

**PRELIMINARY AGENDA  
REGULAR SESSION  
CITY OF NORTH PLAINS, CITY COUNCIL MEETING  
JESSIE MAYS COMMUNITY HALL  
30975 NW Hillcrest Street  
Tuesday, February 18, 2014 – 7:00 P.M.**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **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 Council.)*
  - A. Approval of regular session agenda
  - B. Approval of minutes of 02/03/2014 Council meeting
5. **PUBLIC COMMENT:** *(Persons wishing to speak on matters not on the agenda may be recognized at this time. Speakers must complete a “Public Comment Registration form” on the information table and return it to the City Recorder. You are not required to give your address when speaking to the City Council, only your name. Presentations are limited to five minutes.)*
6. **PRESENTATION:**  
None Scheduled
7. **PUBLIC HEARING:**
  - A. Appeal of Planning Commission decision regarding a subdivision at 31790 NW North Avenue
8. **NEW BUSINESS:**
  - A. Discussion of City matching funds raised at the benefit dance at Jessie Mays in March
  - B. Resolution No. 1816 waiving fees and approving use of Commercial Street for North Plains Farmers Market
  - C. January 2014 Check Register
9. **UNFINISHED BUSINESS:**
  - A. Discussion and approval of specific draft city policies from number 604-613. (Copies of policies were distributed at the 9/16/13 Council meeting)
  - B. Update on Smokehouse Summit event
  - C. Presentation on PORAC benefits for Reserve Officers
10. **ORDINANCES:**

**FIRST READING:**

- A. Introduction of Ordinance No. 419 amending Chapter 6.25 peddlers, solicitors, street vendor and temporary merchant ordinance
- B. Introduction of Ordinance No. 420 establishing Chapter 4.50 prohibiting sale and use of tobacco and vapor products by minors
- C. Introduction of Ordinance No. 421 establishing Chapter 4.53 disallowing the use of smoking and tobacco products on city property.

**SECOND READING:**

None Scheduled

**11. STAFF REPORTS**

Staff reports will be provided by the Public Works Director, Police Chief, and Library Director

**12. COUNCIL REPORTS**

A. Council reports will be provided by the Mayor and City Councilors on meetings attended and other items.

B. February 2014 Council Calendar

**13. ADVICE/INFORMATION ITEMS:**

- 2/21/14: One Book One Community-Movie Night: Hotel Rwanda
- 2/23/14: Playdate at Jessie Mays @1:30 p.m.
- 2/27/14: One Book One Community-Book Discussion

**14. ADJOURNMENT:**

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North Plains City Council meetings are accessible for disabled individuals. The City will also endeavor to provide services for persons with impaired hearing or vision and other services, if requested, at least 48 hours prior to the meeting. To obtain services, please call City Hall at (503) 647-5555

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**The following City Council Meetings are scheduled to be held at Jessie Mays Community Hall at 30975 NW Hillcrest Street, North Plains, Oregon.**

**The meetings will be held on the following dates at 7:00 p.m.:**

Monday, March 3, 2014

Monday, March 17, 2014

Monday, April 7, 2014

**CITY OF NORTH PLAINS, CITY COUNCIL MEETING**  
**MINUTES REGULAR SESSION**  
NORTH PLAINS SENIOR CENTER  
31450 NW Commercial  
Monday, February 3, 2014

1. **CALL TO ORDER:** Mayor David Hatcher called the meeting to order at 7:06 p.m.
2. **PLEDGE OF ALLEGIANCE:** Mayor Hatcher conducted the flag salute
3. **ROLL CALL:** Mayor David Hatcher; Council President Teri Lenahan; Councilors: Michael Broome, Michael Demagalski, Robert Kindel, Jr., Charlynn Newton, and Glen Warren

**Staff present:** City Manager Martha DeBry, Chief of Police Bill Snyder, Library Director Debra Brodie, Management Analyst Jennifer Knowles, Volunteer Coordinator/Library Assistant Carol Aldrich, Deputy City Recorder Margaret Reh

4. **CONSENT AGENDA:**

- A. Approval of regular session agenda
- B. Approval of minutes of 01/21/2013 Council meeting

Hatcher recommended removing Agenda Item No: 8D, the discussion of the home occupation ordinance from the agenda so that it can be discussed at a joint meeting with the Planning Commission at a later date. Motion was made by Lenahan and seconded by Demagalski to remove agenda item 8D from the Agenda. The motion was approved unanimously.

Motion by Broome and seconded by Demagalski to approve the Consent Agenda. The motion was approved unanimously.

5. **PUBLIC COMMENT:**  
None forthcoming

6. **PRESENTATION:**  
A. Carla Bennett, Tobacco Prevention and Education Program Coordinator, Washington County Department of Health and Human Services.

Bennett appeared before the Council to present information regarding emerging issues related to the use of electronic cigarettes and to alert the Council of the controversial data regarding tobacco prevention and the use of e-cigarettes among minors. Washington County is encouraging local agencies to consider local bans on the sale of nicotine products to minors until the State of Oregon adopts more consistent rules regarding e-cigarette sales.

Hatcher thanked Bennett for the presentation. Hatcher stated he would consult with Council if they would want to bring this back as an agenda item.

7. **PUBLIC HEARING:**

None Scheduled

8. **NEW BUSINESS:**

- A. Adopt Resolution No. 1815 approving an agreement between the City of North Plains and North Plains Chamber of Commerce regarding the Elephant Garlic Festival

DeBry presented the staff report. The Chamber of Commerce recently voted to pass ownership of the Elephant Garlic Festival to the City of North Plains. The agreement, included in Council's packet, provides for the legal transfer of ownership of the Elephant Garlic Festival names, equipment and other property.

Hatcher stated this is the final step in the transfer of the North Plains Elephant Garlic Festival to the City of North Plains.

Concern was expressed by Council regarding the ownership of "Stinkee"—the character that has its body formed in resemblance to a garlic bulb with garlic shoots projecting like hair from the top of the elephant's head. This character was created by Stewart King. Use of the character has been granted to the City for the 2014 Elephant Garlic Festival.

Concern was also expressed regarding the storage of the inventory of supplies and equipment that has been acquired over the years for the Elephant Garlic Festival. Newton didn't understand why it couldn't continue to be stored in Stewart King's shed. DeBry stated it is not typical to have a citizen store city equipment. The inventory will be moved to one of the City's yards.

Discussion took place regarding using this equipment for other city events. Lenahan inquired if a policy should be established restricting the use of this inventory from other city events to protect the items from being damaged. Demagalski stated that if the City owns it, they should be able to use it for any city event. He stated that there isn't a point to purchase the same items when they are already available for use and are being stored on City property. If damage happens to occur, they can be replaced at that time.

Motion by Kindel and seconded by Lenahan to adopt Resolution No. 1815. The motion was approved unanimously. Hatcher stated "the City now owns the Garlic Festival."

- B. Adopt Resolution No. 1816 approving an agreement for a hospitality market feasibility study to be performed by consultants Kennedy and Mohn

DeBry stated staff has been looking to assess some property in the community for different uses. One thing that strikes staff as being plausible in North Plains is to attract a hotel. Hotels provide a variety of jobs, tourism and create a revenue stream for the city.

Staff has received a proposal from Kennedy and Mohn to perform a market feasibility study to determine if sites in North Plains would meet the criteria of major hotel brands

This study would help determine if we are a good candidate for a hotel site. Once the product is in hand the City can approach hotel chains to see if we could attract a property to come to the city. Staff is looking for direction from Council if staff should engage the consultant for \$6,500 plus expenses to perform this feasibility study.

Discussion ensued. Hatcher stated we need to first ask if we want a hotel in this community. Then decide if we want to move forward with this feasibility study. Council will need to determine how a property such as this would fit within our ordinances. As the conversation continued it was determined that this would be a proposal that should be submitted to the URA Board. The funding for this study could come from the URA contingency fund. Staff will place the request on a URA agenda for Tuesday, February 18, 2014 following the City Council meeting.

C. Discussion of City matching funds raised at a benefit dance at Jessie Mays in March

Due to misinformation in the agenda packet regarding which benefit dance was to be discussed for the matching Council funds, this subject will be on the next Council agenda.

D. Discussion of draft home occupation ordinance

It was determined at the beginning of this Council meeting that this item was to be removed from the agenda to be discussed at a future joint meeting with the Planning Commission.

E. Discussion of draft peddlers, solicitors, street vendor and temporary merchant ordinance

DeBry presented the staff report. Included were some proposed revisions to Municipal Code Section 6.25 that would enable the application process to be more streamline. Tighter restrictions were proposed for door-to-door sales within the community and a consistent set of operating hours was proposed for mobile and vendors, solicitors and peddlers.

No action was taken on this item as it was informational only.

F. Quarterly Finance Report

The quarterly finance report was distributed to Council. Clarifying questions were asked and answered to the satisfaction of the Council.

G. Report on the planning status of the Fourth of July Celebration

The Fourth of July Co-coordinators, Jennifer Knowles and Carol Aldrich presented the status of the planning for the Fourth of July festivities. It will be a celebration in a John Adams style and that of colonial America.

**9. UNFINISHED BUSINESS:**

A. Discussion and approval of specific draft city policies from number 401-603

The draft policy manual was distributed at the 9/16/13 council meeting to give the Councilors time to review and present any changes or concerns. Council directed staff on 10/21/13 that batches of policies be reviewed at each meeting until they are all approved.

Council went through policies 401-603. Discussion ensued. Clarifying questions were asked but there were no changes made to this group of policies. An edited copy of the whole manual will be delivered to Council at the end of the process.

**10. ORDINANCES:**

**FIRST READING:**

None Scheduled

**SECOND READING:**

None Scheduled

**11. STAFF REPORTS**

DeBry stated the Parks Board requested to meet with the Council to conduct a work session. This work session would be a discussion between the Parks Board and Council to ensure the goals of each group line up with each other. It was suggested to schedule the study session at 6:00 p.m. on Tuesday, February 18, 2014 right before the next scheduled City Council meeting.

It was decided that it is necessary to have a joint session with the City Council and the North Plains Planning Commission on Monday, March 3, 2014. This would be to work directly together on the home occupation ordinance and other planning issues.

Included in the Council packet is the annual report from the Washington County Cooperative Library Services (WCCLS). DeBry stated it is great report on the direction WCCLS is moving.

DeBry reported that she has been in contact with OSP property owners on West Union. They are willing to split the cost of an appraisal of the property with the city. DeBry will have more info to share at the March meeting.

DeBry wanted to address some weird rumors that have been circulating regarding the police force. She stated there are no negotiations taking place with the City of Banks. North Plains is not taking over their police services. Also, DeBry wanted to squelch the rumors regarding contracting with Washington County for police services. Lenahan stated

she has heard these rumors also. DeBry wanted it to be made clear that there are not negotiations in place. Council would be the first to hear if there were.

Blake Boyles is working half days this week.

Brodie reported that the William Stafford event on Friday, January 17 was very successful. Brodie commended the work done by Heidi Fuiten and Margaret Reh on organizing a great event for the community.

The 7<sup>th</sup> Annual One Book One Community Kick-off was held Saturday, February 1, 2014. Sam Munyandamutsa of the Pacific Northwest Rwandan Association shared stories of his life growing up in Rwanda and prepared Rwandan food for all the attendees.

Library Board will be sending out a survey to all library patrons to aid in strategic planning for library services.

A national grant has been issued from the Institute of Museum and Library Services (IMLS) for a pilot program, which has now been broadened to 22 systems, for classes to be offered to citizens over 55. Three libraries have been chosen in Oregon—Beaverton, Cedar Mill and North Plains. These classes will start nearer to January 2015 and will go for 18 months.

## **12. COUNCIL REPORTS**

There have been e-mail issues with the Councilors not being able to receive mail since the transition to IT Services with Hillsboro became effective. The instructions the Councilors received should have worked. A member from the Hillsboro IT Department will be contacting the Councilors directly. There have also been issues with Councilors not being able to log into the website without encountering the “403 Forbidden” block.

Hatcher inquired of the Council if they want to bring the information provided by Carla Bennett earlier in this meeting back for more discussion and possible ordinance adoption. Consensus of the Council was to bring it back as two separate ordinance discussions:

1. Establish an ordinance to prohibit sale of e-cigarettes to minors.
2. Disallow the use of the e-cigarettes on city property.

Lenahan stated that she thinks the City newsletter is awesome. It is great that businesses are using the opportunity to advertise in the community newsletter.

Glen Warren stated that he has two complaints and an inquiry. Warren asked if the City has any interest in selling the yellow house. Council asked if he wanted to buy it. He stated that he has always said he wanted to buy it. DeBry stated the City is using it for storage and there are no immediate plans to sell it.

Warren’s first complaint was regarding the metal fab place on Hillcrest. The proprietor is using the sidewalk as a staging area for his metal. It has made it very unsafe to walk along that side of the street.

Warren's second complaint is regarding a house on Main Street that is close to Claxtar that has put up a fence that extends to the ditch. He stated that fences should not be built all the way to the ditches.

**13. ADVICE/INFORMATION ITEMS:**

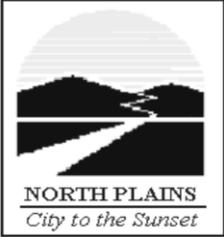
- Thursday, January 23, 2014: Joint Legislative Dinner at the Prime Time Restaurant
- Sunday, January 26 from 1:30-5:00: Playdate at Jessie Mays Community Hall
- One Book One Community Kick-Off: Saturday, February 1 from 6:30-8:30 at the North Plains Public Library. Free copies of the book "Running the Rift" by Naomi Benaron and free Rwandan food.

**14. ADJOURNMENT: Mayor Hatcher adjourned the meeting at 9:50 p.m.**

\_\_\_\_\_  
David Hatcher, Mayor

\_\_\_\_\_  
Margaret L. Reh, Deputy City Recorder

Date approved \_\_\_\_\_



# CITY OF NORTH PLAINS

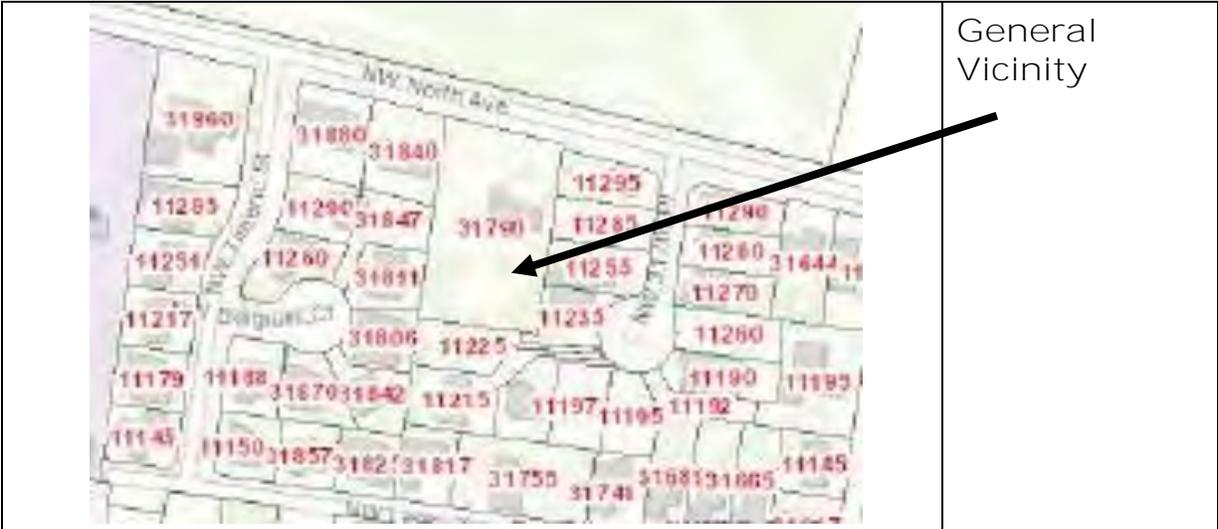
31360 NW Commercial Street, North Plains, Oregon 97133

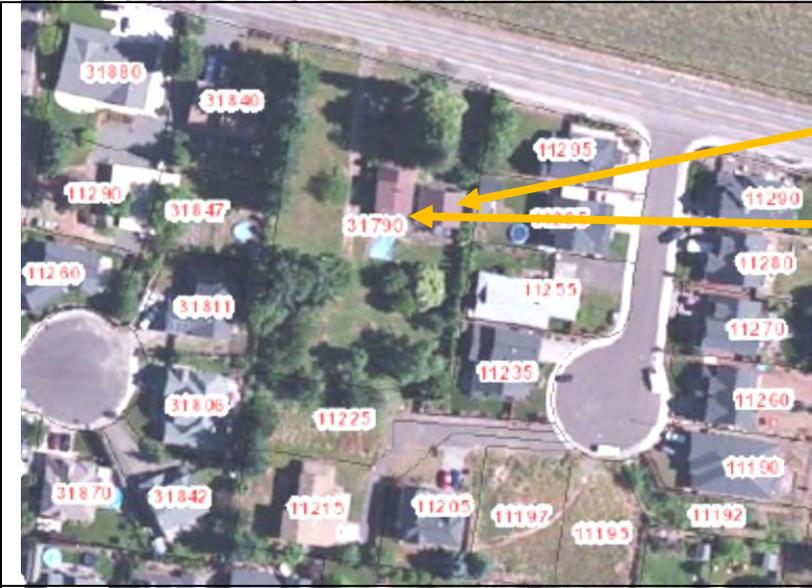
Date: January 24, 2014  
 To: Mayor and City Council  
 From: City Manager Martha DeBry  
 Subject: Public Hearing regarding an appeal of the Planning Commission decision to deny the application of Biggi Construction on Tax Lot 1N301BD400

**Request:** Council conduct a hearing de novo regarding the appeal of the Planning Commission decision to deny an application by Biggi Construction for a project on North Avenue.

**Background:** On December 11, 2013 the Planning Commission considered the application of Biggi Construction for a 5 lot subdivision at 31790 NW North Avenue. A copy of the staff report, minutes and final findings related to the denial are included in Council’s packet.

The application is for a one acre property, which currently has a single family residence constructed in 1925 with a detached garage which is identified on Lot 5. Like most infill projects the project designer attempted to arrange the new homes around the existing features of the property, which is in the R7.5 zone.





**Aerial View**

Existing Garage

Existing House

It should be noted all vacant lots to south have been built out since aerial photo was completed.

