the removal of this lien in your release letter.
No other liens or deed restrictions are in place on either plat.
Please forward the City release letter at your earliest convenience.
We would really like to get both plats into the County do they can begin their review.

Thanks for your assistance, let me know if you need anything else.
Thank You,
Jon

From: Martha DeBry [mailto:Martha@northplains.org]
Sent: Wednesday, August 06, 2014 9:44 AM
To: Jon Feigion
Cc: king@emeriodesign.com
Subject: RE: PACIFIC ESTATES PLAT

Hey Jon,

Can you advise if any of the following are applicable at the Pacific Estates or North View Estates?

1. Please provide deed restrictions applicable to the subdivision.
2. Are there any taxes or and assessments on the tract which have become a lien on the tract.

Kindest Regards,

Martha DeBry
City Manager
City of North Plains
31360 NW Commercial Street, North Plains, OR 97133
503.647.5555

From: Jon Feigion [jonf@emeriodesign.com]
Sent: Monday, June 23, 2014 11:35 AM
To: Martha DeBry
Cc: king@emeriodesign.com

Subject: PACIFIC ESTATES PLAT

Hello Martha,

Attached please find a pdf of the signed plat of "Pacific Estates" for review. First American title will deliver 3 signed copies of the plat with the review fee.

Please call or write if you need anything else.

Thanks,

Jon Feigion

CITY OF NORTH PLAINS PLANNING COMMISSION

Subject: Pacific Estates Final Plat Approval
From: Martha DeBry, City Manager
Date: August 4, 2014
Application Purpose: An application to approve the final plat for a 7 lot subdivision.
Public Hearing Date: August 13, 2014
Applicant: **Emerio Design, Neil Fernando**
6107 SW Murray Blvd, Suite 147, Beaverton OR 97008
Property Owners: **Biggi Construction, Vince Biggi**
11605 SW Normandy Lane, Wilsonville, OR 97070
Site Location: 31827 NW Pacific Street
Tax Lot: 1N301CD1100
Size: 1.0 Acres
City Land Use Classification: R5

Request

The applicant requests approval of the final plat for the Pacific Estates Subdivision

This request is subject to a Type III process for quasi-judicial review by the Planning Commission. No modifications from the approved tentative plat are proposed.

Compliance with City of North Plains Comprehensive Plan

***FINDING:** Except where required by the North Plains Zoning and Development Ordinance, this application is not required to address the city's goals and policies related to the development of land, since the North Plains Comprehensive Plan is implemented by the municipal code.*

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Finding: Application is timely.

B. Information on Plat

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1. Reference points of existing surveys identified, related to the plat by distance and bearings, and referenced to a field book or map as follows:
 - a. Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision.
 - b. Adjoining corners of adjoining subdivisions.
 - c. Other monuments found or established in making the survey of the subdivision or required to be installed by provisions of this ordinance.
2. The exact location and width of streets and easements intercepting the boundary of the tract.
3. Tract, block and lot boundary lines and street right-of-way and center lines, with dimensions, bearing or deflection angles, radii, arcs, points of curvature and tangent bearings. Normal high water lines for any creek or other body of water and any designated 100-year flood plains. Tract boundaries and street bearings shall be shown to the nearest 30 seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet.
4. The width of the portion of streets being dedicated and width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.
5. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not definitely located of record, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision shall be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's Certificate of Dedication.

6. Lot numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout the subdivision.
7. Identification of land to be dedicated for any purpose, public or private, to distinguish it from lots intended for sale.
8. Building setback lines, if any, are to be made a part of the subdivision restrictions.
9. The following certificates which may be combined where appropriate:
 - a. A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the plat.
 - b. A certificate signed and acknowledged as above, dedicating all land intended for public use except land which is intended for exclusive use of the lot owners in the subdivision, their licenses, visitors and tenants.
 - c. A certificate with the seal of and signed by the engineer or surveyor responsible for the survey and final map.
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2. The City Engineer may make such field checks as are necessary to verify that the map is sufficiently correct on the ground.
3. If the City Engineer and City determine that changes of additions must be made to the final plat, they shall notify the sub-divider and afford the sub-divider an opportunity to make the changes or additions.

***Finding:** Applicant has submitted the application package which is included in the Commission's packet. No streets or easements are dedicated to the City. Standard public utility easements are presented on the south portion of the plat.*

16.135.035 Final Subdivision Plat Review

- A. The final subdivision plat shall be submitted to the Planning Commission for review pursuant to the Application Review section of this chapter. The Planning Commission shall review the plat to assure compliance with the approved preliminary plat and with the conditions of approval. The Planning Commission Chairman or Commission designee shall signify Planning Commission approval of the final plat by signing the recorder's plat sheet and exact duplicate. However, if the plat includes dedication of any newly created public roads the City Council shall either accept a deed of dedication on a form acceptable to the City, or authorize the mayor or other City Council designee to sign an acceptance of dedication on the final plat.
- B. A sub-divider shall, without delay, submit the plat for signatures of other public officials required by law. Approval of the final plat shall be null and void if the plat is not recorded within 90 days after the date of the last required approving signature has been obtained.
- C. At the time of submittal for final approval, the sub-divider shall pay to the City a final plat filing fee to defray the cost incurred by the City in checking, investigating, and otherwise reviewing the final plat for conformance to all applicable laws. The final plat filing fee must be paid at the time of submittal, in no way assures approval and cannot be refunded.

Finding: Application was submitted in accordance with Municipal Code 16.135.035

16.135.040 Improvements/Bonding

Prior to the recording of the Final Subdivision Plat, all improvements required by the conditions of approval shall be constructed or the construction shall be guaranteed through an irrevocable letter of credit, assignment of bank account, performance bond, cash or other instrument acceptable to the City Attorney. The assurance sum shall cover the cost of the improvements and repairs, including related engineering and incidental expenses identified in an itemized improvement estimate provided by the developer and certified by a registered civil engineer. A Development Agreement between the City and the developer shall be recorded with the final plat. In the event the developer fails to carry-out the provisions of the agreement, and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit letter of credit or other instrument for reimbursement. The developer shall not cause termination of nor allow expiration of the guarantee without first having secured written authorization from the City.

***Finding:** A bond is in place and public improvements have been completed.*

16.170.012 Type III Quasi-Judicial Decisions by the Planning Decision

- A. Pre-application Conference. A pre-application conference is required for all Type III quasi-judicial applications under this Section. The requirements and procedures for a pre-application conference are described in Chapter 16.170.001.

***Finding:** The City Manager waived the preapplication requirement for the final plat.*

B. Application Requirements.

1. Application form. A quasi-judicial application shall be made on forms provided by the City Planner or designee. The application shall include the property owner's signature of consent. Entities with condemnation authority are not required to provide a consent signature.
2. Submittal Information. When a quasi-judicial application is required, it shall include:
 - a. The information requested on the application form;
 - b. One copy of a narrative statement that explains how the application satisfies each of the relevant criteria and standards in sufficient detail for review and decision-making.
 - c. The required fee pursuant to Chapter 16.00.070; and

- d. One set of pre-stamped and pre-addressed envelopes for all real property owners of record who will receive a notice of the application within 250 feet. The records of the Washington County Assessor's office are the official records for determining ownership. The applicant shall produce the notice list. At the applicant's request, and upon payment of a fee noted on the City's fee list, the City may prepare the public notice mailing list. The City or the applicant shall use the most current County real property assessment records to produce the notice list. The City shall mail the notice of application.

Finding: *The applicant has met the requirements of 16.170.012.*

Conclusion

The applicant has demonstrated compliance with Municipal Codes and the requirements of other public agencies and utilities. It is recommended that the Pacific Estates Final Plat be approved, and the developer may record the plat.



City of North Plains

31360 NW Commercial St. North Plains, OR 97133

Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

GENERAL LAND USE APPLICATION

Applicant General Information

Applicant Name: Emerio Design, Neil Fernando

Mailing Address: 6107 SW Murray Blvd., Suite 147
Street Apartment/Unit #
Beaverton, Oregon 97008
City State ZIP Code

Email Address: neil@emeriodesign.com Phone: (503)746 -8812

Property Owner: Vince Biggi, Biggi Construction, LLC

Mailing Address: 11605 SW Normandy Lane
Street Apartment/Unit #
Wilsonville, Oregon 97070
City State ZIP Code

Email Address: biggicon@gmail.com Phone: (503) 682- 7292

Property Description

Address: 31827 NW Pacific Street
Street Apartment/Unit #
North Plains, Oregon 97133
City State ZIP Code

Tax Lot ID: 1N3 01CD 1100 Existing Zoning: R-5

Property Area: 1 acre Existing Land Use: Single-family dwelling

General Development Description: 7-lot subdivision per Planning Commission Approval - Final Plat

Fees

Land Use Process	Fee	Land Use Process	Fee
<input type="checkbox"/> Annexation	\$10,000 deposit*	<input type="checkbox"/> Non-Conforming Use	\$200
<input type="checkbox"/> Appeal	\$218	<input checked="" type="checkbox"/> Subdivision	\$2,615
<input type="checkbox"/> Comp Plan Amendment, Text	\$8,000	<input type="checkbox"/> Manu Home Park	\$3,372
<input type="checkbox"/> Comp Plan Amendment, Map	\$5,000	<input type="checkbox"/> Modification – Minor	\$142
<input type="checkbox"/> Conditional Use, Residential	\$328	<input type="checkbox"/> Modification – Major	\$1,941
<input type="checkbox"/> Conditional Use, Ind. & Comm.	\$544	<input type="checkbox"/> SNR Permit	\$1,486
<input type="checkbox"/> Design Review Type II	\$175	<input type="checkbox"/> Similar Use	\$567**
<input type="checkbox"/> Design Review Type III	\$879	<input type="checkbox"/> Street Vacation	\$1,441
<input type="checkbox"/> Floodplain Permit	\$1,699	<input type="checkbox"/> UGB Expansion	\$28,000
<input type="checkbox"/> Partition, with street dedication	\$669	<input type="checkbox"/> Variance, Administrative	\$105
<input type="checkbox"/> Partition, no street dedication	\$331	<input type="checkbox"/> Variance, PC Hearing	\$1,078
<input type="checkbox"/> Lot Line Adjustment	\$202	<input type="checkbox"/> Zoning Code Amendment	\$2,621
<input checked="" type="checkbox"/> Other: <u>Final Plat</u>			

* plus \$9,000 election deposit ** waived until 2013

Information to Include with Your Application

- Narrative describing the Development Proposal and addressing the Decision Criteria. *All applications will be reviewed based on the criteria of North Plains Zoning Ordinance.* Ask Staff for the applicable chapters to address in your narrative.
- Application and fee
- Plans drawn to scale showing:
 - All property boundaries in which development is occurring
 - All adjacent roads (with names and dimensions)
 - Location and dimensions of all existing and proposed accessways/driveways
 - Location, number, dimensions, setbacks, and types of existing and proposed utilities, including water, sewer, stormwater, electric, gas, phone, and cable
 - Location, size (area), and setbacks of all existing and proposed fire hydrants
 - Location, size (area), and setbacks of all existing and proposed buildings and structures
 - Location, size (area), and layout of existing and proposed landscaping
 - Location, number and dimensions of existing and proposed parking areas, including handicapped spaces
 - Location, number and dimensions of existing and proposed loading areas
 - Location, number, dimensions, and types of existing and proposed lighting
 - Location, number, dimensions, setbacks, and types of existing and proposed fencing and or/screening
 - Location, number, dimensions, setbacks, and types of existing and proposed mechanical equipment, such as rooftop equipment and transformer boxes. Show any screening of proposed equipment.
 - Pedestrian circulation
 - Outdoor seating areas
 - Flood plains
 - Water courses
 - Significant vegetation
 - Easements
- If required, mailing labels for all property owners and residents within 250 feet of the subject property or properties. A list of property owners/site addresses may be obtained from a title insurance company. Please ask staff if mailing labels are required for your application.
- If required, a traffic study shall be submitted. Please ask staff if a traffic study is required.

After initial review, the City may require additional information.

Additional Information

In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs.

Date: 7-15-14 Signature of Applicant: [Signature]

Date: 7/16/14 Signature of Property Owner: [Signature]

FOR OFFICE USE			
Received by: <u>[Signature]</u>		Date: <u>6/23/14</u>	
Fee paid: <u>\$2615.00</u>	Receipt No. _____	Application No. <u>13-03 0-3</u>	



**First American
Title Company of Oregon**

Customer Service Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: cs.portland@firstam.com
Today's Date : 7/9/2014

OWNERSHIP INFORMATION

Owner	: Biggi Construction LLC	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 1N301CD 01100		
Site Address	: 31827 NW Pacific St North Plains 97133	Parcel Number	: R0729670		
Mail Address	: 11605 SW Normandy Ln Wilsonville Or 97070	T: 01N	R: 03W	S: 01	Q: SW QQ: SE
Telephone	:	County	: Washington (OR)		

PROPERTY DESCRIPTION

Map Page Grid : 563 A2
 Census Tract : 327.00 Block: 2
 Neighborhood : 4TL1
 Subdivision/Plat : North Plains
 School District : North Plains
 Building Use : Single Family Res
 Land Use : 1910 Res,Potential Development,Improved
 Legal : NORTH PLAINS, BLOCK 45, LOT 26,
 : ACRES 1.00
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$162,700
 Mkt Structure : \$186,160
 Mkt Total : \$348,860
 %Improved : 53
 M50AssdTotal : \$232,470
 Levy Code : 07014
 13-14 Taxes : \$3,531.07
 Millage Rate : 15.1893
 Zoning : R2.5