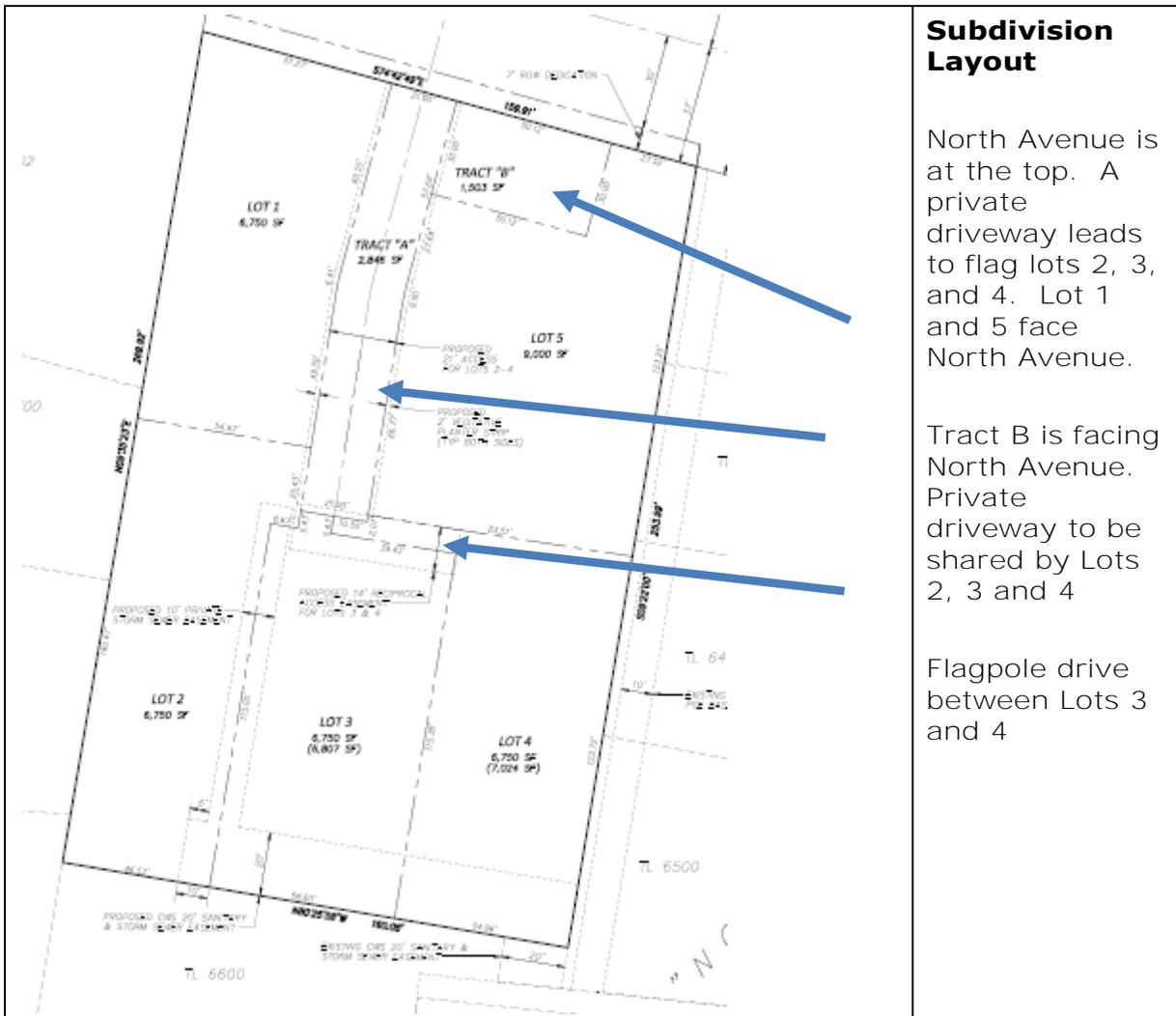


View of property from North Avenue facing west top and facing east bottom.

Note garage is to left and house is to right.



The driveway on the bottom photo is in alignment with the proposed project driveway.



**Subdivision Layout**

North Avenue is at the top. A private driveway leads to flag lots 2, 3, and 4. Lot 1 and 5 face North Avenue.

Tract B is facing North Avenue. Private driveway to be shared by Lots 2, 3 and 4

Flagpole drive between Lots 3 and 4

The proposed design included retaining the existing house, adding a second house on the frontage of North Avenue, and creating 3 flag lots at the south side of the property. In order to make the houses fit the following variances from development standards were recommended to the Planning Commission.

- Lot 1 - Variance from minimum lot width and minimum lot size.
- Lot 2 - Variance from minimum lot width and minimum lot size.
- Lot 3 - Variance from minimum lot width and minimum lot size.
- Lot 4 - Variance from minimum lot width and minimum lot size.
- Lot 5 - Variance from minimum lot width and maximum lot size be allowed to exceed 9,000 square feet.

Some of the variances could have been granted through an administrative approval process, however staff opted to bring all land use approvals to the Planning Commission as one package. Specifically lots 1-4 were eligible for administrative approval of variance to lot sizes, and Lots 1, 3 and 4 were eligible for administrative approval of lot widths. An administrative variance can be granted for changes up to 10% of the standard. Technically, only the variance for Lot 2 lot width and Lot 5 maximum lot size needed to be presented to the Planning Commission.

The Planning Commission denied the application because the voting members found that the project requires too many variances from the Municipal Code. Among the observations shared by the Planning Commissioners was that the existing home could be moved or eliminated to better accommodate new homes. At the time of the hearing, there was no discussion of requesting the Applicant revise the plan and return to the Planning Commission.

It should be noted of the seven-member Commission, only 3 commissioners voted on the application. (Commissioners Hagar and Braukman were absent, and Commissioners King and Low recused themselves from the hearing to avoid an actual and the appearance of a conflict of interest.) The minutes of the Planning Commission meeting are included in the packet, and the recording of the meeting is available on the City's [website](#).

**Discussion:**

The Applicant has presented the appeal of the plan because they believe a viable project cannot be constructed with fewer than 5 houses. Factors contributing the need for the variance are placement of the existing house on the lot, the City requirement to extend water mains across the frontage of the property, and the long water and sewer service lines needed for the flag lots.

The Comprehensive Plan identifies the R7.5 zone as having an average density of 5.8 dwellings per acre. Attempting to place 5 residences within one acre parcel would be consistent with this goal.

Administrative variances are commonly granted with subdivisions. It is at staff or the Commission's discretion to determine if the variances are appropriate for a specific site. The City has no obligation to grant variances. After having the application denied, the applicant offered to adjust the plan to address some of the Planning Commission's concerns. Copies of the revised plan are included in Council's packet. The application presented with the appeal would require the following variances:

*Table 1 Proposed Variances for Biggi Subdivision (Items in italic and underlined meet standards.)*

Lot	Width Standard	Planning Application	Appeal Application	Area Standard	Planning Application	Appeal Application
1	60 ft	61 ft	55 ft	7,500 sq ft minimum	6,866 sq ft	6,866 sq ft
2		46 ft	52 ft		6,750 sq ft	<u>7,584 sq ft</u>
3		58 ft	54 ft		6,824 sq ft	6,824 sq ft
4		55 ft	54 ft		6,843 sq ft	6,843 sq ft
5		<i>77 sq ft</i>	<u>64 ft</u>	9,000 sq ft maximum	9,810 sq ft	9,810 sq ft

- Lot 1 - Variance from minimum lot width and minimum lot size.
- Lot 2 - Variance from minimum lot width and interior lot side set back.
- Lot 3 - Variance from minimum lot width, minimum lot size and interior side lot setback.
- Lot 4 - Variance from minimum lot width, minimum lot size and interior side lot setback.
- Lot 5 - Variance from maximum lot size be allowed to exceed 9,000 square feet.

The applicant has noted that the side yard setbacks for flag lots are greater than the side yard setbacks for the R 7.5 zone. As a result the original application required Lot 2 to be particularly narrow. (It should be noted the Planning commission has requested that staff present an amendment to the code making the setback standards for flag lots the same as setbacks for the underlying zones.)

The applicant is proposing buildings that are between 36 and 44 feet in width and 60 feet deep, which would be typical of the R7.5 zone. The Applicant has constructed 3 homes immediately south of this subdivision in North Gardens on 317<sup>th</sup> last year, and those homes blend in well with the original neighborhood. In fact one of the residents, who abuts this subdivision and occupies a home built by the Applicant, testified in favor of this project.

Concerns were expressed by residents in Vanrodison Subdivision (NW Belgium Court) that the structures on the flag lots would be close to the property lines and existing houses. The flag lot homes must meet a minimum of 10 feet sideyard setback from the property line, and the existing structures are another 15-30 feet from the property line. The proposed footprint for Lot 1 suggests the home will be 5 feet from the property line, which is allowed in the R7.5 zone. The set back of the structure on the property adjoining to the west of Lot 2 (pictured below) is more than 10 feet from the property line.



**Recommendation:** Council conduct the hearing and select one of the following options:

- 1) Uphold the decision of the Planning Commission, denying the application based on the need for variances.
- 2) Approve the appeal of the Applicant, and grant the variances for the revised application making a finding that the variances are consistent with the neighborhood and underlying zoning.

*Attachments:*

*Planning Commission Staff Report and attachments,*

*Final Findings,*

*Appeal Application with maps,*

*Minutes of 12/11/13 Planning Commission Meeting.*



MB 10/30/13

# City of North Plains

31360 NW Commercial St. North Plains, OR 97133  
 Ph. 503-647-5555 Fax 503-647-2031  
 Email: [info@northplains.org](mailto:info@northplains.org)

## LAND USE APPLICATION

### Applicant General Information

Applicant Name: Emerio Design, Neil Fernando

Mailing Address: 6107 SW Murray Blvd., Suite 147

<i>Street</i>	<u>Beaverton</u>	<i>Apartment/Unit #</i>	
<i>City</i>	<u>Oregon</u>	<i>State</i>	<u>97008</u>
	<i>ZIP Code</i>		

Email Address: neil@emeriodesign.com Phone: (503) 515-5528

Property Owner: Michael and Marie Basile

Mailing Address: 31790 NW North Avenue

<i>Street</i>	<u>North Plains</u>	<i>Apartment/Unit #</i>	
<i>City</i>	<u>Oregon</u>	<i>State</i>	<u>97133</u>
	<i>ZIP Code</i>		

Email Address: \_\_\_\_\_ Phone: ( ) - \_\_\_\_\_

### Property Description

Address: 31790 NW North Avenue

<i>Street</i>	<u>North Plains</u>	<i>Apartment/Unit #</i>	
<i>City</i>	<u>Oregon</u>	<i>State</i>	<u>97133</u>
	<i>ZIP Code</i>		

Tax Lot ID (TLID): 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, Administrative Variance to Lot Area, Administrative Variance to Lot Width, and Variance to Lot Width of Lot 2

### 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	\$228	<input checked="" type="checkbox"/> Subdivision	\$1,886
<input type="checkbox"/> Comp Plan Amendment, Text	\$8,000	<input type="checkbox"/> Manu Home Park	\$2,910
<input type="checkbox"/> Comp Plan Amendment, Map	\$5,000	<input type="checkbox"/> Modification - Minor	\$134
<input type="checkbox"/> Conditional Use, Residential	\$391	<input type="checkbox"/> Modification - Major	\$1,423
<input type="checkbox"/> Conditional Use, Ind. & Comm.	\$525	<input type="checkbox"/> SNR Permit	\$1,047
<input type="checkbox"/> Design Review Type II	\$137	<input type="checkbox"/> Similar Use	\$403**
<input type="checkbox"/> Design Review Type III	\$728	<input type="checkbox"/> Street Vacation	\$1,168
<input type="checkbox"/> Floodplain Permit	\$1,047	<input type="checkbox"/> UGB Expansion	\$28,000
<input type="checkbox"/> Partition, with street dedication	\$669	<input checked="" type="checkbox"/> Variance, Administrative	\$98
<input type="checkbox"/> Partition, no street dedication	\$331	<input checked="" type="checkbox"/> Variance, PC Hearing	\$460
<input type="checkbox"/> Lot Line Adjustment	\$312	<input type="checkbox"/> Zoning Code Amendment	\$1,474
<input type="checkbox"/> Other:			

\* 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 Filing 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, size (area), and setbacks of existing and proposed buildings
  - Location, size, and layout of existing and proposed landscaping
  - Location, number and size of existing and proposed parking areas, including handicapped spaces
  - Location, number and size of existing and proposed loading areas
  - Location, number, size, and types of existing and proposed lighting
  - Location, number, size, and types of existing and proposed fencing and or/screening
  - Pedestrian circulation
  - Outdoor seating areas
  - Flood plains
  - Water courses
  - Significant vegetation
  - Easements

X 10/31/13

*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.

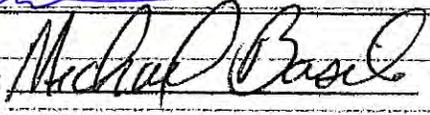
I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

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: 10/30/13

Signature of Applicant: 

X Date: 10/30/13

X Signature of Property Owner: 

X Maria Base

FOR OFFICE USE			
Received by: _____		Date: _____	
Fee paid: _____	Receipt No. _____	Application No. _____	

**November 14, 2013**

**APPLICANT'S STATEMENT**

**APPLICANT/OWNER:** Vince Biggi  
Biggi Construction, LLC  
11605 SW Normandy Lane  
Wilsonville, OR 97070

**APPLICANT'S  
REPRESENTATIVE:** Neil Fernando, PE  
Emerio Design  
6107 SW Murray Blvd., Suite 147  
Beaverton, Oregon 97008

**REQUEST:** Preliminary Plat Approval for a 5-Lot Single  
Family Residential Subdivision

**SITE LEGAL  
DESCRIPTION:** Tax Lot 400; Tax Map 1N3 01BD  
North Plains, Oregon

**SIZE:** 0.96 Acres

**LOCATION:** 31790 NW North Avenue

**LAND- USE DISTRICT:** R-7.5

**I. APPLICABLE REGULATIONS**

- A. City of North Plains Comprehensive Plan
- B. North Plains Zoning and Development Ordinance:
  - Chapter 16.20: Zoning District R-7.5
  - Chapter 16.125: Lot Development Standards
  - Chapter 16.135: Subdivisions
  - Chapter 16.145: Public Facility and Service Requirements
  - Chapter 16.150: Street Standards
  - Chapter 16.155: Off-Street Parking & Loading
  - Chapter 16.160: Clear Vision Areas
  - Chapter 16.170: Application Requirements and Review Procedures
  - Chapter 16.185: Variance

**II. AFFECTED JURISDICTIONS**

- Domestic Water: City of North Plains
- Drainage: Clean Water Services
- Erosion Control: Clean Water Services
- Fire Protection: WC #2
- Parks: City of North Plains
- Police Protection: City of North Plains
- Schools: Hillsboro School District
- Sewer: Clean Water Services
- Streets: City of North Plains
- Water Quality/Quantity: Clean Water Services

**III. BACKGROUND:**

The applicant is requesting preliminary plat approval for a 5-lot subdivision of a 0.96 acre lot designated R-7.5 on the City of North Plains Zoning Map. The subject property is identified by the Washington County assessor as Tax Lot 400 of Tax Map 1N3—01BD, and is further defined as 31790 NW North Avenue. The existing house is proposed to remain on Lot 5 with access from NW North Avenue. The existing garage is proposed to remain on Lot 5 as well. The proposed new single-family detached dwelling on Lot 1 will have access onto NW North Avenue. Lots 2 - 4 will take access off the private driveway (Tract A).

The abutting properties are all within the R-7.5 District. The applicant is proposing dedication and street improvements along the site’s NW North Avenue frontage.

All necessary utilities (i.e., power, sanitary sewer, water, etc.) are presently available to the site, as illustrated on the preliminary utility plan. The existing house is proposed to remain and all utilities are connected to the house. The existing house has a water meter from the existing 2” water line in NW North Avenue. A water line extension to the existing 8” line east of the site in North Avenue is proposed to the western property line. The existing dwelling will have a new water meter to connect to the new water line and the existing water meter to the 2” line will be abandoned. Four new water meters are proposed for Lots 1-4. There is an existing sanitary line

in North Avenue. The existing house will retain its connection to this sanitary line and Lot 1 will also connect to the sanitary line in North Avenue. A sanitary extension from the existing sanitary line south of the site in the private drive and utility easement will be extended on the site in a utility easement across the rear of Lots 2-4. Lots 2-4 will have sanitary laterals to this extension. The existing storm drainage ditch in North Avenue is proposed to be replaced with a storm drainage line extension from the existing line to the east to the western edge of the subject property, then to the existing ditch to the west. Storm drainage for Lots 2-4 will be connected to the existing storm line south of the site in an easement at the rear of these lots. Storm drainage for the private driveway will be provided by a catch basin and a storm line between Lots 2 and 3 to the south.

#### **IV. FINDINGS**

##### **A. NORTH PLAINS COMPREHENSIVE PLAN**

###### **COMMENT:**

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 code.

##### **B. NORTH PLAINS ZONING AND DEVELOPMENT ORDINANCE**

###### **ARTICLE II - PROCEDURES**

###### **SECTION 16.20: ZONING DISTRICT R-7.5**

**16.20.000 Purpose** The purpose of the R7.5 District is to provide for the development of single family uses and limited multi-family residential uses, and to implement the housing policies of the Comprehensive Plan.

###### **COMMENT:**

The proposed subdivision site is 0.96 gross acres in area. The applicant is proposing a 5-lot subdivision for single-family detached dwellings. This standard is met.

###### **16.20.005 Permitted Uses**

**Permitted Uses subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.**

###### **I. Single family detached dwelling**

###### **COMMENT:**

The applicant is proposing the existing detached dwelling remain on proposed Lot 5. Four new detached single-family dwellings are proposed. Therefore, this standard is satisfied.

## **16.20.015 Dimensional Standards**

The following dimensional standards are the minimum requirements for all development in the R7.5 District except for modifications permitted under Lot, Building, & Yard Exceptions or Planned Unit Development sections of this chapter. In addition, a minor adjustment of up to 10% of the required setback, area, lot size, lot depth or lot width may be granted by the City Planner pursuant to Variance Review section of this chapter.

### **COMMENT:**

The applicant is requesting minor adjustments to lot area for Lots 1-4 and lot width for Lots 1, 3-4. The applicant is also requesting a standard variance to the lot width of Lot 2. All other dimensional standards have been satisfied.

#### **A. Lot/Parcel Size**

- 1. Single family detached dwelling - 7,500 square feet minimum**
- 3. 9,000 square feet maximum for lots created by subdivision**

### **COMMENT:**

Lot 5 is 9,000 square feet in area and contains the existing house and garage. Lots 1-4 are requested to have a 10% minor adjustment to lot area and are all 6,750 sq. ft. in area (without the flag pole portion of the lots). The minor adjustment request is addressed below. This standard is satisfied.

#### **B. Lot/Parcel Depth and Width**

- 1. The minimum average lot width shall be 60 feet.**
- 2. The minimum lot depth shall be 80 feet.**

### **COMMENT:**

Lots 1, 3 & 4 are requested to have up to a 9.2% minor adjustment to the lot width requirement of 60 feet. Lot 2 is requested to have a standard variance to the lot width requirement. The adjustments and variance are addressed below. All 5 lots meet the minimum lot depth of 80 feet. This standard is satisfied.

#### **C. Minimum Setback Requirements**

- 1. Principle structures, accessory dwellings, and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks except that development on flag lots shall be subject to the setback standards of 16.125.010.**
- 2. Front Yard (Principle structure) 20 feet**
- 3. Garages, carports, accessory dwellings and accessory structures shall be flush with, or recessed behind, the front building elevation of the principle structure.**

#### 4. Rear Yard

- 10 feet for street-access lots
- 6 feet for alley-access lots
- 5 feet for Accessory Structures and Accessory Dwellings

#### 5. Side Yard (interior) 5 feet

**Side Yard (adjacent to street) 10 feet plus additional necessary to comply with the standards of the Clear Vision Areas section of this chapter.**

**Accessory Structures and Accessory Dwellings only require a 5 foot Side Yard (adjacent to street) setback, except as provided for in 16.105.**

**Flag Lots approved 10 feet for all yards, except pursuant to 16.125.010, that the yard facing the garage door shall be a minimum of 20 feet, except as otherwise provided in this chapter.**

#### **COMMENT:**

The existing house is compliant with these standards. Setbacks are shown on the submitted site plan. The new single-family dwellings will be required to meet the standards above at building permit review and issuance.

#### **D. Height of Buildings**

**Buildings shall not exceed a height of 35 feet or two and a half stories, whichever is less. Accessory dwellings (excluding accessory structures) shall not exceed 25 feet in height.**

#### **COMMENT:**

The existing house is compliant with this standard. The new single-family dwellings will be required to meet the height standard above at building permit review and issuance.

#### **E. Lot/Parcel Coverage**

**In the R7.5 District, the maximum lot coverage shall not exceed fifty (50) percent of the total area of any lot.**

#### **COMMENT:**

The existing dwelling does not exceed the 50% coverage standard. All new dwellings will be required to meet this standard at building permit review and issuance.

#### **16.20.020 Parking Requirements**

**At least two (2) off-street parking spaces shall be provided for each single family detached dwelling unit. Parking requirements for all other uses are specified in Off Street Parking and Loading of this chapter.**

**COMMENT:**

Parking for the existing house on Lot 5 will continue to be provided in the existing garage and driveway. At least 2 off-street parking spaces will be provided for the proposed new dwellings on Lots 1-4 with one in the driveway and one in the garage. This standard is satisfied.

**16.20.025 Development Standards**

- A. The following standards will be applied to all single family dwellings (site-built, modular and manufactured homes) to be constructed or located in the City of North Plains:**

**All single family units shall utilize at least two of the following design features to provide visual relief along the front of the home:**

- 1. dormers;**
- 2. gables;**
- 3. recessed entries;**
- 4. covered porch entries;**
- 5. cupolas;**
- 6. pillars or posts;**
- 7. bay or bow windows;**
- 8. eaves (minimum 6" projection);**
- 9. offsets on building face or roof (minimums 16");**

**COMMENT:**

Each new dwelling will be required to comply with these standards at building permit review and issuance. Specific building plans are unknown at this time.

**SECTION 16.125: LOT DEVELOPMENT STANDARDS**

**16.125.005 Scope**

**The provisions of this subsection shall apply to all partitions and subdivisions within the City of North Plains.**

**COMMENT:**

The applicant is proposing a 5-lot subdivision. Therefore, this Section is applicable.

**16.125.010 Standards for Lots**

- A. Minimum lot area:**

**Minimum lot area shall conform to the requirements of the zoning district in which the lot is located.**

**COMMENT:**

Lot 5 is 9,000 square feet in area and contains the existing house and garage. Lots 1-4 are requested to have a 10% minor adjustment to lot area and are all 6,750 sq. ft. in area (without the flag pole portion of the lots). The minor adjustment request is addressed below. This standard is satisfied.

**B. Access:**

**All lots created after the effective date of this Ordinance shall provide a minimum of 20 feet of frontage on an existing or proposed public street, with the following exception:**

**Flag lots, accessed by a private driveway, may be permitted by the Planning Commission when any of the following conditions are met:**

- a. The subject property is surrounded by developed properties and the terrain, shape of the parcel, or the location of existing structures precludes accessing the property with a public street.
- b. The proposed flag lot(s) front on the arc of a cul-de-sac and the use of flag lots would result in a better lot pattern around the cul-de-sac than that which might otherwise result.
- c. The subject property is located in the Commercial or Industrial Zoning District and the Planning Commission finds that full frontage on a public street is unnecessary to the logical development of the property.
- d. The Planning Commission finds that the use of flag lots is necessary due to conditions of terrain or other physical features of the property.
- e. The Planning Commission finds that the use of flag lots accessing from a collector or local street is preferable to direct access from an arterial street.

**COMMENT:**

Lots 1 and 5 will have at least 20 feet of frontage on a public street, North Avenue. Lot 2 will have 20 feet of frontage on the private drive in Tract A. Lots 3 and 4 are flag lots at the end of the proposed private driveway. The site is bordered to the east, south, and west by development and to the north by North Avenue. With the shape of the parcel and to provide access to the proposed lots, Lots 3 and 4 are flag lots.

**C. Flag Lots:**

**When authorized by the Planning Commission pursuant to the access requirements of Subsection Chapter 16.125.010 (B)(1), flag lots shall be subject to the following development standards:**

- a. The access strip shall be a minimum of 15 feet in width, except as required by the Uniform Fire Code. The improved surface shall be a minimum of 12 feet in width, except as required by the Uniform Fire Code. A three-foot wide landscaped planter strip shall be provided between the access strip and the side lot line of the neighboring lot.
- b. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Ordinance.

- c. The access strip shall be in fee ownership of the property provided access and shall not be as an easement. In the case of multiple lots having the same access strip, all lots served shall have ownership of an equal amount of the access strip. There shall be provided an easement over the remainder of the access strip for each property served.
- d. The length of the access strip is subject to the requirements of the Uniform Fire Code, but shall not exceed 200 feet.
- e. Where more than one flag lots abut, access shall be via a shared drive wherever possible. The shared drive access strip shall be a minimum of 20 feet in width for two lots, and increased by 5 foot increments for each additional lot, with a maximum of four lots having access off of one access strip, except as required by the Uniform Fire Code. The improved surface shall be a minimum of 16 feet in width for two lots and increased by four feet for each additional lot, except as required by the Uniform Fire Code. A two foot wide vegetated planter strip shall be provided between the access strip and the abutting side lot lines.
- f. **Setbacks in Residential Zoning Districts.** Subsequent development on flag lots in the R-7.5, R-5 and R-2.5 zoning districts shall provide minimum front, rear and side yard setbacks of 10 feet, except that the yard facing the garage door or carport entrance shall be a minimum of 20 feet.

**COMMENT:**

Lots 3 & 4 are flag lots (double flag) with a shared access. Each flag lot has 10.50 feet of frontage on the private driveway (Tract A) with a shared width of 21 feet. A 14' wide reciprocal access easement is proposed over the flag pole portion of Lots 3 & 4. Setbacks for the 2 flag lots have been shown as 10 feet with a 20-foot garage setback.

- D. Through Lots: Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries, adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. Screening or buffering may be required by the Planning Commission during the review of the land division request.**

**COMMENT:**

No through lots are proposed.

- E. Lot Side Lines: The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.**

**COMMENT:**

Side lot lines are proposed to run at right angles to the public street or private driveway. This standard is satisfied.

- F. Lot Grading: Lot grading shall conform to the requirements of Chapter 70 of the Uniform Building Code, hereby adopted by reference, and to the following standards unless physical conditions demonstrate the propriety of other standards:**

- a. **Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.**
- b. **Fill slopes shall not exceed two feet horizontally to one foot vertically.**
- c. **The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.**

**COMMENT:**

Lot grading will be minimal as the site is quite flat. Lot grading will include grading for the building pads and driveway as needed.

- G. **Large Lots: In dividing tracts into large lots which at some future time are likely to be re-divided, the applicant's tentative plan shall also demonstrate that any redevelopment or re-subdivision may readily take place at the planned residential density without violating the requirements of this ordinance.**

**COMMENT:**

No large lots are proposed. Therefore, this standard is not applicable.

- H. **Land for Public Purposes: Where a proposed park, school or other public use indicated on the Comprehensive Plan is located in whole or in part within a subdivision, the sub-divider shall dedicate and reserve said area for such purpose. Where the City or other public authority has declared its intention to acquire said area, it shall proceed to perfect the title or a contract right to the same within three (3) years from the date of platting, and failing such, this reservation shall automatically expire. The public body shall expeditiously proceed, within its financial ability, to consummate such acquisitions.**

**COMMENT:**

The Comprehensive Plan does not designate the site for a park or other public use. Therefore, this standard is not applicable.

**16.125.015 Standards for Blocks**

- A. **General: The length, width, and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the limitations of the topography.**

**COMMENT:**

The proposed development will not change the existing block length, width or shape. The proposed private driveway is not a street and no connection to the south is possible with the existing development.

- B. **Sizes: Residential Districts shall have a maximum 600 foot block length, a minimum 160 foot street adjacent lot depth, and a 1,600 foot perimeter. Commercial Districts shall have a block length of 400 foot and a 1,200 foot perimeter. Light Industrial Districts shall have a block length of 600-800**

feet and a 1,600-2,000 foot perimeter. General Industrial Districts do not have block length or perimeter requirements. A block shall have sufficient width to provide for two tiers of building sites unless topography or the location of adjoining streets justifies an exception.

**COMMENT:**

The proposed development will not change the existing block length, width or shape. The proposed private driveway is not a street and no connection to the south is possible with the existing development.

**16.125.020 Easements**

- A. Utility Lines: Minimum 5 foot wide easements for sewers, water mains, electric lines, or other public utilities shall be dedicated along the front, side, and rear lot or parcel lines of each lot. Easements shall be centered on lot lines.**
- B. Water Courses: If a tract is traversed by a water course such as a drainage way, channel or stream, a storm water easement or drainage right-of-way shall be provided which substantially parallels the lines of the water course.**
- C. Pedestrian and Bicycle Ways: When desirable for public convenience and access, a pedestrian or bicycle way easement may be required to connect to a cul-de-sac or to pass through an unusually long or oddly spaced block, or to otherwise provide appropriate circulation.**

**COMMENT:**

A public utility easement is proposed along the site's North Avenue frontage. A blanket easement for access and utilities will be placed over Tract A extending 5' feet on either side of the tract. A 14' wide reciprocal access easement is proposed over the flag pole portions of Lots 3 & 4. A 20' wide utility easement at the rear of Lots 3 & 4 and a portion of Lot 2 is proposed for sanitary and storm drainage lines. A 10' wide storm easement is proposed between Lots 2 & 3 to provide storm drainage for the private driveway.

**16.125.025 Improvement Requirements**

- B. Subdivisions: The following improvements shall be required for all subdivisions in the City of North Plains.**
  - 1. Frontage improvements: Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts. Such improvements shall be blended to match with existing improved surfaces across the centerline and for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, waterlines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.**

**COMMENT:**

Frontage improvements are proposed to meet standards for the site's NW North Avenue frontage.

- 2. Proposed Streets: All public streets within the subdivision shall be constructed as required by the provisions of the Street Standards section of this chapter.**

**COMMENT:**

No new public streets are proposed. Improvements to North Avenue have been designed to meet applicable standards. The applicant is proposing a 20' private driveway in Tract A (tract width is 21').

- 3. Monuments: Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to U.S. Geological Survey datum.**

**COMMENT:**

Monuments will be set in accordance with this standard.

- 4. Sanitary Sewers: Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.**

**If the required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the Planning Commission may recommend to the City Council construction as an assessment project with such arrangement with the sub-divider as is desirable to assure financing his share of the construction.**

**The City may require that the sub-divider construct sewage lines of a size in excess of that necessary to adequately serve the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the sub-divider as is desirable to assure his share of the construction.**

**COMMENT:**

There is an existing sanitary line in North Avenue. The existing house will retain its connection to this sanitary line and Lot 1 will also connect to the sanitary line in North Avenue. A sanitary extension from the existing sanitary line south of the site in the private drive and utility easement will be extended on the site in a utility easement across the rear of Lots 2-4. Lots 2-4 will have sanitary laterals to this extension.

- 5. Water System: Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to the city mains shall be**

**installed. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed.**

**COMMENT:**

The existing house has a water meter from the existing 2" water line in NW North Avenue. A water line extension to the existing 8" line east of the site in North Avenue is proposed to the western property line. The existing dwelling will have a new water meter to connect to the new water line and the existing water meter to the 2" line will be abandoned. Four new water meters are proposed for Lots 1-4.

- 6. Street Lights and Street Trees: The installation of street lights and street trees is required at locations and of a type established by City standards.**

**COMMENT:**

Street lights and street trees will be placed as required.

- 7. Street Signs: The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type established by City standards.**

**COMMENT:**

Street signage will be determined during construction plans. No parking signs will be provided along the private driveway.

**SECTION 16.135: SUBDIVISIONS**

**16.135.010 Submittal Requirements for Tentative Subdivision Plans**

- A. All Subdivision applications shall be submitted on forms provided by the City and accompanied by the appropriate filing fee.**
- B. Each application shall include fifteen (15) copies of the tentative subdivision plan drawn on a sheet of 18 x 24 inches in size at a scale of 1 inch equals 100 feet.**
- C. The following information shall be shown on the tentative subdivision plan:**
  - 1. Proposed name of the subdivision. This name shall not duplicate or resemble the name of any other subdivision in the county and shall be approved by the Planning Commission and the County Surveyor.**
  - 2. Date, north point and scale of drawing.**
  - 3. Appropriate identification of the drawing as a tentative plan.**
  - 4. Description of the subdivision sufficient to define its location and boundaries and legal description of the tract boundaries.**
  - 5. Names and addresses of the owner, subdivider, and engineer, surveyor or planner.**
  - 6. The location, widths and names of both improved and unimproved streets within or adjacent to the tract, together with easements and**

- other important features such as section lines, section corner, city boundary lines and monuments.
7. Contour lines related to some established bench mark or other datum approved by the city engineer and having minimum intervals as follows:
    - a. For slopes of less than five per cent: two feet, together with not less than four spot elevations per acre, evenly distributed, if necessary.
    - b. For slopes of five percent to 15 percent: five feet.
    - c. For slopes of 15 percent to 20 percent: ten feet.
    - d. For slopes of over 20 percent: 20 feet.
  8. The location of at least one temporary bench mark within the subdivision boundaries pursuant to ORS 96.060.
  9. The location and direction of water courses and the location of areas subject to flooding and/or within a designated 100-year flood plain.
  10. Natural features such as rock outcroppings, marshes, wooded areas and isolated preservable trees having a caliper (diameter) of 6 inches or greater at 4 feet above grade.
  11. Existing uses of the property and location of existing structures designated historic and cultural resources on the site and structures to remain on the property after platting.
  12. A vicinity map showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.
  13. Proposed deed restrictions, if any, in outline form.
  14. The location of existing sewage disposal facilities, water mains, culverts, storm drainage facilities and electric lines within and adjacent to the subdivision.
  15. The location, width, names, approximate grades and radii of curves of proposed streets as shown on any development plan.
  16. Dimensions and area of each proposed lot.
  17. Proposed lot and block numbers.
  18. Proposed sites, if any, allocated for development,
  19. If the proposed subdivision includes only part of the tract owned or controlled by the subdivider, the City Planner or Planning Commission may require a sketch or tentative layout for streets and lots in the unsubdivided portion.
  20. Any of the following may be required by the City Planner or Planning Commission to supplement the tentative subdivision plan:
    - a. Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and sidewalks and the nature and extent of street construction.
    - b. A schematic plan for domestic water supply lines and related water service and sewage disposal facilities.
    - c. Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.
    - d. If lot areas are to be graded or filled, a plan showing the nature of cuts and fills and information on the character of the soil.
    - e. Proposals for other improvements such as electric utilities.

**COMMENT:**

The application includes the signed application form, fee, narrative, and plan set addressing the requirements above as they apply.

**16.135.011 Preliminary Plat Approval Criteria**

**The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:**

- A. The proposed preliminary plat complies with the applicable Development Code chapters and all other applicable ordinances and regulations. At a minimum, the provisions of this section and the applicable sections of this chapter including Zoning Districts, Development Standards, and Streets and Facilities shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the Variance section of this chapter;**

**COMMENT:**

The proposed subdivision complies with all the applicable Development Code chapters as required. Two minor adjustments are requested to the lot area for Lots 1-4 and lot width for Lots 1, 3 & 4 and the standards in the variance chapter have been addressed in this narrative. One standard variance to lot width for Lot 2 is also requested and addressed below in this narrative.

- B. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;**

**COMMENT:**

The applicant will pick a subdivision name that is not already in use in Washington County.

- C. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivision and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;**

**COMMENT:**

The streets, sidewalks, and utilities have been designed to transition and/or conform with adjacent development.

- D. All proposed private common areas and improvements (e.g. homeowners association property) are identified on the preliminary plat;**

**COMMENT:**

The proposed private driveway (Tract A) is identified on the preliminary plat. Proposed Tract B is for preservation of trees/vegetation and is also shown on the preliminary plat.

- E. Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;**

**COMMENT:**

If required, any State and federal permits will be obtained prior to final plat. At this time, no State or federal permits are required.

- F. Evidence the improvements or conditions required by the City, road authority, Washington County, Clean Water Services, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met;**

**COMMENT:**

Conditions will be met once they are received.

- G. A Traffic Impact Study (TIS) has been provided, if applicable, in accordance with the provisions of Chapter 16.170; and**

**COMMENT:**

A Traffic Impact Study has not been included at this time as it has not been requested by the City.

- H. If any part of the site is located within a Specific Area Plan District, Overlay District, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.**

**COMMENT:**

The site is not in a Specific Area Plan District, Overlay District, or a previously approved Master Planned Development.

**16.135.012 Lot Access Provisions**

**In addition to the provisions of this chapter, all lots and parcels shall conform to the specific requirements below, as applicable:**

- A. In conformance with the Uniform Fire Code (UFC), a 20-foot wide fire apparatus drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive.**
- B. When a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat. The minimum**

drive width shall be 10 to 15 feet, except as required by the UFC, and improved with an all- weather surface approved by the City.

- C. Access reserve strips may be required to be granted to the City for the purpose of controlling access to adjoining undeveloped properties.
- D. Street and building placement and alignment shall be designed so that all future street connections can be made as surrounding properties develop.

**COMMENT:**

Lots 2-4 will have shared access onto the proposed private driveway. The private drive is proposed to be paved 20' wide. This private drive will provide fire access to lots 2-4.

**16.135.013 Flag Lot**

Flag lots may be created only when a through street or mid-block lanes cannot be extended to serve abutting uses or future development. A flag lot driveway ("flag pole") may serve no more than two (2) dwellings units, including accessory dwellings and dwellings on individual lots, unless Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be four (4). A driveway serving more than one lot shall be a minimum of 15 feet wide, except as required by the UFC, and have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area. The Fire Marshal may require an emergency turn-around. Fire sprinklers may also be required for buildings that cannot be fully served by fire hydrants due to distance from a hydrant of insufficient fire flow.