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Year Built	: 2000	Patio SqFt	: 120
Bathrooms	: 2.00	EffYearBlt	: 2000	Deck SqFt	: 180
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud/shtg
Lot Acres	: 1.00	BldgSqFt	: 2,060	Roof Shape	: Gable
Lot SqFt	: 43,560	1stFlrSF	: 1,676	Roof Matl	: Comp Shingle
Garage Type	: Multiple	UpperFISF	:	Porch SqFt	:
Garage SF	:	Attic SqFt	: 384	Paving Matl	: Concrete

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Biggi Construction LLC	:05/23/2013	46488	:\$382,000	:Warranty	:\$248,300	:Constru
:Wing Frank L	:01/20/2006	7521	:	:	:	:
:Wing Frank L/Catherine A	:12/27/1996	114580	:	:Warranty	:	:
:Wing Betty R	:10/11/1993	83329	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

RECORDED AS DOCUMENT NO. _____

PACIFIC ESTATES

A REPLAT OF LOT 26, BLOCK 45, "NORTH PLAINS"
LOCATED IN THE
S.W. 1/4 OF SEC. 1, T.1N., R.3W., W.M.
CITY OF NORTH PLAINS WASHINGTON COUNTY OREGON
JULY 2, 2014

CURVE	DELTA	CHORD BEARING	CHORD
C1	251°07'34"	S 82°20'35" E	10.00'
C2	251°07'34"	S 82°20'35" E	10.00'
C3	172°45'34"	S 82°20'35" E	10.00'
C4	74°32'1"	S 82°20'35" E	10.00'
C5	308°02'	S 82°20'35" E	10.00'
C6	251°07'34"	S 82°20'35" E	10.00'

CITY OF NORTH PLAINS APPROVAL
APPROVED THIS _____ DAY OF _____ 2014.
PLANNING DEPARTMENT, CITY OF NORTH PLAINS

BY: _____ CITY MANAGER
WASHINGTON COUNTY APPROVALS
APPROVED THIS _____ DAY OF _____ 20____
WASHINGTON COUNTY SURVEYOR

BY: _____ DIRECTOR, DEPARTMENT OF LAND USE AND TRANSPORTATION
APPROVED THIS _____ DAY OF _____ 20____
BY: _____ DAY OF _____ 20____
(WASHINGTON COUNTY ASSESSOR)

BY: _____ DAY OF _____ 20____
WASHINGTON COUNTY BOARD OF COMMISSIONERS

BY: _____ DAY OF _____ 20____
ATTEST: THIS _____ DAY OF _____ 20____
EX-OFFICIO COUNTY CLERK

BY: _____ DEFUTY
STATE OF OREGON)
COUNTY OF WASHINGTON)
JSS

I DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS RECEIVED
FOR RECORD ON THIS _____ DAY OF _____ 20____
AT _____ O'CLOCK _____ M. AND RECORDED IN THE COUNTY
CLERK RECORDS.

DEFUTY COUNTY CLERK

REGISTERED
LAND SURVEYOR

OREGON
JANUARY 15, 1987
JUN 20, 2002
EXPIRES 12-31-15

I HEREBY CERTIFY THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL
PARTITION PLAT.
THIS PLAT WAS PREPARED USING HP
PRODUCT #1614-00A ON MAP FILE.

EMERIO
Design

8285 SW NIMBUS AVE., SUITE 180
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com
JOB NO. 255-001

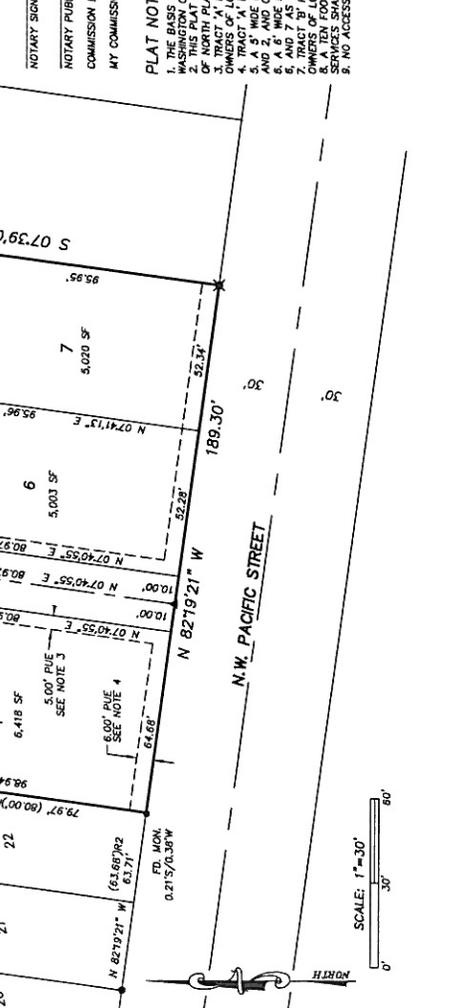
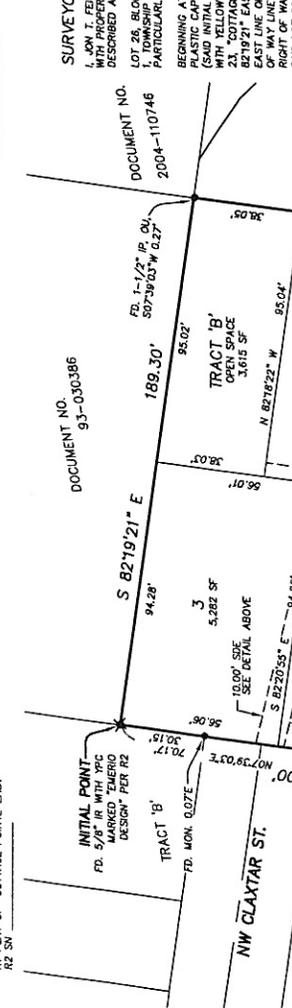
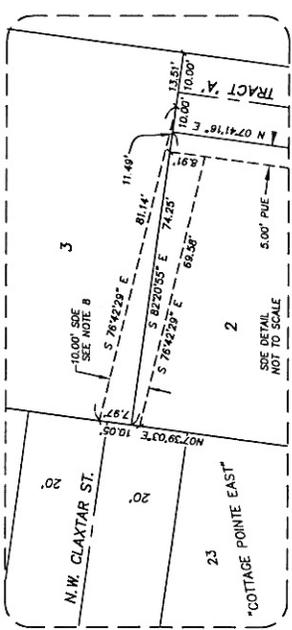
SURVEYORS CERTIFICATE
I, DON T. FERGUSON, HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED AND MARKED
WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PLAT, BEING
DESCRIBED AS FOLLOWS:
LOT 26, BLOCK 45 OF THE PLAT OF "NORTH PLAINS" LOCATED IN THE S.W. 1/4 OF SEC.
1, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INITIAL POINT WHERE I FOUND A 5/8" IRON ROD WITH YELLOW
PLASTIC CAP MARKED "EMERIO DESIGN" AT THE NORTHWEST CORNER OF SAID LOT 26
(SAID INITIAL POINT BEARS NORTH 07°39'03" EAST, 20.17 FEET FROM A 5/8" IRON ROD
WITH YELLOW PLASTIC CAP MARKED "LAND TECH" AT THE NORTHEAST CORNER OF LOT
24, SAID LOT 24 BEING PART OF THE PLAT OF "NORTH PLAINS" LOCATED IN THE S.W. 1/4 OF SEC.
1, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
1. BEGINNING AT THE INITIAL POINT WHERE I FOUND A 5/8" IRON ROD WITH YELLOW
PLASTIC CAP MARKED "EMERIO DESIGN" AT THE NORTHWEST CORNER OF SAID LOT 26
(SAID INITIAL POINT BEARS NORTH 07°39'03" EAST, 20.17 FEET FROM A 5/8" IRON ROD
WITH YELLOW PLASTIC CAP MARKED "LAND TECH" AT THE NORTHEAST CORNER OF LOT
24, SAID LOT 24 BEING PART OF THE PLAT OF "NORTH PLAINS" LOCATED IN THE S.W. 1/4 OF SEC.
1, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
2. THENCE ALONG THE NORTH LINE OF SAID LOT 26, SOUTH
07°39'03" EAST, 20.17 FEET TO THE POINT OF BEGINNING OF THE EAST LINE OF SAID LOT 26,
SOUTH 07°39'03" WEST, 230.00 FEET TO THE NORTH RIGHT
OF WAY LINE OF N.W. PACIFIC STREET (60.00 FEET WIDE); THENCE ALONG SAID NORTH
RIGHT OF WAY LINE, NORTH 87°19'21" WEST, 189.30 FEET TO THE SOUTHWEST CORNER OF
SAID LOT 26; THENCE ALONG SAID WEST LINE OF SAID LOT 26, NORTH 07°39'03" EAST,
230.00 FEET TO THE INITIAL POINT.
CONTAINING 43,540 SQUARE FEET, MORE OR LESS.