**COMMENT:**

Lots 3 and 4 are proposed flag lots as access through to the east, south or west is not feasible due to existing development (subdivisions) surrounding the site. Lots 3 & 4 are flag lots (double flag) with a shared access. Each flag lot has 10.50 feet of frontage on the private driveway (Tract A) with a shared width of 21 feet. A 14' wide reciprocal access easement is proposed over the flag pole portion of Lots 3 & 4.

**SECTION 16.145: PUBLIC FACILITY AND SERVICE REQUIREMENTS**

**16.145.005 Application of Public Facility Standards**

The provisions of Chapter 16.145 Public Facility and Service Requirements shall apply to development within the City of North Plains as listed in the following table. No development permit shall be approved unless the following required improvements are provided to City standards prior to occupancy or operation unless an exception is approved by the City Council per Chapter 16.145.020 or future provision of the improvement is assured per Chapter 16.145.030.

<u>Public Facilities Improvement Requirements Table</u>						
	Fire Hydrants	Street Improvements	Water Line	Sewer Line	Storm Drainage & Trees	Street Lights
Partitions, Subdivisions and Manufactured Home Parks	Y	Y	Y	Y	Y	Y

**COMMENT:**

The subdivision has been designed to include street improvements, water, sewer, storm drainage, trees and street lights as required by code.

**16.145.010 Public Facility Standards**

**The following public facility standards shall be applicable to all development as specified in the Application Review section of this chapter.**

**A. Streets**

**Street improvements required by Chapter 16.145.005 Public Facility & Service Standards shall be provided in compliance with Street Standards of this ordinance.**

**COMMENT:**

NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

**B. Storm Drainage**

**No development permit shall be approved for any property until the City Engineer has reviewed and approved provisions for storm water drainage in accordance with the following criteria:**

- 1. For storm drainage across or over the property on which the development is located, there are storm drainage facilities available which are capable of handling a one-hundred year flood without damage to any improvement on the property, or inundation of the lowest habitable floor of any residential structure thereon.**
- 2. For storm drainage along or from streets adjacent to the property on which the development is located, there are storm drainage facilities available in accordance with the City of North Plains adopted street standard.**

**COMMENT:**

The existing storm drainage ditch in North Avenue is proposed to be replaced with a storm drainage line extension from the existing line to the east to the western edge of the subject property, then to the existing ditch to the west. Storm drainage for Lots 2-4 will be connected to the existing storm line south of the site in an easement at the rear of these lots. Storm drainage for the private driveway will be provided by a catch basin and a storm line between Lots 2 and 3 to the south.

**C. Sewage Disposal**

**No development permit shall be approved until the City Engineer and Clean Water has reviewed and approved provisions for connection to the public sewer system.**

**COMMENT:**

There is an existing sanitary line in North Avenue. The existing house will retain its connection to this sanitary line and Lot 1 will also connect to the sanitary line in North Avenue. A sanitary extension from the existing sanitary line south of the site in the private drive and utility easement will be extended on the site in a utility easement across the rear of Lots 2-4. Lots 2-4 will have sanitary laterals to this extension.

**D. Water Supply**

**No development permit shall be approved for any property unless all affected water mains are either:**

- 1. Fully improved to a standard providing both adequate potable water and fire flows, as established by the applicable State Plumbing Code and approved by the City Engineer; or**
- 2. Improved to a standard providing adequate potable water flows pursuant to the City Water Master Plan and approved by the City Engineer and the Fire Chief for Washington County Fire District No.**

**COMMENT:**

The existing house has a water meter from the existing 2" water line in NW North Avenue. A water line extension to the existing 8" line east of the site in North Avenue is proposed to the western property line. The existing dwelling will have a new water meter to connect to the new water line and the existing water meter to the 2" line will be abandoned. Four new water meters are proposed for Lots 1-4.

**SECTION 16.150: STREET STANDARDS**

**16.150.005 Scope**

**The provisions of this Subsection shall be applicable to:**

- A. The construction, dedication or creation of all new public or private streets in all subdivisions, partitions or other developments in the City of North Plains.**

- B. The extension or widening of existing public or private street rights-of-way, easements, or street improvements, including those which may be proposed by an individual or the City, or which may be required by the City in association with other development approvals.**
- C. The construction or modification of any utilities or sidewalks in public rights-of-way or private street easements.**

**COMMENT:**

NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

**16.150.010 General Provisions**

**The following general provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of North Plains:**

- A. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.**

**COMMENT:**

NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

- B. Development proposals shall provide for the continuation of existing principal streets where necessary to promote appropriate traffic circulation in the vicinity of the development.**

**COMMENT:**

NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

- C. Reserve strips: Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission.**

**COMMENT:**

No reserve strips are proposed.

- D. Alignment: All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the**

**center lines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.**

**COMMENT:**

The proposed private driveway is proposed to align with NW North Avenue in a "T" intersection and is at least 100 feet from any other intersection along the south side of NW North Avenue.

- E. Future extension of streets: Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of a tract being developed and the resulting dead-end streets may be approved without turnarounds. Reserve strips and street plugs may be required to preserve the objectives of street extensions.**

**COMMENT:**

No new streets are proposed. The proposed private driveway is not extended to provide access to the south due to existing development.

- F. Intersection angles: Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least 100 feet of centerline tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or which include an arterial or collector street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. All other intersections shall have a minimum corner radius sufficient to allow for a roadway radius of 10 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, the intersection of more than two streets at any one point will not be approved.**

**COMMENT:**

No new streets are proposed. The proposed private driveway is designed to intersect with NW North Avenue at a right angle.

- G. Existing streets: Whenever existing public streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision or development.**

**COMMENT:**

NW North Avenue currently has 30' of right-of-way to centerline. Therefore, the subdivision is proposing a 7' wide dedication along North Avenue to get the right-of-way to 37' from centerline.

**H. Cul-de-sacs:** Cul-de-sacs shall be as short as possible, and shall have maximum lengths of 600 feet and shall not serve more than 20 dwelling units. All cul-de-sacs shall terminate with circular turnarounds. Commercial and industrial cul-de-sacs shall have a minimum 55' bulb radius. Additional cul-de-sac specifications, including specifications for residential cul-de-sacs, are contained within the most recently adopted public works/street standards of the City of North Plains and/or Washington County development standards.

**COMMENT:**

No cul-de-sacs are proposed. Therefore, this standard is not applicable.

**I. Street names:** No street names shall be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and number shall conform to the established pattern in the City and shall be subject to the approval of the Planning Commission.

**COMMENT:**

No new streets are proposed. Therefore, this standard is not applicable.

**J. Grades and curves:** Grades shall not exceed 6 percent on arterials, 10 percent on collector streets or 12 percent on any other street. Center line radii of curves shall not be less than 300 feet on arterials, 200 feet on collectors or 100 feet on other streets, and shall be to an even 10 feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable sites, the Planning Commission may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope of 0.5 percent.

**COMMENT:**

No new streets are proposed. The street improvements to NW North Avenue will not affect the existing grade.

**K. Marginal access streets:** If a development abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

**COMMENT:**

A marginal access street is not proposed or required.

**L. Alleys:** Alleys shall be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Commission. While alley

**intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet.**

**COMMENT:**

No alleys are proposed. Therefore, this standard is not applicable.

**M. Sidewalks shall be a minimum of five feet in width. Curbs and sidewalks shall be required along both sides of all public streets. All new development upon lots, tracts or parcels of land adjacent to a public street will be required to construct curbs and sidewalks.**

**COMMENT:**

Sidewalk along the site's NW North Avenue is proposed and meets the standards above.

**N. Street trees, where provided, shall not be of a species which has a shallow spreading root system which is likely to disturb sidewalk or street improvements.**

**COMMENT:**

If street trees are required along the site's NW North Avenue frontage, they will comply with this standard.

**O. Access Spacing Standards shall, to the greatest extent possible, comply with Washington County's standards and the most recently adopted public works/street standards of the City of North Plains. Washington County's access spacing standards by street functional classification are as follows:**

- Major Arterial: 1,000 feet**
- Minor Arterial: 600 feet**
- Major Collector: 150 feet**
- Minor Collector: 50 feet**
- Local Street: 10 feet**

**COMMENT:**

No new streets are proposed. Therefore, this standard is not applicable.

**16.150.115 General Right-of-Way and Improvement Widths**

**Construction specifications for all street and right-of-way improvement widths shall comply with the criteria of the most recently adopted public works/street standards of the City of North Plains, the North Plains Transportation System Plan, and/or Washington County standards. These standards shall be the minimum requirements for all streets, except where modifications are permitted under this chapter or the Street Standard adopted by the City Council of North Plains, whichever is less restrictive. Refer to Figures 5-2A-5-2P in the Transportation System Plan for detailed diagrams depicting street right-of-way, improved, and roadway width requirements.**

**COMMENT:**

NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private street is 20' in width.

**SECTION 16.155: OFF-STREET PARKING AND LOADING**

**16.155.015 Automotive Parking Requirements**

**A. Residential**

**1. Detached single family Two (2) spaces per dwelling unit**

**COMMENT:**

Parking for the existing house on Lot 5 will continue to be provided in the existing garage and driveway. At least 2 off-street parking spaces will be provided for the proposed new dwellings on Lots 1-4 with one in the driveway and one in the garage. This standard is satisfied.

**SECTION 16.160: CLEAR VISION AREAS**

**16.160.000 Requirements**

**Except in the C-1 zone, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, including alleys.**

**A. Lots or parcels on street corners (public and/or private) shall maintain a sight triangle with no sight obstruction between three (3) feet and ten (10) feet in height as measured from street grade. Sight obstructions include, but are not limited to, fences, vegetation, berms, signs and structures. The sight triangle shall be measured from the street corner (apex), to a distance of twenty (20) feet along each street side (see Figure 1). For the purpose of this Section, a street corner is defined as that point where the extended edges of the road surface of two intersecting streets meet. The City may require additional vision clearance based on a hazard identified by the City. However, tree trunks and sign poles not exceeding 12 inches in diameter may be located within the vision clearance area, provided the diameter does not exceed 24 inches.**

**B. A private access shall be treated as a public street for the purpose of this section. The vision clearance area shall be determined in the manner set forth form in Chapter 16.160.000.010(A). The edge of the paved surface area of the private access, be it roadway, curb or sidewalk, shall be treated as the right-of-way line in determining the vision clearance area.**

**COMMENT:**

Site vision triangles are provided at the intersection of the private driveway and NW North

Avenue.

## **SECTION 16.170: APPLICATION REQUIREMENTS AND REVIEW PROCEDURES**

### **16.170.000 General Provisions**

The following lists set forth the type of review procedure for administrative and land use applications:

#### **B. Type II Land Use Permit by City Planner**

**8. Minor Variance Permit up to 10% of the standard**

#### **C. Type III Quasi-Judicial Permits by Planning Commission**

**14. Subdivision Permit**

**16. Variance Permit**

#### **COMMENT:**

The applicant is proposing a 5-lot subdivision (Type III review). The applicant is also requesting two minor adjustments to lot area for Lots 1-4 and lot width for Lots 1, 3 & 4 (Type II review). The applicant is requesting a standard variance to lot width for Lot 2 (Type III review).

### **16.170.001 Pre-application Conference**

**A pre-application conference is recommended for a Type II, III and IV permit. The applicant shall file the appropriate application, pay the review fee and meet with the City Planner, other city staff and affected agencies. At the conference the City Planner shall identify the relevant comprehensive plan policies, map designations, zone and development standards and procedural requirements applicable to the application. The planner and affected agencies shall provide technical data and identify opportunities or constraints concerning the application.**

**Failure of the City to provide any information required by this section does not constitute a waiver of any of the standards, criteria or requirements for the application. Due to possible changes in federal, state, regional and local law, the applicant is responsible for assuring the application complies with all applicable laws on the day the application is deemed complete.**

#### **COMMENT:**

A formal pre-application meeting was not held. The applicant did contact the City to have a pre-app and was directed to move forward with the application after reviewing the proposed plan via email.

### **16.170.002 Neighborhood Meeting**

Applicants or their representatives are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting an application to the City in order to solicit input and exchange information about the proposed development. The applicant for a Type III application is encouraged to hold a neighborhood meeting with a recognized neighborhood or community organization. If no organization exists, then the applicant is encouraged to hold a meeting with adjacent property owners within a radius of 250 feet who will receive public notice.

#### **COMMENT:**

A neighborhood meeting was held for this proposed subdivision on October 2, 2013.

### **16.170.003 Traffic Impact Study**

The purpose of this section of the code is to assist in determining which road authorities participate in a land use decision, and to implement Section 660-012-0045 (2) of the State Transportation Planning Rule that requires the City to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This Chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.

- A. When a Traffic Impact Study is required. The City or other road authority with jurisdiction may require a Traffic Impact Study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:**
- 1. A change in zoning or a plan amendment designation;**
  - 2. Any proposed development of land use action that a road authority states may have operational or safety concerns along its facility;**
  - 3. An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more; or**
  - 4. An increase in site traffic volume of a particular movement to and from the State Highway by 20 percent or more; or**
  - 5. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or**
  - 6. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State Highway, creating a safety hazard; or**
  - 7. A change in internal traffic patterns that may cause safety problems, such as back up onto a street or greater potential for traffic accidents.**

**COMMENT:**

A Traffic Impact Study has not been included at this time as it has not been requested by the City. The increase in site traffic (4 new dwellings) will have a volume generation of less than 300 Average Daily Trips. Average Daily Trips for the 6 new dwellings will be 39 trips.

**SECTION 16.185: VARIANCES**

**16.185.010 Review Criteria**

**A variance may be authorized upon adequate demonstration by the applicant that the proposed variance satisfies the following criteria:**

- A. That special conditions and circumstances exist which are peculiar to the land, building or structure involved;**

**COMMENT:**

The applicant is requesting a variance to the minimum lot width for Lot 2. The proposed lot width is 46.52', which is a reduction of 22.5% of the 60' minimum of the R-7.5 zone. The shape of the existing lot and the existing house and many mature trees to remain impacts the way the lot can be divided as a subdivision. The existing lot line along the southern property line is only 160.08 feet in width. Therefore, there is not enough distance to have three 60' wide lots along this property line. Density for the site allows for 5 lots.

- B. That granting the proposed variance would be in the public interest and would be in harmony with the purpose of the underlying zoning district and the intent and purpose of this Ordinance;**

**COMMENT:**

The proposed variance allows for a single-family dwelling on a lot, which complies with the purpose of the R-7.5 zone. The variance is in the public interest as it allows for a variety of lots and will provide for another single-family dwelling to the community, thus providing more housing stock and tax base.

- C. That the variance would result in minimal detriment to the immediate vicinity;**

**COMMENT:**

The proposed variance to the minimum lot width for Lot 2 will not be detrimental to the immediate area. The variance allows for the existing dwelling to remain and some large trees to remain on-site and for the site to have a density of 5 units.

- D. That the variance requested is the minimum variance which would make possible the reasonable use of the applicant's land, building or structure; and**

**COMMENT:**

The proposed variance (along with the proposed administrative variances) is the minimum variance that allows for the site to be developed with a density of 5 units, which is the reasonable and allowed use of the land.

- E. That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.**

**COMMENT:**

There is no violation of this Ordinance by the applicant.

**16.185.015 Administrative Review Criteria**

**Minor variances, not to exceed 10%, from lot size, depth, width, area, coverage, landscaping and setback standards may be authorized administratively upon adequate demonstration by the applicant that the proposed variance satisfies the following criteria; administrative variances shall be processed in accordance with Application Review section of this chapter:**

- A. That special conditions and circumstances, such as lot shape and configuration, exist which are peculiar to the land, building or structure involved;**

**COMMENT:**

The applicant is requesting two minor variances. First, lot area for Lots 1-4 is proposed to be 6,750 sq. ft. or 90% of the required minimum lot area for the R-7.5 zone. The shape of the existing lot and the existing house to remain impacts the way the lot can be divided as a subdivision. Due to being surrounded by development the only way to access the southern portion of the site is to provide access in the middle of the lot as the existing house is proposed to remain on Lot 5. Lot 5 is a larger lot due to the location of the dwelling and garage on the existing lot. Density for the site allows for 5 lots.

Second, lot width for Lots 1, 3 & 4 are proposed to be reduced by 2.4% to 9.2%. The shape of the existing lot and the existing house to remain impacts the way the lot can be divided as a subdivision. The existing lot line along the southern property line is only 160.08 feet in width. Therefore, there is not enough distance to have three 60' wide lots along this property line. Density for the site allows for 5 lots.

- B. That the variance would result in minimal detriment to the immediate vicinity.**

**COMMENT:**

The proposed adjustments to the minimum lot area for Lots 1-4 and minimum lot width for Lots 1, 3 & 4 will not be detrimental to the immediate area. The adjustments allow for the existing dwelling to remain and some large trees to remain on-site.

**C. An application for an Administrative Variance is limited to one lot per application.**

**COMMENT:**

The applicant is requesting an administrative variance to minimum lot area for Lots 1-4 and to minimum lot width for Lots 1, 3 & 4. Therefore, there are technically 7 separate administrative variances per this standard.

**D. No more than three Administrative Variances may be approved for one lot or parcel in 12 months.**

**COMMENT:**

Lots 1, 3 and 4 are proposed to have two administrative variances and Lot 2 is proposed to have one administrative variance.

**V. SUMMARY AND CONCLUSIONS**

Based upon the findings of this report and the submitted supplemental graphics material, the applicant has demonstrated compliance with the requirements of the relevant sections of the North Plains Zoning and Development Ordinance for the requested 5-lot subdivision in the R-7.5 District. Therefore, the request should be approved.