DECLARATION
KNOW ALL PEOPLE BY THESE PRESENTS THAT BIGG CONSTRUCTION, LLC AN OREGON
LIMITED LIABILITY COMPANY, IS THE OWNER OF THE LAND DESCRIBED IN THE
ACCOMPANYING SURVEYORS CERTIFICATE AND AS SHOWN ON THE ANNEKED MAP, AND
AS SHOWN OR NOTED IN ACCORDANCE WITH O.R.S. CHAPTER 92.
BIGG CONSTRUCTION, LLC
AN OREGON LIMITED LIABILITY COMPANY

VICE PRESIDENT
ACKNOWLEDGEMENT
STATE OF OREGON)
COUNTY OF WASHINGTON)
JSS
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY _____
VICE PRESIDENT AS MEMBER OF BIGG CONSTRUCTION, LLC.

NOTARY SIGNATURE
NOTARY PUBLIC-OREGON
COMMISSION NO. _____
MY COMMISSION EXPIRES: _____

PLAT NOTES
1. THE BASIS OF BEARING AND BOUNDARY DETERMINATION ARE PER SH 9X, 90X
WASHINGTON COUNTY SURVEY RECORDS.
2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IMPOSED BY THE CITY
OF NORTH PLAINS FOR "PACIFIC ESTATES" SUBDIVISION.
3. THE PLAT IS SUBJECT TO THE STATE DRAINAGE AND WILL BE OWNED AND MAINTAINED BY THE
OWNERS OF LOTS 1-4.
4. TRACT 'A' IS SUBJECT TO A BLANKET PUBLIC UTILITY EASEMENT OVER ITS ENTIRETY.
5. A 5' WIDE PUBLIC UTILITY EASEMENT SHALL EXIST ALONG THE EAST LINE OF LOTS 1
AND 2.
6. A 5' WIDE PUBLIC UTILITY EASEMENT SHALL EXIST ALONG THE SOUTH LINE OF LOTS 1,
2, AND 7 AS SHOWN.
7. A 10' WIDE OPEN SPACE TRACT AND WILL BE OWNED AND MAINTAINED BY THE
COMPANIES OF LOTS 1, 2, AND 7.
8. A TEN FOOT WIDE STORM DRAINAGE EASEMENT SHALL TO BENEFIT CLEAN WATER
SERVICES SHALL EXIST ON LOTS 2 AND 3.
9. NO ACCESS TO NW CLAXTAR STREET IS PERMITTED FROM LOTS 2 AND 3.



- LEGEND**
- SET 5/8" X 30" LONG IRON ROD WITH YPC MARKED "EMERIO DESIGN"
 - ▲ SET 5/8" X 30" LONG IRON ROD WITH AC MARKED "EMERIO DESIGN"
 - SET 5/8" IRON ROD WITH YPC MARKED "LAND TECH" UNLESS OTHERWISE NOTED
 - ✱ FOUND 5/8" IRON ROD WITH YPC MARKED "EMERIO DESIGN"
 - () REFERENCE NUMBER
 - () RECORD OR CALCULATED DATA PER REFERENCE INDICATED
 - (H) HELD MONUMENT POSITION
 - IR IRON ROD
 - YPC YELLOW PLASTIC CAP
 - AL ALUMINUM CAP
 - W WASHINGTON COUNTY SURVEY RECORDS
 - PC PUBLIC UTILITY EASEMENT
 - SE STORM DRAINAGE EASEMENT
- REFERENCES**
- R1 PLAT OF "COTTAGE POINTE EAST" 12 3N
 - R2 3N

MEMORANDUM

AUGUST 1, 2014

TO: North Plains Planning Commission

FROM: Martha DeBry, City Manager

RE: Comprehensive Plan Update

In February 2013, the Planning Commission held a work session to discuss the Comprehensive Plan (Plan). At that time it was noted that City Ordinance and policies did not always align, and some aspects of Comprehensive Plan are in need of evaluation.