**STAFF REPORT**

Date: July 17, 2013

To: Planning Commission

From: Martha DeBry, City Manager

Subject: Proposed Biggi Subdivision at 31970 NW North Street

REQUEST: Preliminary Plat Approval for a 5-Lot Single family residential subdivision

APPLICANT: Vince Biggi, Biggi Construction, LLC, 11605 SW Normandy Lane, Wilsonville, OR 97070

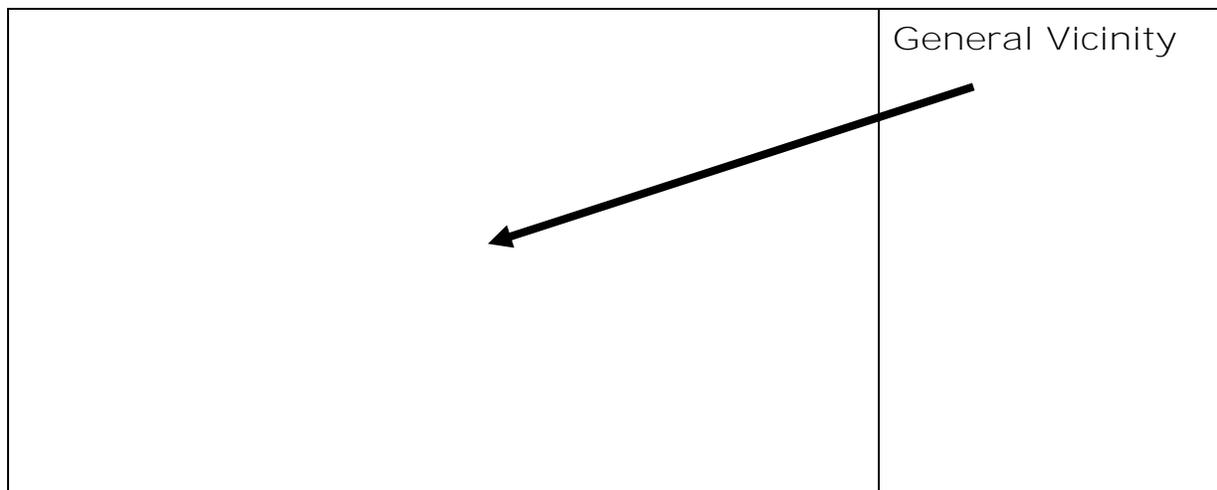
APPLICANT'S REPRESENTATIVE: Neil Fernando, PE, Emerio Design  
6107 SW Murray Blvd., Suite 147, Beaverton, Oregon 97008

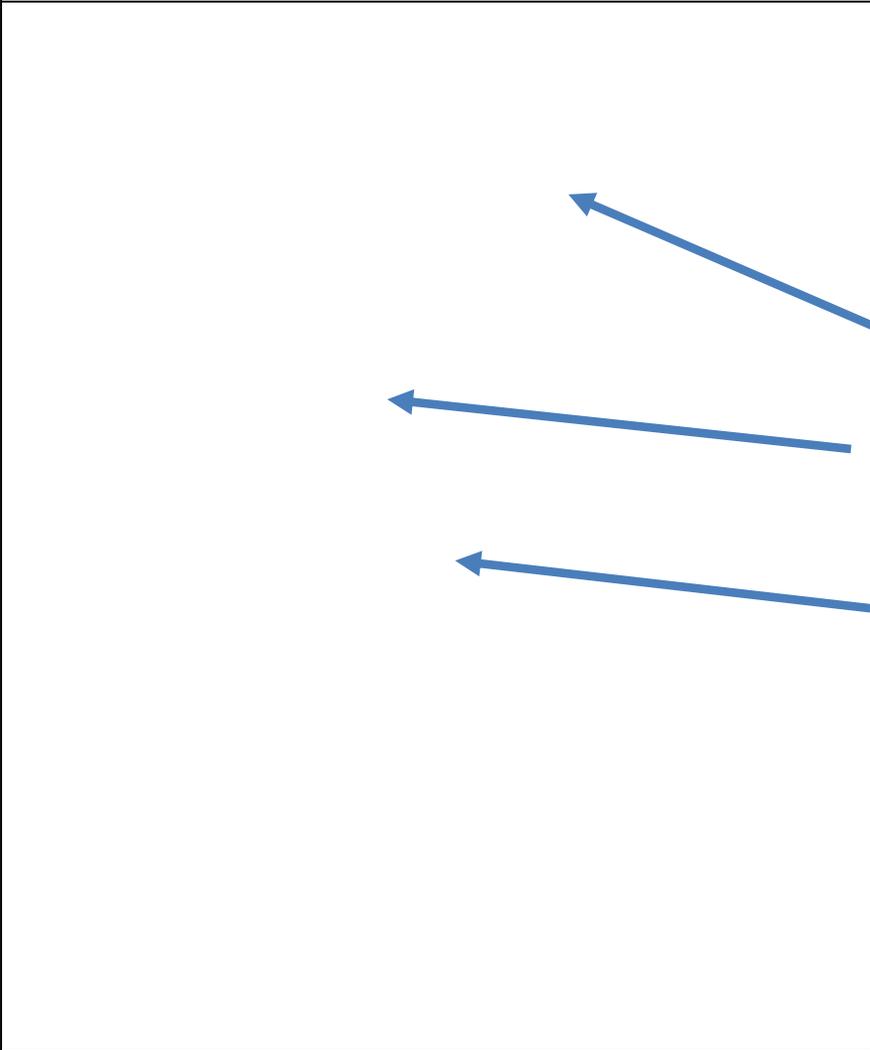
SITE LEGAL DESCRIPTION: Tax Lot 400; Tax Map 1N3 01BD North Plains, Oregon

SIZE: 0.96 Acres

LOCATION: 31790 NW North Avenue

LAND- USE DISTRICT: R-7.5



	<p><b>Aerial View</b></p> <p>Existing Garage</p> <p>Existing House</p> <p>It should be noted all vacant lots to south have been built out since aerial photo was completed.</p>
	<p><b>Subdivision Layout</b></p> <p>North Avenue is at the top. A private driveway leads to flag lots 2, 3, and 4. Lot 1 and 5 face North Avenue.</p> <p>Tract B is facing North Avenue.</p> <p>Private driveway to be shared by Lots 2, 3 and 4</p> <p>Flagpole drive between Lots 3 and 4</p>

**I. APPLICABLE REGULATIONS**

- A. City of North Plains Comprehensive Plan
- B. North Plains Zoning and Development Ordinance:
  - Chapter 16.25: Zoning District R-7.5
  - Chapter 16.125: Lot Development Standards
  - Chapter 16.135: Subdivisions
  - Chapter 16.145: Public Facility and Service Requirements
  - Chapter 16.150: Street Standards
  - Chapter 16.155: Off-Street Parking & Loading
  - Chapter 16.160: Clear Vision Areas
  - Chapter 16.170: Application Requirements and Review Procedures
  - Chapter 16.185: Variance

**II. AFFECTED JURISDICTIONS**

Domestic Water:	City of North
Plains Drainage:	Clean Water
Services Erosion Control:	Clean Water
Services Fire Protection:	WC #2
Parks:	City of North Plains
Police Protection:	City of North Plains
Schools:	Hillsboro School District
Sewer:	Clean Water Services
Streets:	City of North Plains
Water Quality/Quantity:	Clean Water Services

**III. BACKGROUND:**

The applicant is requesting preliminary plat approval for a 5-lot subdivision of a 0.96 acre lot designated R-7.5 on the City of North Plains Zoning Map. The subject property is identified by the Washington County Assessor as Tax Lot 1N301BD00400, and is commonly known as 31790 NW North Avenue.

The existing house and detached garage is proposed to remain on Lot 5 with access from NW North Avenue. The proposed new single-family detached dwelling on Lot 1 will have direct access onto NW North Avenue. Lots 2 - 4 will take access off a shared private driveway (Tract A).

The abutting properties are all within the R-7.5 District. The applicant is proposing dedication and street improvements along the site's NW North Avenue frontage. The property to the north is an area of unincorporated County land within the City's Urban Growth Boundary.

All necessary utilities (i.e., power, sanitary sewer, water, etc.) are presently available to the site, as illustrated on the preliminary utility plan.

#### **IV. FINDINGS**

##### A. 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.

##### B. NORTH PLAINS ZONING AND DEVELOPMENT ORDINANCE

###### SECTION 16.20: ZONING DISTRICT R-7.5

*16.20.000 Purpose: The purpose of the R7.5 District is to provide for the development of single family uses and limited multi-family residential uses, and to implement the housing policies of the Comprehensive Plan.*

**FINDING:** The proposed subdivision site is 0.96 gross acres in area. The applicant is proposing a 5-lot subdivision for single-family detached dwellings. This standard is met.

*16.20.005 Permitted Uses: Permitted Uses subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.*

###### *I. Single family detached dwelling*

**FINDING:** The applicant is proposing the existing detached dwelling remain on proposed Lot 5. Four new detached single-family dwellings are proposed. Therefore, the standards for 16.20.005 is satisfied.

*16.20.015 Dimensional Standards: The following dimensional standards are the minimum requirements for all development in the R7.5 District except for modifications permitted under Lot, Building, & Yard Exceptions or Planned Unit Development sections of this chapter. In addition, a minor adjustment of up to 10% of the required setback, area, lot size, lot depth or lot width may be granted by the City Planner pursuant to Variance Review section of this chapter.*

**FINDING:** The applicant is requesting minor variances to lot area for Lots 1-4 and lot width for Lots 1, 3 and 4. The applicant is also requesting a variance

to the lot width of Lot 2. As proposed the other dimensional standards of 16.125.015 have been satisfied, except that Tract B is proposed as a non-conforming lot for the preservation of the existing trees.

**A. Lot/Parcel Size**

- 1. Single family detached dwelling - 7,500 square feet minimum*
- 3. 9,000 square feet maximum for lots created by subdivision*

**FINDING:** As proposed Lot 5 where the existing house is located is 9,000 square feet in area. Tract B, which is only 1,503 square feet was created to ensure that Lot 5 did not exceed the 9,000 square foot maximum. The existing home, which was constructed in 1925 is set back a large distance from North Avenue. A circular driveway which is located between the trees on Tract B is used by the current residents. The applicant has confirmed that the owner of Lot 5 is most likely to become the owner of Tract B. Staff is recommending a variance to the lot maximum be granted for Lot 5, and Tract B be incorporated into lot 5, resulting in a total square footage of 10,503 square feet. This variance ensures that a non-conforming lot is not created, and provides continuity in the appearance of the property from North Avenue. Lots 1-4 are requested to have a 10% minor variance to reduce the lot area to 6,750 sq. ft. in area (without the flag pole portion of the lots). The minor variance requests is addressed with 16.185. This standard is satisfied.

**B. Lot/Parcel Depth and Width**

- 1. The minimum average lot width shall be 60 feet.*
- 2. The minimum lot depth shall be 80 feet.*

**FINDING:** Lots 1, 3 and 4 are requested to have up to a 9.2% minor variance to the lot width requirement of 60 feet. Lot 2 is requested to have a standard variance to the lot width requirement. The adjustments and variance are addressed below in 16.185. All 5 lots meet the minimum lot depth of 80 feet.

**C. Minimum Setback Requirements**

- 1. Principle structures, accessory dwellings, and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks except that development on flag lots shall be subject to the setback standards of 16.125.010.*
- 2. Front Yard (Principle structure) 20 feet*
- 3. Garages, carports, accessory dwellings and accessory structures shall be flush with, or recessed behind, the front building elevation of the principle structure.*
- 4. Rear Yard*
  - 10 feet for street-access lots*

- 6 feet for alley-access lots
- 5 feet for Accessory Structures and Accessory Dwellings

5. Side Yard (interior) 5 feet

*Side Yard (adjacent to street) 10 feet plus additional necessary to comply with the standards of the Clear Vision Areas section of this chapter.*

*Accessory Structures and Accessory Dwellings only require a 5 foot Side Yard (adjacent to street) setback, except as provided for in 16.105.*

*Flag Lots approved 10 feet for all yards, except pursuant to 16.125.010, that the yard facing the garage door shall be a minimum of 20 feet, except as otherwise provided in this chapter.*

**FINDING:** The existing house is compliant with these standards. Setbacks are shown on the submitted site plan. The new single-family dwellings will be required to meet the standards above at building permit review and issuance.

D. Height of Buildings

*Buildings shall not exceed a height of 35 feet or two and a half stories, whichever is less. Accessory dwellings (excluding accessory structures) shall not exceed 25 feet in height.*

**FINDING:** The existing house is compliant with this standard. The new single-family dwellings will be required to meet the height standard above at building permit review and issuance.

E. Lot/Parcel Coverage

*In the R7.5 District, the maximum lot coverage shall not exceed sixty five (65) percent of the total area of any lot.*

**FINDING:** The existing dwelling does not exceed the 65% coverage standard. All new dwellings will be required to meet the lot coverage standard at building permit review and issuance.

**16.20.020 Parking Requirements**

*At least two (2) off-street parking spaces shall be provided for each single family detached dwelling unit. Parking requirements for all other uses are specified in Off Street Parking and Loading of this chapter.*

**FINDING:** Parking for the existing house on Lot 5 will continue to be provided in the existing garage and driveway. At least 2 off-street parking spaces will be provided for the proposed new dwellings on Lots 1-4 with one in the driveway and one in the garage. This standard is satisfied.

*16.20.025 Development Standards*

*A. The following standards will be applied to all single family dwellings (site-built, modular and manufactured homes) to be constructed or located in the City of North Plains:*

*All single family units shall utilize at least two of the following design features to provide visual relief along the front of the home:*

- 1. dormers;*
- 2. gables;*
- 3. recessed entries;*
- 4. covered porch entries;*
- 5. cupolas;*
- 6. pillars or posts;*
- 7. bay or bow windows;*
- 8. eaves (minimum 6" projection);*
- 9. offsets on building face or roof (minimums 16");*

**FINDING:** Each new dwelling will be required to comply with these standards of 16.20.025 at building permit review and issuance. Specific building plans are unknown at this time.

**SECTION 16.125: LOT DEVELOPMENT STANDARDS**

*16.125.005 Scope*

*The provisions of this subsection shall apply to all partitions and subdivisions within the City of North Plains.*

**FINDING:** The applicant is proposing a 5-lot subdivision. Therefore, Section 16.125.005 is applicable.

*16.125.010 Standards for Lots*

*A. Minimum lot area:*

*Minimum lot area shall conform to the requirements of the*

*zoning district in which the lot is located.*

**FINDING:** With variances all lots conform to the requirements of 7.5 zone.

**B. Access:**

*All lots created after the effective date of this Ordinance shall provide a minimum of 20 feet of frontage on an existing or proposed public street, with the following exception:*

*Flag lots, accessed by a private driveway, may be permitted by the Planning Commission when any of the following conditions are met:*

- a. The subject property is surrounded by developed properties and the terrain, shape of the parcel, or the location of existing structures precludes accessing the property with a public street.*
- b. The proposed flag lot(s) front on the arc of a cul-de-sac...*
- c. The subject property is located in the Commercial or Industrial Zoning District...*
- d. The Planning Commission finds that the use of flag lots is necessary due to conditions of terrain or other physical features of the property.*
- e. The Planning Commission finds that the use of flag lots accessing from a collector or local street is preferable to direct access from an arterial street.*

**FINDING:** Lots 1 and 5 will have at least 20 feet of frontage on a public street, North Avenue. All lots are surrounded by developed properties which preclude accessing the property from a public street. Sections 16.125.010.B (b and c) are not applicable.

Lots 2, 3 and 4 are in a location that precludes the construction of standard size a public street. The applicant proposed that the 20 foot frontage of Tract A be assigned to Lot 2, thereby making it a conforming lot. Because Lots 2, 3 and 4 must share the driveway that is Tract A, all three lots should be designated as flag lots. The entire frontage of the property on North Avenue is 160 feet wide. Lot 5 requires approximately 90 feet of the frontage. As a practical matter, there is not sufficient space to provide a 20 foot frontage for the remaining 4 lots, and flag lots are a desirable solution to minimize the appearance of driveways and allow development of the property. .

C. Flag Lots:

*When authorized by the Planning Commission pursuant to the access requirements of Subsection Chapter 16.125.010 (B)(1), flag lots shall be subject to the following development standards:*

- a) The access strip shall be a minimum of 15 feet in width, except as required by the Uniform Fire Code. The improved surface shall be a minimum of 12 feet in width, except as required by the Uniform Fire Code. A three-foot wide landscaped planter strip shall be provided between the access strip and the side lot line of the neighboring lot.*
- b) The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Ordinance.*
- c) The access strip shall be in fee ownership of the property provided access and shall not be as an easement. In the case of multiple lots having the same access strip, all lots served shall have ownership of an equal amount of the access strip. There shall be provided an easement over the remainder of the access strip for each property served.*
- d) The length of the access strip is subject to the requirements of the Uniform Fire Code, but shall not exceed 200 feet.*
- e) Where more than one flag lots abut, access shall be via a shared drive wherever possible. The shared drive access strip shall be a minimum of 20 feet in width for two lots, and increased by 5 foot increments for each additional lot, with a maximum of four lots having access off of one access strip, except as required by the Uniform Fire Code. The improved surface shall be a minimum of 16 feet in width for two lots and increased by four feet for each additional lot, except as required by the Uniform Fire Code. A two foot wide vegetated planter strip shall be provided between the access strip and the abutting side lot lines.*
- f) Setbacks in Residential Zoning Districts. Subsequent development on flag lots in the R-7.5, R-5 and R-2.5 zoning districts shall provide minimum front, rear and side yard setbacks of 10 feet, except that the yard facing the garage door or carport entrance shall be a minimum of 20 feet.*

**FINDING:** Lots 2, 3 and 4 are flag lots with a shared access. The access strip is proposed at 21 feet, and the area is not included in the

calculation of the area of lots 2, 3, and 4. As a condition of approval, each flag lot shall share ownership of Tract A in equal proportions and provide access easements as per 16.125.010.C.c. A reciprocal access easement is also proposed for the flag pole portion of the access to Lot 4 across Lot 3. The length of the access strip is less than 200 feet. The proposed access strip is 21 feet, which is 4 feet more narrow than prescribed by 16.125.010.C.e, and has been approved by Washington County Fire District #2. As a condition of approval the paved width must be a minimum of 15 feet, and 3 foot wide planter strip shall be recorded along the east boundary of Lot 1 and west boundary of Lot 5. Setbacks for the flag lots have been shown as 10 feet with a 20-foot garage setback.

*D. Through Lots: Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries, adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. Screening or buffering may be required by the Planning Commission during the review of the land division request.*

**FINDING:** No through lots are proposed.

*E. Lot Side Lines: The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.*

**FINDING:** Side lot lines are proposed to run at right angles to North Avenue.

*F. Lot Grading: Lot grading shall conform to the requirements of Chapter 70 of the Uniform Building Code, hereby adopted by reference, and to the following standards unless physical conditions demonstrate the propriety of other standards:*

- a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.*
- b. Fill slopes shall not exceed two feet horizontally to one foot vertically.*
- c. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.*

**FINDING:** Lot grading will be minimal as the site is quite flat. Lot grading will include grading for the building pads and driveway as needed.

*G. Large Lots: In dividing tracts into large lots which at some future time are likely to be re-divided, the applicant's tentative plan shall*

*also demonstrate that any redevelopment or re-subdivision may readily take place at the planned residential density without violating the requirements of this ordinance.*

**FINDING:** None of the proposed lots are large enough that they could be further subdivided based on the current zoning.

*H. Land for Public Process: Where a proposed park, school or other public use indicated on the Comprehensive Plan is located in whole or in part within a subdivision, the sub-divider shall dedicate and reserve said area for such purpose. Where the City or other public authority has declared its intention to acquire said area, it shall proceed to perfect the title or a contract right to the same within three (3) years from the date of platting, and failing such, this reservation shall automatically expire. The public body shall expeditiously proceed, within its financial ability, to consummate such acquisitions.*

**FINDING:** The Comprehensive Plan does not designate the site for a park or other public use. Therefore, this standard is not applicable.

#### **16.125.015 Standards for Blocks**

*A. General: The length, width, and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the limitations of the topography.*

**FINDING:** The proposed development will not change the existing block length, width or shape. The proposed private driveway is not a street and no connection to the south is possible with the existing development.

#### **16.125.020 Easements**

*A. Utility Lines: Minimum 5 foot wide easements for sewers, water mains, electric lines, or other public utilities shall be dedicated along the front, side, and rear lot or parcel lines of each lot. Easements shall be centered on lot lines.*

*B. Water Courses: If a tract is traversed by a water course such as a drainage way, channel or stream, a storm water easement or drainage right-of-way shall be provided which substantially parallels the lines of the water course.*

*C. Pedestrian and Bicycle Ways: When desirable for public convenience and access, a pedestrian or bicycle way easement may be required to connect to a cul-de-sac or to pass through an unusually long or oddly spaced block, or to otherwise provide*

*appropriate circulation.*

**FINDING:** A public utility easement is proposed along the site's North Avenue frontage. A blanket easement for access and utilities will be placed over Tract A extending 5' feet on either side of the tract. A 20' wide utility easement at the rear of Lots 3 and 4 and a portion of Lot 2 is proposed for sanitary and storm drainage lines. A 10' wide storm easement is proposed between Lots 2 and 3 to provide storm drainage for the private driveway.

**16.125.025 Improvement Requirements**

***B. Subdivisions: The following improvements shall be required for all subdivisions in the City of North Plains.***

***1. Frontage Improvements: Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts. Such improvements shall be blended to match with existing improved surfaces across the centerline and for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, waterlines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.***

**FINDING:** Frontage improvements are proposed to meet standards for the site's NW North Avenue frontage. Currently an asphalt concrete walkway is installed along the length of the property. The condition of the walkway at this time is in fair to poor condition with edges wearing down and cracking common. As a condition of approval the applicant is required to provide concrete walkways that match the sidewalk to the east of the property. Comments provided by Washington County and Clean Water Services are incorporated by reference as conditions of approval.

***2. Proposed Streets: All public streets within the subdivision shall be constructed as required by the provisions of the Street Standards section of this chapter.***

**FINDING:** No new public streets are proposed. Improvements to North Avenue have been designed to meet applicable standards.

***3. Monuments: Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature***

*and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to U.S. Geological Survey datum.*

**FINDING:** Monuments will be set in accordance with this standard.

4. ***Sanitary Sewers:*** *Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.*

*If the required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the Planning Commission may recommend to the City Council construction as an assessment project with such arrangement with the sub-divider as is desirable to assure financing his share of the construction.*

*The City may require that the sub-divider construct sewage lines of a size in excess of that necessary to adequately serve the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the sub-divider as is desirable to assure his share of the construction.*

**FINDING:** There is an existing sanitary line in North Avenue. The existing house will retain its connection to this sanitary line and Lot 1 will also connect to the sanitary line in North Avenue. A sanitary extension from the existing sanitary line south of the site in the private drive and utility easement will be extended on the site in a utility easement across the rear of Lots 2, 3 and 4. Lots 2, 3 and 4 will have sanitary laterals to this extension.

5. ***Water System:*** *Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to the city mains shall be installed. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed.*

**FINDING:** The existing house has a water meter from the existing 2" water line in NW North Avenue. **The Public Works Department has advised that a 2" main is inadequate to support a fire hydrant for fire suppression purposes.** The applicant has proposed extending the existing 8" water main east of the site in North Avenue to the western property line. The existing dwelling will have a

new water meter to connect to the new water line, and the existing water meter to the 2" line will be abandoned. Four new water meters are proposed for Lots 1-4. The nearest hydrant is approximately 185 feet to the east at 317<sup>th</sup> Place. As a condition of approval a hydrant is proposed to be installed near the shared driveway to better serve residents of the subdivision in Lots 2, 3, 4 which are set back approximately 100 feet from the street.

6. *Street Lights and Street Trees: The installation of street lights and street trees is required at locations and of a type established by City standards.*

**FINDING:** Street lights and street trees will be placed as required. At a minimum, two street trees must be planted to the west of the shared driveway as a condition of approval.

7. *Street Signs: The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type established by City standards.*

**FINDING:** Street signage will be determined during construction plans. No parking signs will be provided along the private driveway. Because North Avenue is a relatively busy collector street, and the distance of the houses from the driveway, the applicant must install either mailboxes or other monument that would indicate the addresses of the three rear properties in letters that are 4 inches or larger. The purpose of the condition is to provide clear identification of the properties for emergency response personnel.

## SECTION 16.135: SUBDIVISIONS

### 16.135.010 Submittal Requirements for Tentative Subdivision Plan

- A. *All Subdivision applications shall be submitted on forms provided by the City and accompanied by the appropriate filing fee.*
- B. *Each application shall include fifteen (15) copies of the tentative subdivision plan drawn on a sheet of 18 x 24 inches in size at a scale of 1 inch equals 100 feet.*
- C. *The following information shall be shown on the tentative subdivision plan:*
  1. *Proposed name of the subdivision. This name shall not duplicate or resemble the name of any other subdivision in the county and shall be approved by the Planning Commission and the County Surveyor.*

2. *Date, north point and scale of drawing.*
3. *Appropriate identification of the drawing as a tentative plan.*
4. *Description of the subdivision sufficient to define its location and boundaries and legal description of the tract boundaries.*
5. *Names and addresses of the owner, subdivider, and engineer, surveyor, or planner.*
6. *The location, widths and names of both improved and unimproved streets within or adjacent to the tract, together with easements and other important features such as section lines, section corner, city boundary lines and monuments.*
7. *Contour lines related to some established bench mark or other datum approved by the city engineer and having minimum intervals as follows:*
  - a. *For slopes of less than five per cent: two feet, together with not less than four spot elevations per acre, evenly distributed, if necessary.*
  - b. *For slopes of five percent to 15 percent: five feet.*
  - c. *For slopes of 15 percent to 20 percent: ten feet.*
  - d. *For slopes of over 20 percent: 20 feet.*
8. *The location of at least one temporary bench mark within the subdivision boundaries pursuant to ORS 96.060.*
9. *The location and direction of water courses and the location of areas subject to flooding and/or within a designated 100-year flood plain.*
10. *Natural features such as rock outcroppings, marshes, wooded areas and isolated preservable trees having a caliper (diameter) of 6 inches or greater at 4 feet above grade.*
11. *Existing uses of the property and location of existing structures designated historic and cultural resources on the site and structures to remain on the property after platting.*
12. *A vicinity map showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.*
13. *Proposed deed restrictions, if any, in outline form.*
14. *The location of existing sewage disposal facilities, water mains, culverts, storm drainage facilities and electric lines within and adjacent to the subdivision.*
15. *The location, width, names, approximate grades and radii of curves of proposed streets as shown on any development plan.*
16. *Dimensions and area of each proposed lot.*

17. *Proposed lot and block numbers.*
18. *Proposed sites, if any, allocated for development,*
19. *If the proposed subdivision includes only part of the tract owned or controlled by the subdivider, the City Planner or Planning Commission may require a sketch or tentative layout for streets and lots in the unsubdivided portion.*
20. *Any of the following may be required by the City Planner or Planning Commission to supplement the tentative subdivision plan:*
  - a. *Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and sidewalks and the nature and extent of street construction.*
  - b. *A schematic plan for domestic water supply lines and related water service and sewage disposal facilities.*
  - c. *Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.*
  - d. *If lot areas are to be graded or filled, a plan showing the nature of cuts and fills and information on the character of the soil.*
  - e. *Proposals for other improvements such as electric utilities.*

**FINDING:** The application includes the signed application form, fee, narrative, and plan set addressing the requirements of 16.135.010.

#### **16.135.011 Preliminary Plat Approval Criteria**

*The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

- A. *The proposed preliminary plat complies with the applicable Development Code chapters and all other applicable ordinances and regulations. At a minimum, the provisions of this section and the applicable sections of this chapter including Zoning Districts, Development Standards, and Streets and Facilities shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the Variance section of this chapter;*

**FINDING:** The proposed subdivision complies with all the applicable Development Code chapters as required. Minor variances are requested to the lot area for Lots 1-4 and lot width for Lots 1, 3 and 4 and the standards in the variance chapter have been addressed in this narrative. One standard

variance to lot width for Lot 2 is also requested and addressed below in this narrative. Staff is recommending an additional variance for Lot 1 to exceed the maximum square footage.

*B. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

**FINDING:** The applicant will pick a subdivision name that is not already in use in Washington County.

*C. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivision and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

**FINDING:** The streets, sidewalks, and utilities have been designed to transition and/or conform with adjacent development.

*D. All proposed private common areas and improvements (e.g. homeowners association property) are identified on the preliminary plat;*

**FINDING:** The proposed private driveway (Tract A) is identified on the preliminary plat. As proposed Tract B is for preservation of trees/vegetation and is also shown on the preliminary plat by the applicant. The preservation of the pine, chestnut and monkey trees is not prescribed by the City or other public agency. Since a homeowners association has not been designated for the subdivision, and the owners intention is to sell the property with Lot 5, as a condition of approval Tract B should be incorporated to Lot 5.

*E. Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;*

**FINDING:** If required, any State and federal permits will be obtained prior to final plat. At this time, no State or federal permits are required.

*F. Evidence the improvements or conditions required by the City, road authority, Washington County, Clean Water Services, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met;*

**FINDING:** The City, Washington County and Clean Water services has provided comments on the application, and all conditions prescribed by the agencies are incorporated as conditions of approval.

*G. A Traffic Impact Study (TIS) has been provided, if applicable, in accordance with the provisions of Chapter 16.170; and*

**FINDING:** A Traffic Impact Study has not been included at this time as it has not been requested by the City.

*H. If any part of the site is located within a Specific Area Plan District, Overlay District, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

**FINDING:** The site is not in a Specific Area Plan District, Overlay District, or a previously approved Master Planned Development.

#### *16.135.012 Lot Access Provisions*

*In addition to the provisions of this chapter, all lots and parcels shall conform to the specific requirements below, as applicable:*

- A. In conformance with the Uniform Fire Code (UFC), a 20-foot wide fire apparatus drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive.*
- B. When a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat. The minimum drive width shall be 10 to 15 feet, except as required by the UFC, and improved with an all-weather surface approved by the City.*
- C. Access reserve strips may be required to be granted to the City for the purpose of controlling access to adjoining undeveloped properties.*
- D. Street and building placement and alignment shall be designed so that all future street connections can be made as surrounding properties develop.*

**FINDING:** Lots 2, 3 and 4 will have shared access onto the proposed private driveway. The private drive is proposed to be paved a minimum of 15' wide. This private drive will provide fire access to lots 2, 3 and 4. Joint

maintenance of the driveway by the owners of Lots 2, 3, and 4 is a condition of approval. Additionally, joint maintenance of the flag pole access to lots 3 and 4 shall be required as a condition of approval.

**16.135.013 Flag Lot**

*Flag lots may be created only when a through street or mid-block lanes cannot be extended to serve abutting uses or future development. A flag lot driveway ("flag pole") may serve no more than two (2) dwellings units, including accessory dwellings and dwellings on individual lots, unless Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be four (4). A driveway serving more than one lot shall be a minimum of 15 feet wide, except as required by the UFC, and have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area. The Fire Marshal may require an emergency turn-around. Fire sprinklers may also be required for buildings that cannot be fully served by fire hydrants due to distance from a hydrant of insufficient fire flow.*

**FINDING:** Lots 2, 3 and 4 are proposed flag lots as access through to the east, south or west is not feasible due to existing subdivisions surrounding the site. Each flag lot is required to own a portion of the private driveway (Tract A) with a shared width of 21 feet. A reciprocal access easement is proposed over the flag pole portion of Lots 3 and 4.

SECTION 16.145: PUBLIC FACILITY AND SERVICE REQUIREMENTS

**16.145.005 Application of Public Facility Standards**

*The provisions of Chapter 16.145 Public Facility and Service Requirements shall apply to development within the City of North Plains as listed in the following table. No development permit shall be approved unless the following required improvements are provided to City standards prior to occupancy or operation unless an exception is approved by the City Council per Chapter 16.145.020 or future provision of the improvement is assured per Chapter 16.145.030.*

Public Facilities Improvement Requirements Table

	Fire Hydrants	Street Improvements	Water Line	Sewer Line	Storm Drainage & Trees	Street Lights
Partitions, Subdivisions and Manufactured Home Parks	Y	Y	Y	Y	Y	Y

**FINDING:** The subdivision has been designed to include street improvements, water, sewer, storm drainage, trees and street lights as required by code.

***16.145.010 Public Facility Standards***

*The following public facility standards shall be applicable to all development as specified in the Application Review section of this chapter.*

***A. Streets***

*Street improvements required by Chapter 16.145.005 Public Facility & Service Standards shall be provided in compliance with Street Standards of this ordinance.*

**FINDING:** NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

***B. Storm Drainage***

*No development permit shall be approved for any property until the City Engineer has reviewed and approved provisions for storm water drainage in accordance with the following criteria:*

- 1. For storm drainage across or over the property on which the development is located, there are storm drainage facilities available which are capable of handling a one-hundred year flood without damage to any improvement on the property, or inundation of the lowest habitable floor of any residential structure thereon.*
- 2. For storm drainage along or from streets adjacent to the property on which the development is located, there are storm drainage facilities available in accordance with the City of North Plains adopted street standard.*

**FINDING:** The existing storm drainage ditch in North Avenue is proposed to be replaced with an underground storm drainage line extension from the existing line to the east to the western edge of the subject property, then to the existing ditch to the west. Storm drainage for Lots 2-4 will be connected to the existing storm line south of the site in an easement at the rear of these lots. Storm drainage for the private driveway will be provided by a catch basin and a storm line between Lots 2 and 3 to the south.

### C. Sewage Disposal

*No development permit shall be approved until the City Engineer and Clean Water has reviewed and approved provisions for connection to the public sewer system.*

**FINDING:** There is an existing sanitary line in North Avenue. The existing house will retain its connection to this sanitary line and Lot 1 will also connect to the sanitary line in North Avenue. A sanitary extension from the existing sanitary line south of the site in the private drive and utility easement will be extended on the site in a utility easement across the rear of Lots 2-4. Lots 2-4 will have sanitary laterals to this extension.

### D. Water Supply

*No development permit shall be approved for any property unless all affected water mains are either:*

- 1. Fully improved to a standard providing both adequate potable water and fire flows, as established by the applicable State Plumbing Code and approved by the City Engineer; or*
- 2. Improved to a standard providing adequate potable water flows pursuant to the City Water Master Plan and approved by the City Engineer and the Fire Chief for Washington County Fire District No. 2.*

**FINDING:** The existing house has a water meter from the existing 2" water line in NW North Avenue. A new water main extension to the existing 8" line east of the site in North Avenue is proposed to the western property line. The existing dwelling will have a new water meter to connect to the new water line and the existing water meter to the 2" line will be abandoned. Four new water meters are proposed for Lots 1-4.

## SECTION 16.150: STREET STANDARDS

### *16.150.005 Scope*

*The provisions of this Subsection shall be applicable to:*

- A. The construction, dedication or creation of all new public or private streets in all subdivisions, partitions or other developments in the City of North Plains.*
- B. The extension or widening of existing public or private street rights-of-way, easements, or street improvements, including those which*

*may be proposed by an individual or the City, or which may be required by the City in association with other development approvals.*

*C. The construction or modification of any utilities or sidewalks in public rights-of-way or private street easements.*

**FINDING:** NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

**16.150.010 General Provisions**

*The following general provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of North Plains:*

*A. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.*

**FINDING:** NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

*B. Development proposals shall provide for the continuation of existing principal streets where necessary to promote appropriate traffic circulation in the vicinity of the development.*

**FINDING:** NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east. The proposed private driveway is 20' in width.

*C. Reserve strips: ...*

*D. Alignment:...*

*E. Future extension of streets: ...*

*F. Intersection angles: ...*

**FINDING:** 16.150.010 C-F are not applicable to this application.

*G. Existing streets: Whenever existing public streets adjacent to or*

*within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision or development.*

**FINDING:** NW North Avenue currently has 30' of right-of-way to centerline. Therefore, the subdivision is proposing a 7' wide dedication along North Avenue to get the right-of-way to 37' from centerline.

*H. Cul-de-sacs:...*

*I. Street names: ...*

*J. Grades and curves: ...*

*K. Marginal access streets: ...*

*L. Alleys: ...*

**FINDING:** No new streets are proposed. Therefore, this standards for 16.150.010 H-L are not applicable.

*M. Sidewalks shall be a minimum of five feet in width. Curbs and sidewalks shall be required along both sides of all public streets. All new development upon lots, tracts or parcels of land adjacent to a public street will be required to construct curbs and sidewalks.*

**FINDING:** Sidewalk along the site's NW North Avenue is proposed and meets the standards above.

*N. Street trees, where provided, shall not be of a species which has a shallow spreading root system which is likely to disturb sidewalk or street improvements.*

**FINDING:** Street trees will be required along the frontage of North Avenue and will comply with 16.150.010.N.

*O. Access Spacing Standards shall, to the greatest extent possible, comply with Washington County's standards and the most recently adopted public works/street standards of the City of North Plains. Washington County's access spacing standards by street functional classification are as follows:*

*Major Arterial: 1,000 feet*

*Minor Arterial: 600 feet*

*Major Collector: 150 feet*

*Minor Collector: 50 feet*

*Local Street: 10 feet*

**FINDING:** No new streets are proposed. Therefore, 16.150.010.O is not applicable.

***16.150.115 General Right-of-Way and Improvement Widths***

*Construction specifications for all street and right-of-way improvement widths shall comply with the criteria of the most recently adopted public works/street standards of the City of North Plains, the North Plains Transportation System Plan, and/or Washington County standards. These standards shall be the minimum requirements for all streets, except where modifications are permitted under this chapter or the Street Standard adopted by the City Council of North Plains, whichever is less restrictive. Refer to Figures 5-2A-5-2P in the Transportation System Plan for detailed diagrams depicting street right-of-way, improved, and roadway width requirements.*

**FINDING:** NW North Avenue is proposed to be improved with additional pavement, curb, sidewalk and planter strip. The design is proposed to match the existing street improvement to the east.

SECTION 16.155: OFF-STREET PARKING AND LOADING

***16.155.015 Automotive Parking Requirements***

***A. Residential***

***1. Detached single family Two (2) spaces per dwelling unit***

**FINDING:** Parking for the existing house on Lot 5 will continue to be provided in the existing garage and driveway. At least 2 off-street parking spaces will be provided for the proposed new dwellings on Lots 1-4 with one in the driveway and one in the garage.