The Plan was originally adopted in 1973. At that time Glencoe High School was still on the drawing board and the City's population was at 715 persons. It has been updated numerous time with Ordinances adoptions (the significant changes are in bold), 47, 93, 103, 115, 125, 140, 158, 165, **170** 1988 Revision , 172, 195, 197, 200, 207, 216, 217, **224** 1993 Revision, 229, 237, 241, 242, 245, 269, 270 master plan documents, **288** 2001 revision, 300, **301** 2002 Revision, 303 , 314, 320 Wetlands Assessment, 325 Transportation Plan, 331, 335, 336, 339, 343, 344, 345 SNR Overlay, 346 TSP, 348 Parks, 352 Water Master Plan, 360, 365, 403 Walking Trails Plan, Chapters 3, 4 and 5 of the Plan have not been updated since 1993.

The 2002 revision projected land use needs through 2021 based on population of 4,000. Growth within the community has been slower than anticipated and the timeline for reaching 4,000 may be pushed back as far as 2030 based on historic norms. The City is awaiting an official population projection to be prepared by Portland State University. After that is completed the City can look to set a time line for a 14 or 20 year land supply.

A draft of revisions were prepared and submitted to the State Department of Land Conservation and Development (DLCD). The stated purpose of the revision is to update information. No comments were received from DLCD. Notices were sent to all property owners in advance of the August 13, 2014 meeting date, and notice published in the newspaper. Additionally, the City has published several articles in its monthly newsletter to advise residents that changes to the plan are being discussed.

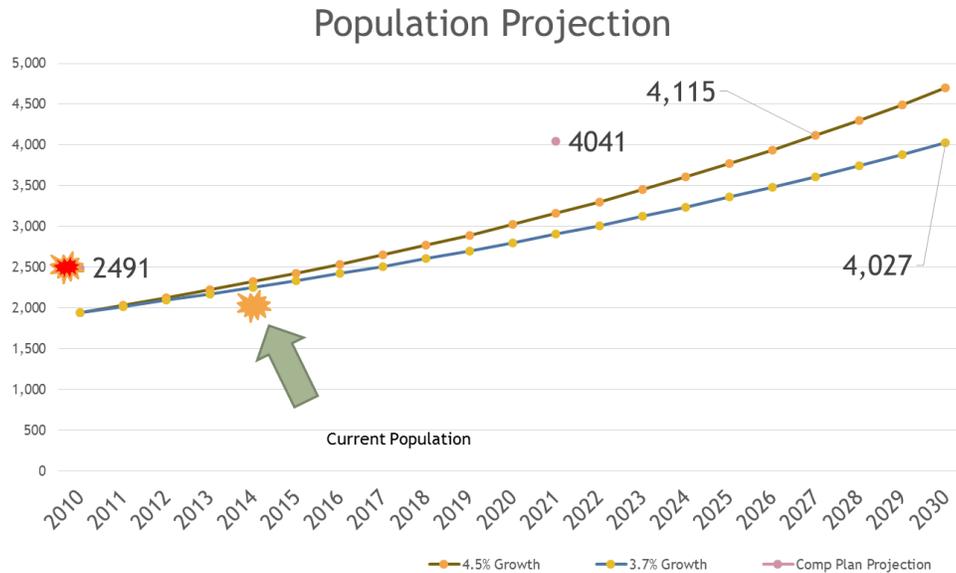
At this time the Planning Commission can review the draft, accept comments from the public, propose revisions and make a recommendation to the City Council for the amendment Chapter 15 of the Municipal Code.

Below are highlights of the major areas of changes. Attached are documents providing detailed information.

Land Use Planning 15.02.020

Population projections play an important role in determining the planning horizon for the Comprehensive Plan. Growth has traditionally be projected at 4.5% annually. Historically the City has grown at rate of 3.7% per year. Both projection numbers overestimated growth, when applied to 2000 census. After the numbers are applied to the

2010 census, and with significant housing starts in 2014 and 2015 the City's population will not hit 4,000 until the mid 2020's. Demographers with Portland State University should be able to provide validated numbers in the coming year.



Two Zone Proposals

Two new comprehensive map zones are proposed:

The first would be Downtown Transition Overlay that would support the change of residential and industrial areas on Commercial Street to downtown commercial. By outlining a strategy for the growth of the downtown area, property owners can be prepared for transitions. Easing the zone change process is essential to attract businesses to convert housing and warehouses to higher uses. Areas proposed for the transition are shown below.



Staff is proposing a Public Facility Zone (PF Zone) be created to replace the Community Service Overlay zone. Presently, facilities like Jessie Mays Park and North Plains Elementary School are included in residential zones, with an overlay for Community

Services. The total acreage for these facilities is counted with residential acreage available for development. It is highly unlikely such public facilities would ever be redeveloped. For example the School accounts for 13 acres or 14% of the land zoned R7.5, that is significant amount of property that cannot be developed to meet the 8.4 DU/NA.

A complete list of proposed changes to the PF zone is included in the Commission's packet.

Housing 15.02.020, 15.02.080

At the heart of the Comprehensive Plan are the housing goals. In general, the Plan strives for compact growth, and the ability to accommodate up to 4,000 residents by 2021. The approved plan sets a goal of 1,600 housing units, assuming that the average household size in the North Plains remains about 2.5 persons per dwelling.

Municipal Code Section 15.02.020 Land Use Planning states "*Residential: The City's goal is to achieve a mix of low density (40%), medium density (40%), and high density (20%) residential uses providing an average density of 8.4 units per acre.*" North Plains cannot achieve all of these goals by 2021. There is insufficient land and an inadequate code to attain the 40/40/20 mix. The 8.4 DU/NA can be achieved with a substantial increase in codes and dense development. The 1,600 is likely to be met without any changes to the code or the Urban Growth Boundary (UGB).

The City has not successfully achieved the 40/40/20 mix. In 2014, the housing mix is about 38% low, 31% medium and 30% high, excluding the few housing units in the commercial and industrial areas. By 2015, if progress is made by developers to build out McKay Fields and Sunset Ridge Phase I (the east expansion area) the City will have 859 dwelling units and the mix of housing will be about 26/40/33. Mathematically and physically the 40/40/20 mix is not possible as the expansion area master plans are laid out. The housing mix will likely evolve to 22/26/51%. (This assumes the housing mix in the north is roughly the same as in the east.) This will yield a citywide average of 6.8 DU/AC.

The potential additional housing in the high density R2.5 zone is a wild card as it can yield anywhere from a high of 17 DU/NA down to 7.26 DU/NA when maximum lot sizes are pursued. A known project on the low end is Sunset Terrace which has lot sizes in excess of 4,000 square feet. At this time staff is aware of one other proposal to develop 5 acres with approximately 58 homes, which is above 8.4 DU/NA but well below 17 DU/NA. Zoning codes are written in a manner that allows meeting density goals, but nothing requires the property owner to meet a density goal. (The exception is the Neighborhood Community zone which requires a density of 8.4 DU/NA.) While most developers are likely to favor smaller lots not all will do so. For the purpose of housing inventory completed for this update an average of 8 DU/NA was used.