SECTION 16.160: CLEAR VISION AREAS

***16.160.000 Requirements***

*Except in the C-1 zone, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, including alleys.*

- A. Lots or parcels on street corners (public and/or private) shall maintain a sight triangle with no sight obstruction between three (3) feet and ten (10) feet in height as measured from street grade. Sight obstructions include, but are not limited to, fences,***

*vegetation, berms, signs and structures. The sight triangle shall be measured from the street corner (apex), to a distance of twenty (20) feet along each street side (see Figure 1). For the purpose of this Section, a street corner is defined as that point where the extended edges of the road surface of two intersecting streets meet. The City may require additional vision clearance based on a hazard identified by the City. However, tree trunks and sign poles not exceeding 12 inches in diameter may be located within the vision clearance area, provided the diameter does not exceed 24 inches.*

- B. A private access shall be treated as a public street for the purpose of this section. The vision clearance area shall be determined in the manner set forth form in Chapter 16.160.000.010(A). The edge of the paved surface area of the private access, be it roadway, curb or sidewalk, shall be treated as the right-of-way line in determining the vision clearance area.*

**FINDING:** Site vision triangles are provided at the intersection of the private driveway and NW North Avenue.

## SECTION 16.170: APPLICATION REQUIREMENTS AND REVIEW PROCEDURES

### 16.170.000 General Provisions

*The following lists set forth the type of review procedure for administrative and land use applications:*

*B. Type II Land Use Permit by Planner*

- 8. Minor Variance Permit up to 10% of the standard*

*C. Type III Quasi Judicial Permits by Planning Commission*

- 14. Subdivision Permit*  
*16. Variance Permit*

**FINDING:** The applicant is proposing a 5-lot subdivision (Type III review). The applicant is also requesting two minor variances to lot area for Lots 1-4 and lot width for Lots 1, 3 and 4 (Type II review). The applicant is requesting a standard variance to lot width for Lot 2 (Type III review). The entire application is being presented to the Planning Commission as a Type III review.

### 16.170.001 Pre-application Conference

*A pre-application conference is recommended for a Type II, III and IV permit. The applicant shall file the appropriate application, pay the review fee and meet with the City Planner, other city staff and affected agencies. At the conference the City Planner shall identify the relevant comprehensive plan policies, map designations, zone and development standards and procedural requirements applicable to the application. The planner and affected agencies shall provide technical data and identify opportunities or constraints concerning the application.*

*Failure of the City to provide any information required by this section does not constitute a waiver of any of the standards, criteria or requirements for the application. Due to possible changes in federal, state, regional and local law, the applicant is responsible for assuring the application complies with all applicable laws on the day the application is deemed complete.*

**FINDING:** A formal pre-application meeting was not held. The applicant did contact the City to have a pre-app and was directed to move forward with the application after reviewing the preliminary proposed plan via email.

### 16.170.002 Neighborhood Meeting

*Applicants or their representatives are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting an application to the City in order to solicit input and exchange information about the proposed development. The applicant for a Type III application is encouraged to hold a neighborhood meeting with a recognized neighborhood or community organization. If no organization exists, then the applicant is encouraged to hold a meeting with adjacent property owners within a radius of 250 feet who will receive public notice.*

**FINDING:** A neighborhood meeting was held for this proposed subdivision on October 2, 2013.

### 16.170.003 Traffic Impact Study

*The purpose of this section of the code is to assist in determining which road authorities participate in a land use decision, and to implement Section 660-012-0045 (2) of the State Transportation Planning Rule that requires the City to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This Chapter*

*establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.*

*A. When a Traffic Impact Study is Required: The City or other road authority with jurisdiction may require a Traffic Impact Study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:*

- 1. A change in zoning or a plan amendment designation;*
- 2. Any proposed development of land use action that a road authority states may have operational or safety concerns along its facility;*
- 3. An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more; or*
- 4. An increase in site traffic volume of a particular movement to and from the State Highway by 20 percent or more; or*
- 5. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or*
- 6. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State Highway, creating a safety hazard; or*
- 7. A change in internal traffic patterns that may cause safety problems, such as back up onto a street or greater potential for traffic accidents.*

**FINDING:** The increase in site traffic (4 new dwellings) will have a volume generation of less than 300 Average Daily Trips. Average Daily Trips for the 6 new dwellings will be 39 trips.

SECTION 16.185: VARIANCES

***16.185.010 Type III Review Criteria***

*A variance may be authorized upon adequate demonstration by the applicant that the proposed variance satisfies the following criteria:*

*A. That special conditions and circumstances exist which are peculiar to the land, building or structure involved;*

**FINDING:** The applicant is requesting a variance to the minimum lot width for Lot 2. The proposed lot width is 46.52', which is a reduction of 22.5% of the 60' minimum of the R-7.5 zone. The shape of the existing lot and the existing house and many mature trees to remain impacts the way the lot can be divided as a subdivision. The existing lot line along the southern property line is only 160.08 feet in width. Therefore, there is not enough distance to have three 60' wide lots along this property line. Density for the site allows for 5 lots.

*B. That granting the proposed variance would be in the public interest and would be in harmony with the purpose of the underlying zoning district and the intent and purpose of this Ordinance;*

**FINDING:** The construction of 5 homes on this site is consistent with the R7.5 zoning.

*C. That the variance would result in minimal detriment to the immediate vicinity;*

**FINDING:** The proposed variance to the minimum lot width for Lot 2 will not be detrimental to the immediate area. The variance allows for the existing dwelling to remain and some large trees to remain on-site and for the site to have a density of 5 units.

*D. That the variance requested is the minimum variance which would make possible the reasonable use of the applicant's land, building or structure; and*

**FINDING:** The proposed variances are the minimum variance that allows for the site to be developed with a density of 5 units, which is the reasonable and allowed use of the land.

*E. That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.*

**FINDING:** There is no violation of this Ordinance by the applicant.

***16.185.015 Type II Review Criteria***

*Minor variances, not to exceed 10%, from lot size, depth, width, area, coverage, landscaping and setback standards may be authorized administratively upon adequate demonstration by the applicant that the proposed variance satisfies the following criteria; administrative variances shall be processed in accordance with Application Review section of this chapter:*

*A. That special conditions and circumstances, such as lot shape and configuration, exist which are peculiar to the land, building or structure involved;*

**FINDING:** The applicant is requesting two minor variances:

First, lot area for Lots 1-4 is proposed to be 6,750 sq. ft. or 90% of the required minimum lot area for the R-7.5 zone. The shape and location of the existing the existing house greatly impacts the way the lot can be divided as a subdivision. The most practical way to access the southern portion of the site is to provide access in the middle of the lot. The alternative would be to approach from the west boundary which would create longer flagpole accesses.

Second, lot width for Lots 1, 3 & 4 are proposed to be reduced by 2.4% to 9.2%. The existing lot line along the southern property line is only 160.08 feet in width. Therefore, there is not enough distance to have three 60' wide lots (180 feet) along this property line.

*B. That the variance would result in minimal detriment to the immediate vicinity.*

**FINDING:** The proposed adjustments to the minimum lot area for Lots 1-4 and minimum lot width for Lots 1, 3 & 4 will not be detrimental to the immediate area. The adjustments allow for the existing dwelling to remain and large trees to remain on-site.

*C. An application for an Administrative Variance is limited to one lot per application.*

**FINDING:** Because the applicant is requesting multiple variances, all variances are being presented to the Planning commission as part of Type III review.

*D. No more than three Administrative Variances may be approved for one lot or parcel in 12 months.*

**FINDING:** All variance requests are being considered as part of the Type III review.

*16.185.020 Conditions of Approval*

*In approving an application for a type III variance, the Planning commission may impose such conditions as it deems appropriate to ensure the intent of this Section is carried out. Such conditions shall be reasonably related to the variance criteria set forth in this chapter.*

**Finding:** Staff is recommending an additional variance be required for Lot 5 causing the area of Tract B to be incorporated in the lot. The creation of Tract B as a substandard lot is inconsistent with the underlying zone.

**V. SUMMARY AND CONCLUSIONS**

Based upon the findings of this report and the submitted supplemental graphics material, the applicant has demonstrated compliance with the requirements of the relevant sections of the North Plains Zoning and Development Ordinance for the requested 5-lot subdivision in the R-7.5 District. Therefore, the request should be approved.

**PROPERTY: (CONT.)** 31790 NW NORTH AVENUE

**Name:** Robert Vincent

**Organization or Business (If Any):**

**Address:** 11255 NW 317th PL

**Phone # (Optional):** 503-447-1153

**Date:** Nov-23-2013

**COMMENTS:**

I have talked to Mike and Neil and have voiced my concerns to them. As long as they keep the runoff of water from coming into my yard and do not cut the trees or arbor sides down I am fine with their designs even if they cut the trees down. Because its his lot and he should be able to do what he wants as long as he is within all city and state regulations

**Please return by one of the following ways:**

**MAIL:** 31360 NW Commercial Street, North Plains, OR 97133

**IN PERSON:** City Hall, 31360 NW Commercial Street, North Plains, OR

**E-MAIL:** martha@northplains.org

Please contact City Manager Martha DeBry at (503) 647-5555 with any questions

Thank you!

**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 preliminary plat for a 5-lot subdivision of single-family detached dwellings on a 0.96 acre lot designated R-7.5 on the City of North Plains Zoning Map. Tax lot #1N301BD400 commonly known as 31790 NW North Avenue.**

**The City will accept all written comments received prior to the hearing scheduled for  
 December 11, 2013, 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:** November 21, 2013

**WHAT IS THE DECISION PROCESS?** The North Plains Planning Commission will make a decision on the application for a preliminary 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 December 4, 2013 at [www.northplains.org](http://www.northplains.org) or request a copy by emailing [martha@northplains.org](mailto: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***

## ***NOTICE OF PUBLIC HEARING & REQUEST FOR COMMENTS***

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**MEMORANDUM**

**Date:** December 4, 2013

**To:** Margaret L. Reh, Deputy City Recorder, City of North Plains

**From:** Jackie Sue Humphreys, Clean Water Services (the District)

**Subject:** North Avenue 5-Lot Subdivision, 1N301BD00400

Please include the following comments when writing your conditions of approval:

**PRIOR TO ANY WORK ON THE SITE AND PLAT RECORDING**

A Clean Water Services (the District) Site Development Permit must be obtained prior to plat approval and recordation. Application for the District Site Development Permit must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order Nos. 07-20, 08-28, and 09-25 (CWS Standards), or current R&O in effect at time of Engineering plan submittal, and is to include:

- a. Compliance with all provisions of the District's Standards.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance; project will require a 1200-CN Erosion Control Permit.
- c. A drainage report including a downstream drainage analysis meeting the requirements of R&O 07-20, Section 2.04.2.m will be required. If downstream storm conveyance does not have the capacity to convey the volume during a 25-year, 24-hour storm event, the applicant is responsible for mitigating the flow as provided in the above named design standards.
- d. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer. The extension of off-site sewer may be necessary to serve the parcels and the street frontage.

- e. Plans showing storm service requirements to each lot. If private lot LIDA systems proposed, must comply with the current CWS Standards and Washington County Plumbing Standards.
- f. Any offsite sanitary or storm sewer improvements identified as part of this development may require additional offsite street improvements/restorations. All transportation-related infrastructure, (including but not limited to roadway surfaces and base material) influenced by sanitary or storm sewer improvements, shall be restored to original or better condition.
- g. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.
- h. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to Clean Water Services.
- i. Any proposed offsite construction activities will require an update to the current Service Provider Letter for this project.

#### PRIOR TO SEWER CONNECTION PERMIT ISSUANCE

1. The above noted improvements must be completed to the District's satisfaction.
2. The as-constructed drawings (as-builts), or a bond guaranteeing the as-builts, shall be submitted and accepted by the District.

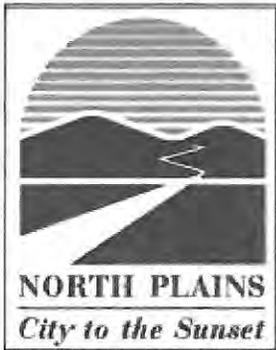
## Margaret Reh

---

**From:** Martha DeBry  
**Sent:** Friday, December 06, 2013 3:44 PM  
**To:** Margaret Reh  
**Subject:** FW: Comments regarding the new subdivision proposed

Kindest regards,

Martha DeBry  
City Manager  
North Plains, OR



---

**From:** Stacy Mills [mailto:ssmills577@comcast.net]  
**Sent:** Friday, December 06, 2013 2:43 PM  
**To:** Martha DeBry  
**Subject:** Comments regarding the new subdivision proposed

I am writing regarding the new subdivision proposed at 31790 NW North Ave. I have reviewed layout of the subdivision. I am concerned about the number of houses proposed. It seems the plat is more appropriate for four houses rather than five houses. Lot 2 is a long and narrow and although its size conforms with the R-7.5 zoning requirements, I am concerned about how the house will be built on the property. Lot 2 is so narrow that it seems a house built there will be at the required setbacks (and I may be mistaken; my concern is based on the limited information provided). I understand this is legal, but it is not appropriate if all the other lots developed in the neighborhood have ample space between the homes and the property lines. It does not appear that lot 2 conforms with how this neighborhood has already been developed. There are no other lots in the neighborhood that are as narrow as this lot is.

I would like the setback issue of the home to be built on lot 2 to be addressed during the public hearing. I think the setbacks of all the homes in the subdivision should be similar to the homes already built in the neighborhood and the land is more suitable for four homes.

Thank you.

Stacy Mills

City of North Plains

12-11-13

I believe the city could be better served by granting only four lots for the development on tax lot #1N301BD400.

I realize the developer wants to make money on his investment, and he can, even with just the four sites. He probably can make a \$10,000.00 to \$12,000.00 one time profit on the four. Larger lots, less development costs.

The city can gain from annual taxes, year after year, on a higher valued residence. Bigger house, bigger lot. Also, not necessary for all five variances (minor variances to lot width on two lots, lot area variance on 3 lots and a quasi-judicial lot width variance for the one lot).

Also the zoning calls for R-7.5. Why all the variances. Housing in the area can be affected by the smaller lots and houses, even to the point that value affects taxes.

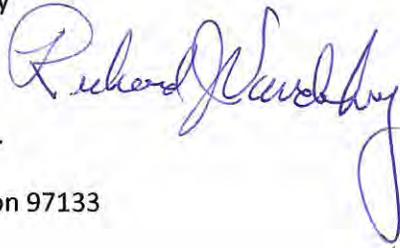
Sorry I can't be there tonight but I have another meeting at 6:30 p.m.

Richard J. Vandehey

P.O. Box 1902

31880 NW No. Ave.

North Plains, Oregon 97133



City of North Plains

2-11-14

Response to Notice of Public Hearing for an Appeal. Tax Lot #1N301BD400 commonly known as 31790 NW North Avenue.

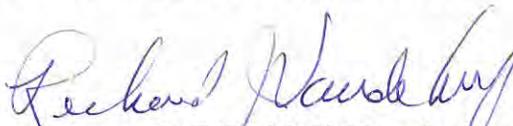
I repeat my comments made in my 12-11-13 letter to the City of North Plains. I see no changes to the request, in the appeal, such as 4 lots rather than 5 lots. The zoning is still R7.5 which still then requires five variances. The impact to the property values surrounding this development will still be adversely effected with lower valued housing constructed on smaller lots. I haven't seen any CC&R's for this development.

Again, larger lots provides for larger structures and higher valued residences which returns to the city an **improved ongoing** tax revenue.

I still believe the city, as well as the surrounding property owners would be better served by denying the appeal and requesting the applicant to request approval for a four lot development.

When values of any residences in the City are affected in an adverse manner, the city loses on the property tax reduction.

I am confident you will consider all aspects of this issue and will make the prudent decision as usually you do.

Thank You, 

Richard J. Vandehey, 31880 NW North Ave., No. Plains, Oreg. 97133

Enclosure

City of North Plains

12-11-13

I believe the city could be better served by granting only four lots for the development on tax lot #1N301BD400.

I realize the developer wants to make money on his investment, and he can, even with just the four sites. He probably can make a \$10,000.00 to \$12,000.00 one time profit on the four. Larger lots, less development costs.

The city can gain from annual taxes, year after year, on a higher valued residence. Bigger house, bigger lot. Also, not necessary for all five variances (minor variances to lot width on two lots, lot area variance on 3 lots and a quasi-judicial lot width variance for the one lot).

Also the zoning calls for R-7.5. Why all the variances. Housing in the area can be affected by the smaller lots and houses, even to the point that value affects taxes.

Sorry I can't be there tonight but I have another meeting at 6:30 p.m.

Richard J. Vandehey

P.O. Box 1902

31880 NW No. Ave.

North Plains, Oregon 97133

Before the Planning Commission of the City of North Plains

In the matter of an application for preliminary plat approval a subdivision submitted by Neil Fernando of Emerio Design (applicant) on behalf of Biggi Construction of Wilsonville Oregon. )  
)  
)  
)  
)  
)  
)

**FINAL ORDER**

5 Lot Subdivision at  
31790 NW North Avenue

**Whereas**, a five lot subdivision was proposed by Emerio Design on Tax Lot 1N301BD400 commonly known as 31790 NW North Avenue; and

**Whereas**, the applicant and owners must obtain approvals for a Preliminary Subdivision Plan in order to develop the project as proposed; and

**Whereas** the Planning Commission conducted a duly noticed public hearing, and reviewed the applications at its meeting on December 11, 2013; and

**Whereas**, the Planning Commission considered the written and oral testimony presented by staff and the public, and thereafter closed the hearing and deliberated; and

**Whereas**, having considered the applications and the evidence in the record, the Planning Commission denied the preliminary plat application submitted by Emerio Design for the Pacific Estates Subdivision.

**Now therefore, it is hereby ordered by the North Plains Planning Commission:**

The Planning Commission denies the application for a 5 lot subdivision at 31790 NW North Estates based on the findings and conclusions contained in Exhibit A.

  
\_\_\_\_\_  
Heather LaBonte  
Vice-Chair

  
\_\_\_\_\_  
Date

**5 Lot Subdivision at 31790 NW North Avenue  
Final Order  
Exhibit A FINDINGS**

**FINDING:** The applicant requested the following variances:

1. Lot area for Lots 1-4 is proposed to be 6,750 sq. ft. or 90% of the required minimum lot area for the R-7.5 zone.
2. Lot width for Lots 1, 3 & 4 are proposed to be reduced by 2.4% to 9.2%. The existing lot line along the southern property line is only 160.08 feet in width. Therefore, there is not enough distance to have three 60' wide lots (180 feet) along this property line.
3. The proposed lot width is 46.52', which is a reduction of 22.5% of the 60' minimum of the R-7.5 zone.

The Planning Commission finds that granting the proposed variances would not be in harmony with the purpose of the underlying zoning district and the intent and purpose of 16.185.010



## City of North Plains

31360 NW Commercial St. North Plains, OR 97133

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

Email: [info@northplains.org](mailto:info@northplains.org)

### GENERAL LAND USE APPLICATION

#### Applicant General Information

Applicant Name: Neil Fernando, PE, Emerio Design

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

Email Address: neil@emeriodesign.com Phone: (503) 515. 5528

Property Owner: Vince Biggi

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

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

#### Property Description

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

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

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

General Development Description: Appeal to Planning Commission Denial for the proposed 5-lot subdivision and associated administrative and standard variances for the subject site

#### Fees

Land Use Process	Fee	Land Use Process	Fee
<input type="checkbox"/> Annexation	\$10,000 deposit*	<input type="checkbox"/> Non-Conforming Use	\$200
<input checked="" type="checkbox"/> Appeal	\$218	<input 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 type="checkbox"/> Other:			

\* 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: 1/15/14 Signature of Applicant: [Signature]

Date: 1/15/14 Signature of Property Owner: [Signature]

**FOR OFFICE USE**

Received by: Sally Beer Date: 1/15/2014

Fee paid: 218- Receipt No. 015081 Application No. \_\_\_\_\_

# EMERIO *Design*

CIVIL ENGINEERS & PLANNERS

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January 15, 2014

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

Dear Ms. DeBry:

This letter is in response to the Notice of Decision denial from Planning Commission dated January 2, 2014, for the 5-lot subdivision at 31790 NW North Avenue.