No minimum density per zone is proposed in the draft plan, but it may be something to consider as a strategy for meeting 1,600 DU goal is shaped. If this was pursued, it would be practical to offer some flexibility around 8.4 DU/NA requirement in the NC zone.

Pursuing 8.4 DU/NA remains a goal in the revised plan, as the plan is still the concept through 2040.

This revision does not propose an UGB change. It does contemplate the direction of growth if should occur in the future. Generally, only lands that are contiguous to the City’s existing boundaries should be considered. Residential lands should be required to be contiguous to other residential lands. The east expansion has created an isolated neighborhood separated from the City center and school, without pedestrian or bicycle access plans. Correcting this deficiency should be high priority when the next UGB expansion is considered.

Attached Housing 15.02.085.1.A.2

The Plan states a strong preference for attached housing suggesting that 25% of new dwelling units should be attached housing. Recent revisions to the zoning code make this goal unnecessary. Lots can be as small as 2,500 square feet, and host housing that is similar in dimensions as attached housing. The substantive difference to modifying this goal is that long term, the value of the detached housing will likely be higher than the attached, which improves assessed values in the community overall.

	
<p>Attached House on Pacific Lot Size 2,500 sq feet Distance between houses 6 ft Transportation Development Tax: \$3,8275</p>	<p>Detached House on Curtis Lot Size 2,500 sq feet Distance between houses 6 ft Transportation Development Tax: \$6,249</p>

Multifamily Housing

As of 2014 the City of North Plains has the following apartment facilities:

	Location	Units
Senior Plaza	314 th and Kaybern	33
Kaybern Terrace	314 th and Kaybern	14
Highland Court	Highland Court	30
ShyLee Building	Commercial St	1
Red House	Commercial St	4
	TOTAL	82

Of the existing apartment units, only 5 can be obtained without meeting criteria for age or income restrictions. Effectively this makes it difficult for younger persons with ordinary earning capacity to obtain housing in North Plains.

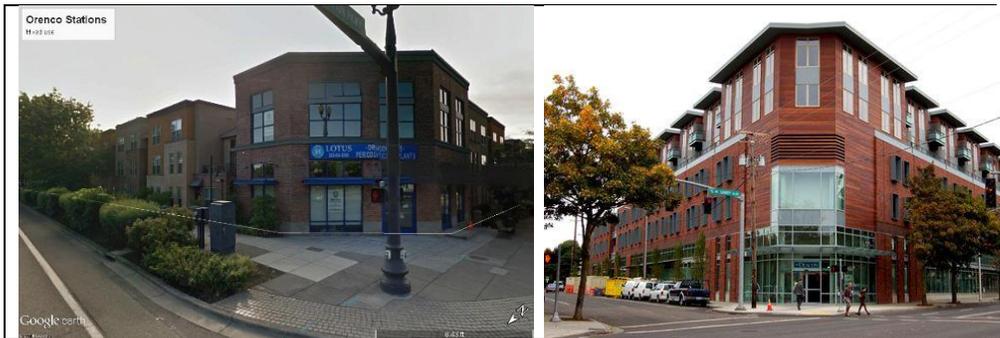
Some rental housing is available through duplexes, most of which can be found on Hillcrest Street. Most duplexes have multiple bedrooms.

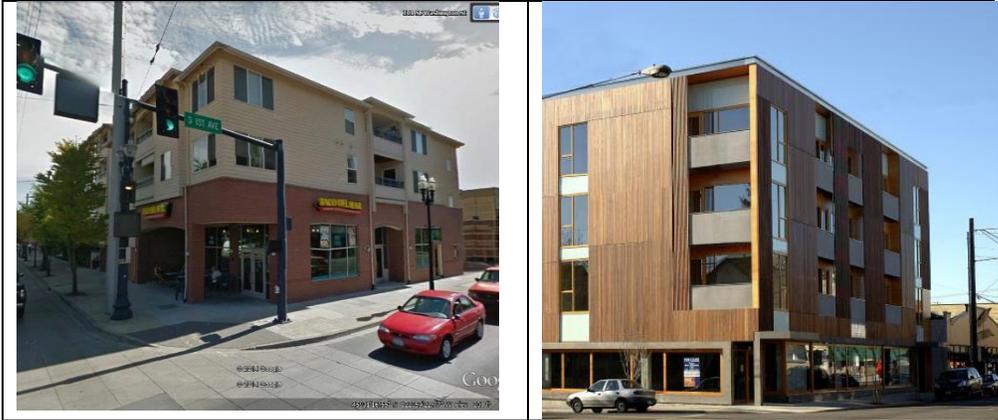
Location
10749 311 th
31120 Hillcrest
31160 Hillcrest
31188 Hillcrest
31280/31290 Hillcrest
10441/10445 313th
31580 Cottage
31710/31720 Wascoe

Neither the approved master plan for the east expansion or conceptual plan for the north contains apartment or condominium housing. There are 47 townhomes proposed in the east which have a 750 sq ft footprint. Likewise it is anticipated a variety of townhouses and cluster homes will be developed in the north. (Townhouses or rowhouses usually include ownership of the ground below the structure, and condominiums typically have ownership of property in common. Cluster homes can be a townhouses or condominiums.)

At this time no dwelling units are attributed to the mixed use areas within the expansion areas. This will likely result in exceeding the 1,600 DU goal in the long run. It is highly unlikely the 5 acres of mixed use land in the east will be developed without housing. There is no significant demand for commercial properties in North Plains, and the development of highway commercial properties is more likely than development on a more remote piece of West Union Road. Even with the addition of 295 DU there is an insufficient population to support 5 acres of commercial development.

Examples of mixed use house and retail facilities in Hillsboro and Portland are below. The building are between 3-4 stories tall and are designed the communities within which they were built.





Unfortunately, the City’s Neighborhood Community zone provides only minimal guidance on standards for building mixed use facilities. Adding a Mixed Use Zone chapter would be helpful in preparing for such development in the future. Such a zone would facilitate the review of a master plan for the north area.

It is possible the east master plan can be refined to meet housing goals and to provide more medium and low density housing. For example if the mixed use could be developed with retail on a bottom floor and housing above, the need to build small lot houses and townhouse could be reduced from 74% of units to 50%. This would still fall short of the 40/40/20 mix sought in the plan, but would lessen the overall percentage of small lots.

Housing Type	Master Plan		Option 1		Option 2		Option 3	
Large	20	10%	35	18%	55	29%	20	8%
Medium	29	15%	51	27%	44	23%	98	41%
Small	105	55%	40	21%		0%		0%
Townhouse	37	19%		0%		0%		0%
Mixed Use		0%	65	34%	92	48%	120	50%
Total	191		191		191		238	

Since the City has developed codes for multifamily, manufactured homes and small lot developments 15.02.085.3.2 goal “*The City will develop specific and enforceable design standards for multi-family, manufactured home and small lot developments.*” is recommended to be removed.

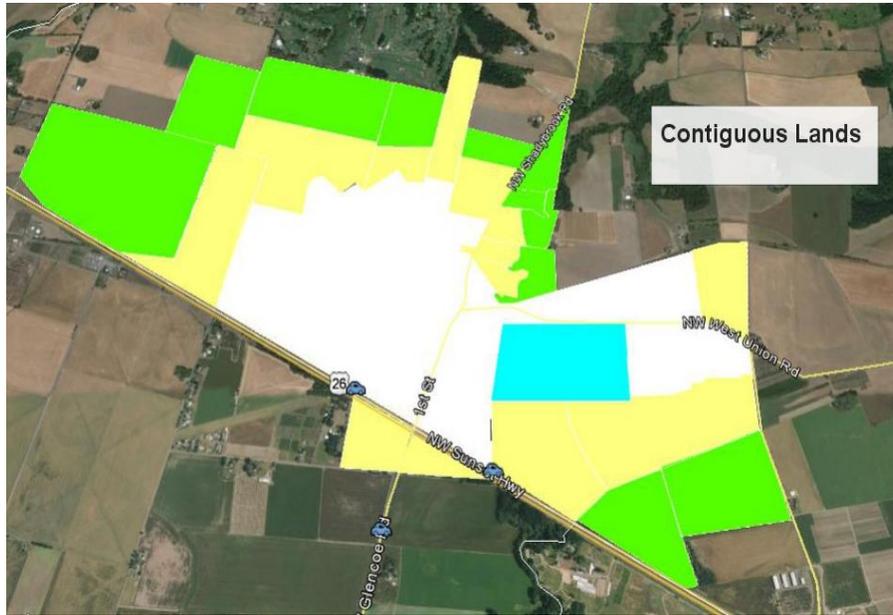
Transportation 15.02.101

It is proposed that the Public Works Standards be separated from the Comprehensive Plan.

Land Needs 15.02.140

Until the City receives projections for population, it cannot estimate the future land needs for the community. Staff is recommending that review be triggered by population and housing development in the interim.

A simple map update of the direction of growth is proposed. The blue area is needed to correct pedestrian and bicycle connectivity issues the yellow area represents lots immediately adjacent to existing boundaries, and the green are lots further out from first lots. (White is within the current UGB.)



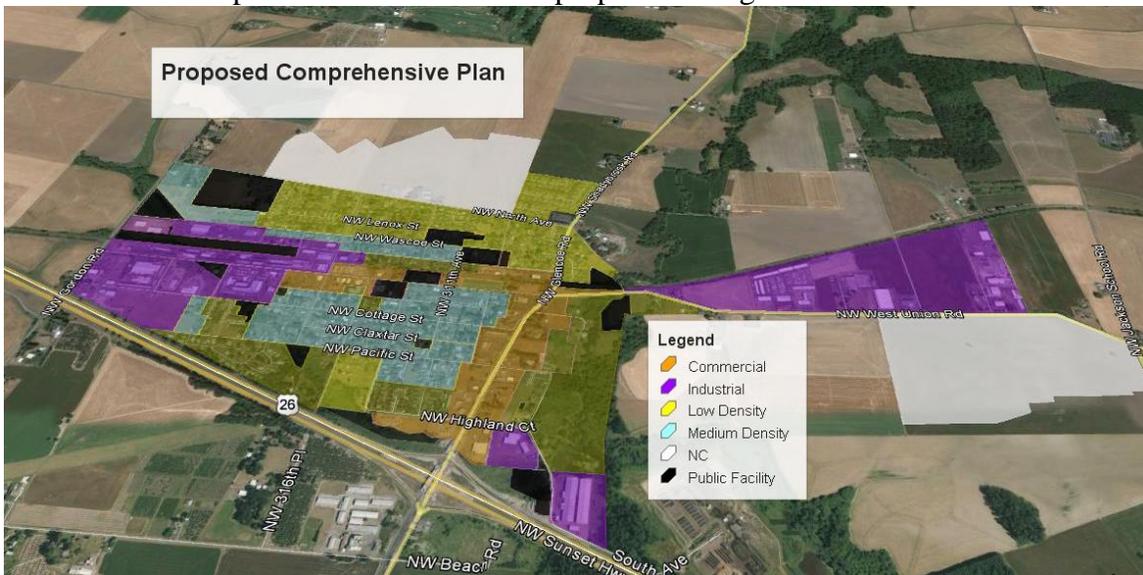
The City has received comments requesting that the area immediately south of Hwy 26 at Glencoe be considered for future commercial property. A recent State action moved the rural reserve boundary north from Zion Church Road to Beach Road. This means that under no circumstances will North Plains expand to the south of Beach Road. The addition of commercial property adjacent to the Glencoe Interchange is likely to encourage economic growth in the community.

Comprehensive Plan Map

Below is the current version of the Comp Plan Map (Feature 2 is Low Density)

Site	Current Designation	Comp Plan Map	Zone Map
18. Brown (1 lot)	R5	Industrial	Industrial
19. Eggiman (1 lot)	C2	High Density	R2.5
20. Cottage Pointe Open Space	R5	Public Facility	Public Facility
21. St Edward 2	R5	Institutional	Public Facility
22. Louie Wentz Park	R5	Public Facility	Public Facility
23. CWS Lift Station	IND	Public Facility	Public Facility
24. McKay Fields Open Space	R2.5	Public Facility	Public Facility
25. Hillcrest (3 lots)	C1	High Density	R2.5

Below is the Comprehensive Plan with the proposed changes.



If the Comprehensive Plan changes are approved they can be incorporated in the zoning map.

Flood Plain Construction

The proposed draft strengthens the City’s policy regarding construction in the flood plain, and explicitly prohibits it.

Related Code Amendments

Related code amendments have been discussed by the Planning Commission previously. Many of these are needed to implement the proposed changes in the Comprehensive Plan. Some additional changes may be needed in the future.

16.05 Definitions has been refined to add more definitions and more clarity.

16.60 Community Service Overlay District is eliminated in the draft proposal in favor of public facility zone

16.125 Lot Standards has several changes:

- Set backs reflect other parts of code
- Addresses alley access for easements
- Refers to Public Works Standards
- Street tree minimum of 1/lot

16.140 Planned Use Developments has been revised to make the process more accessible in all zones. This will allow the development of some awkward but relatively small lots, which cannot be developed without numerous variances.

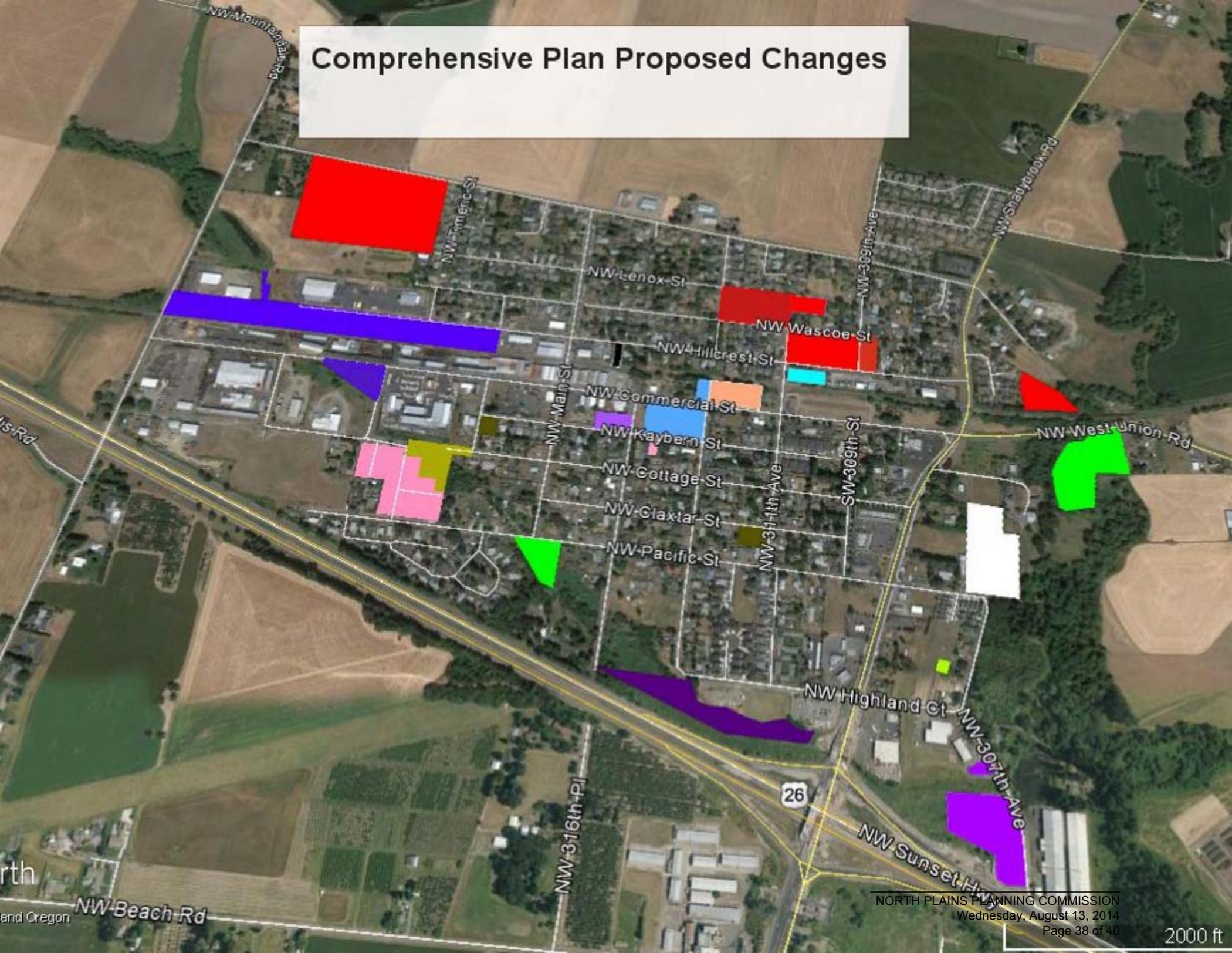
16.170 Application process has some revisions to improve review of applications, including adding minor subdivision modification as Type 2 review, and at the request of staff additional language to make Final Plats a Type 2 application that requires public notice, but not a Planning Commission review.

16.205 Annexations includes an expanded outreach process. Improving outreach will be essential to facilitating the next annexations that may be proposed as soon as 2015.

Additionally a Public Facilities draft ordinance has been prepared.

Recommendation: The Planning Commission accept public comments on the draft revisions and consider amendments to the revisions.

Comprehensive Plan Proposed Changes



Zoned Acreage

Current Zone	Current	Gross Acres	Rezone	Acres
R7.5	North Ave	94.4	PF	14.4 NP Elementary
			PF	1.28 OWU Open Space
R7.5	REMAINING ACREAGE	78.72	PF	15.68
R7.5	313th Low Density	7.89		
R5	Wascoe Medium Density	19	PF	2.78 Jessie Mays
			PF	0.69 St Edward 2
			PF	2.69 St Edward 1
R5	REMAINING ACREAGE	12.84	PF	6.16
R5	Central Residential	66.8	PF	1.52 Cottage Point Open Space
			PF	0.51 New life
			PF	0.3 Louie Wentz
			R2.5	4.49 Cottage Pointe
			R2.5	0.14 Island
R5	REMAINING ACREAGE	59.84	PF	2.33
			R2.5	4.63
R5	Sunset Terrace	18	PF	3.63 Terrace Open Space
			PF	3.63
R5	REMAINING ACREAGE	14.37		
R2.5	McKay Creek	41.2	PF	3.84 McKay Creek
			PF	0.12 LaMordden
R2.5	REMAINING ACREAGE	37.24	PF	3.96
R2.5	Hillcrest High Density	4.76	M1	0.22 Brown
R2.5	REMAINING ACREAGE	4.54	M1	0.22
R2.5	Highland High Density	7.23		
R2.5	Meadow	19.2		
R2.5	Vanderzanden	1.72		

NC	Sunset Ridge	72.6		
NC	North Expansion	76.52		
C2	Centurylink	0.68		
			PF	0.68
C2		0	PF	0.68
C2	Glencoe	50.1		
			PF	2.98 Galaway
			R2.5	3.74 Eggiman
C2	REMAINING ACREAGE	43.38	PF	2.98
			R2.5	3.74
C1	Downtown	14.7		
			PF	2.28 Civic Center
			PF	0.31 Yellow House
			R2.5	0.55 Hillcrest
			PF	1.31 NP christian
			R2.5	0.69 Senior Plaza
C1	REMAINING ACREAGE	9.56	PF	3.9
			R2.5	1.24
M2	Vandyke	7.49		
M1	Valley Machine	8		
			PF	3.13 ODOT Open Space
			PF	0.22 CWS Lift Station
M1	REMAINING ACREAGE	4.65	PF	3.35
M1	Gonzales	11.9		
			PF	1.31 Frank wing/water tank
M1	REMAINING ACREAGE	10.59	PF	1.31
M2	Industrial East	81.1		
M2	Central industrial	63.5		
			PF	9.52 Dant Russell
M2	REMAINING ACREAGE	53.98	PF	9.52