The applicant, Biggi Construction, LLC, is appealing the decision by Planning Commission. The application form and fee for the appeal are included with this letter.

Changes have been made to the proposed 5-lot subdivision and associated variances and minor variances to address the concerns of the Planning Commission. These changes are described below. The variance criteria have also been addressed below.

Lot 1 has an average width of 55 feet which about 9% less than 60 feet. The area is 6,866 sf which is about 9% less than 7,500 sf. Both of these reductions are minor variances. These minor variances are the same as the plan denied by the Planning Commission

Lot 2 is 7,500 sf in area and the width is 52 feet. The plan denied by the Planning Commission showed a 6,750 sf lot area and a 46 foot lot width. A variance is still required for the lot width. However, the lot area minor variance has been removed. A new variance is proposed to reduce the interior side yards from 10 feet to 5 feet. The westerly side yard will still remain at 10 feet in compliance with the Zoning Ordinance.

Lots 3 and 4 are 54 feet wide and less than 7,500 sf in area which still requires 10% minor variances. The lot areas are 6,824 and 6843 sf which is 9% less than 7,500 sf. Therefore, minor variances for the lot area are still required just like the plan denied by the Planning Commission. The only change is the variance for the proposed 5 foot interior side yards. A 10 foot side yard is proposed on the east side of Lot 4 in compliance with the Zoning Ordinance.

An minor variance is proposed for Lot 5 to increase the lot area to 9,810 sf which is 9% greater than the maximum lot area requirement of 9,000 sf in the R-7.5 zone. The front portion of the access road was moved to the east to increase the size of Lot 1 and reduce the size of Lot 5. The rear property line of Lot 5 was moved 3 feet north to also reduce the lot area for lot 5 and increase the lot areas of Lots 3 and 4.

**SECTION 16.185: VARIANCES**

**16.185.010 Review Criteria**

**A variance may be authorized upon adequate demonstration by the applicant that the proposed variance satisfies the following criteria:**

- A. That special conditions and circumstances exist which are peculiar to the land, building or structure involved;**

**COMMENT:**

The shape of the existing lot, the existing house and the mature trees to remain affects the way the lot can be divided as a subdivision. The existing lot line along the southern property line is only 160.08 feet in width. Therefore, not enough distance is available for 3 lots to create 54 foot wide lots. A total of 162 feet would be required. Eliminating one the of the 3 lots at the rear of the property is not economically feasible or reasonable and will produce 2 lots about 10,500 sf feet in area and 80 feet in width. This option would stop this development from occurring and/or increase the price of the lots which will not helpful for the future home owners. These 3 lots will accommodate 36 to 44 foot wide houses which are similar to existing houses in the area. 80 foot wide lots are not necessary. Density for the site allows for 5 lots and reducing a lot would not be compatible with the Housing Section of the North Plains Comprehensive Plan.

The 5 foot interior yard setbacks for Lots 2, 3 and 4 will not be noticeable or have any effect on surrounding property. The 5 foot side yards allow larger houses to be built on the property.

- B. That granting the proposed variance would be in the public interest and would be in harmony with the purpose of the underlying zoning district and the intent and purpose of this Ordinance;**

**COMMENT:**

The proposed lot width and interior 5 foot side yard setback variances allows single-family dwellings to be built on the lots which complies with the purpose of the R-7.5 zone. The variance is in the public interest because it allows for a variety of lots and provides for another single-family dwelling to the community, thus providing more housing stock and tax base.

- C. That the variance would result in minimal detriment to the immediate vicinity;**

**COMMENT:**

The proposed lots will be the same as other lots in the area. The 10 foot exterior side yards for Lot 2 and 4 will limit the impacts on adjacent property. The 5 foot interior side yards will not be noticeable from adjacent property because the standard setback is 5 feet for lots that front on public streets in the R-7.5 zone. The minimum lot width variance for Lot 2 will not be detrimental to the immediate area. This variance allows the existing dwelling and some large trees to remain on-site along with a density of 5 units.

**D. That the variance requested is the minimum variance which would make possible the reasonable use of the applicant's land, building or structure; and**

**COMMENT:**

The proposed variances (along with the proposed minor variances) are the minimum variances which allows the site to be developed with a density of 5 units, which is a reasonable and an allowed use of the land.

**E. That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.**

**COMMENT:**

There is no violation of this Ordinance by the applicant. The zoning ordinance was not in effect when the existing house was built. Further subdivision of the property was not considered when the house was built on the property.

**16.185.015 Administrative Review Criteria**

**Minor variances, not to exceed 10%, from lot size, depth, width, area, coverage, landscaping and setback standards may be authorized administratively upon adequate demonstration by the applicant that the proposed variance satisfies the following criteria; administrative variances shall be processed in accordance with Application Review section of this chapter:**

**A. That special conditions and circumstances, such as lot shape and configuration, exist which are peculiar to the land, building or structure involved;**

**COMMENT:**

The shape of the existing lot and the existing house that will be retained affects subdivision options. This site is surrounded by existing development. The only way to develop the southern portion of the site is to provide access in the middle of the lot on the west side of the existing house on Lot 5. Lot 5 is a larger lot due to the location of the dwelling and garage on the existing lot. Density for the site allows for 5 lots. Therefore, there is not enough distance to have three 60' wide lots along this property line. The 5 foot interior side yards allow larger houses to be built on the property. These reduced setbacks are interior to the development and have no effect on surrounding property. The large area for Lot 5 is based onto the location of the existing house. Removing the house is not a development option

**B. That the variance would result in minimal detriment to the immediate vicinity.**

**COMMENT:**

The proposed minor variances will not be detrimental to the immediate area. The adjustments allow for the existing dwelling some large trees to remain on-site.

**C. An application for an Administrative Variance is limited to one lot per application.**

**COMMENT:**

The applicant is requesting the following Variances:

Lot 1 - Two administrative adjustments

Lot 2 - One administrative and one standard variance

Lot 3 - One administrative and one standard variance

Lot 4 - One administrative adjustment and one standard variance

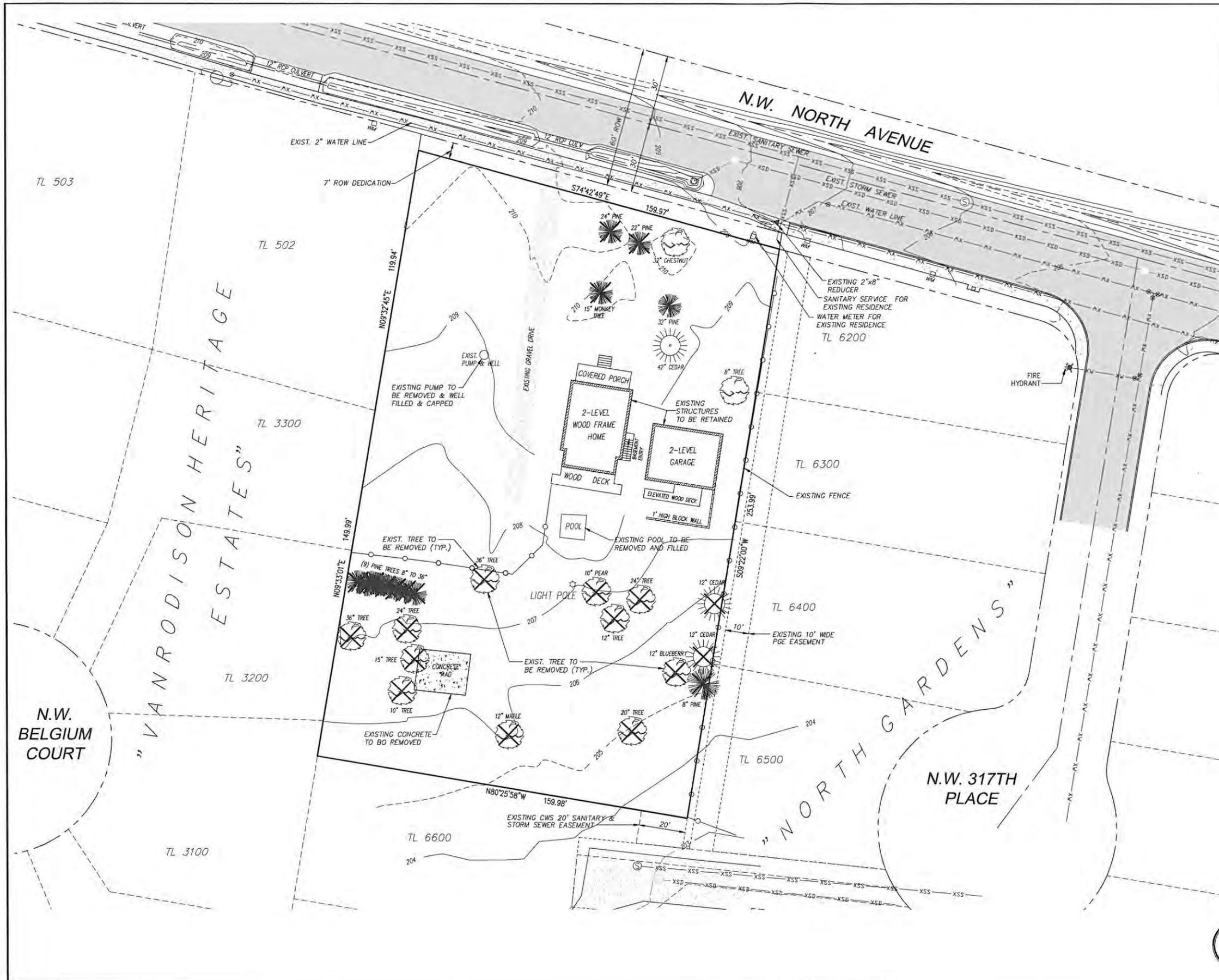
Lot 5 - One administrative adjustment

**D. No more than three Administrative Variances may be approved for one lot or parcel in 12 months.**

**COMMENT:**

No more than 2 minor variances are requested per lot. The applicant is appealing the denial and providing adjustments to the original plan to aid in the approval of the subdivision by City Council and to satisfy the concerns raised by the Planning Commission.





**EXISTING LEGEND**

	BOUNDARY OF SITE
	ADJOINING OR INTERIOR PROPERTY LINE
	RIGHT-OF-WAY CENTERLINE
	EXISTING CURB LINE
	EXISTING BUILDING LINE
	EXISTING DECIDUOUS TREE
	EXISTING EVERGREEN TREE
	EXISTING CEDAR TREE
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE
	EXISTING WATER METER
	EXISTING CATCH BASIN
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
	EXISTING OVERHEAD LINE
	EXISTING ELECTRICAL LINE
	EXISTING WATER LINE
	EXISTING FENCE
	EXISTING SANITARY SEWER LINE
	EXISTING STORM DRAIN LINE
	MINOR CONTOUR
	MAJOR CONTOUR
	TREE TO BE REMOVED

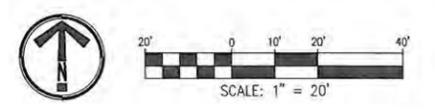
5 LOT SUBDIVISION  
 31790 N.W. NORTH AVENUE  
 TAX MAP 1N3 01BD  
 TAX LOT 400  
 CITY OF NORTH PLAINS, OREGON

**EXISTING CONDITIONS  
 &  
 DEMOLITION PLAN**

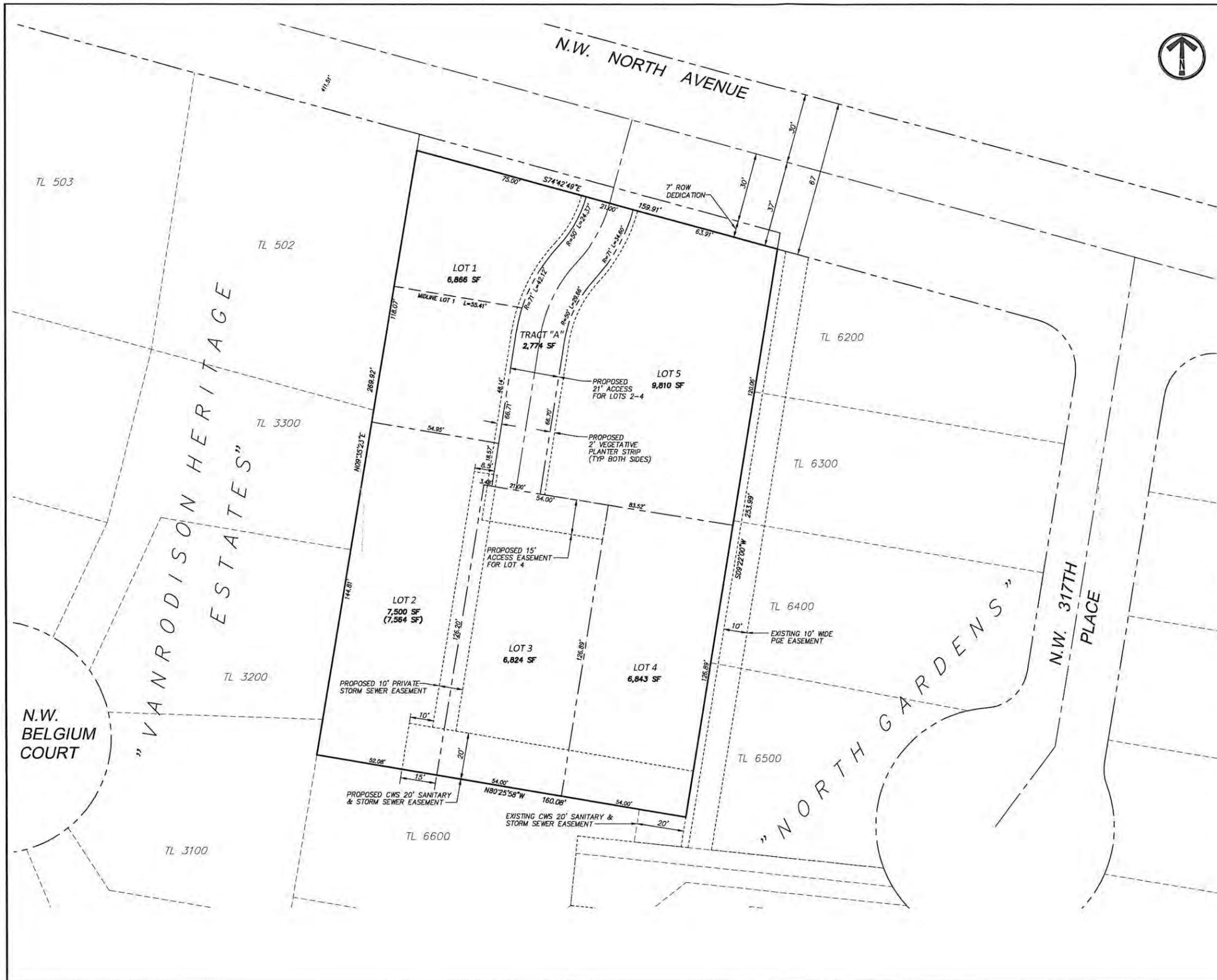
NO.	DATE	DESCRIPTION
1	1/15/2014	REVISED LOT LAYOUT FOR APPEAL SUBMITTAL

**EMERIO Design**  
 6107 SW MURRAY BLVD., SUITE 147  
 BEAVERTON, OREGON 97008  
 PH: (503) 515-5528  
 FAX: (503) 639-9592

SHEET	2	OF	5
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Emerio, Plotted: Jan 15, 2014 - 6:44am, C:\Users\Pamela\Documents\Emerio\255-004\North Plains\255-004\PCD\Consulting\Emerio\255-004\PCD\255-004\255-004.dwg, Layout: EX COND & DEMO PLAN, EMERIO PROJECT NO. 271-001



**LOT AREA TABLE**

LOT NO.	TOTAL LOT AREA	LOT AREA WITHOUT FLAG
1	6,866 SF	N/A
2	7,564 SF	7,500 SF
3	6,824 SF	N/A
4	6,843 SF	N/A
5	9,810 SF	N/A
TRACT "A"	2,774 SF	N/A

NOTE: ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO A 5.00' WIDE UTILITY EASEMENT ALONG ALL FRONT, SIDE, AND REAR LOT LINES FOR THE BENEFIT OF THE CITY OF NORTH PLAINS

5 LOT SUBDIVISION  
 31790 N.W. NORTH AVENUE  
 TAX MAP 1N3 01BD  
 TAX LOT 400  
 CITY OF NORTH PLAINS, OREGON

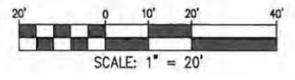
**PRELIMINARY PLAT**

REVISIONS	
NO.	DESCRIPTION
1	1/15/2014 REVISED LOT LAYOUT FOR APPEAL SUBMITTAL

**EMERIO**  
*Design*  
 6107 SW MURRAY BLVD., SUITE 147  
 BEAVERTON, OREGON 97008  
 PH: (503) 515-5528  
 FAX: (503) 639-9592

SHEET  
 3  
 OF  
 5

Pameda, Plotted: Jan 15, 2014 - 8:45am, C:\Users\Pameda\Documents\YDC Consulting\Emerio\255-004\North Plains\255-004\_PPLAT.dwg, Layout: PPLAT, EMERIO PROJECT NO. 271-001



5 LOT SUBDIVISION  
 31790 N.W. NORTH AVENUE  
 TAX MAP 1N3 01BD  
 TAX LOT 400  
 CITY OF NORTH PLAINS, OREGON

**PRELIMINARY  
 SITE PLAN**

NO.	DATE	DESCRIPTION
1	2/15/2014	REVISED SITE PLAN FOR APPEAL SUBMITTAL

**EMERIO**  
*Design*  
 6107 SW MURRAY BLVD., SUITE 147  
 BEAVERTON, OREGON 97008  
 PH: (503) 515-5528  
 FAX: (503) 639-9592

SHEET  
 4  
 OF  
 5

Emerio Project No. 271-001  
 P:\Users\pamelad\Documents\2014\North Plains\225-004\PSITE.dwg, Layout: SITE PLAN, Plotted: Jan 15, 2014 - 8:02am, C:\Users\pamelad\Documents\2014\North Plains\225-004\PSITE.dwg, Layout: SITE PLAN



**CITY OF NORTH PLAINS PLANNING COMMISSION  
REGULAR SESSION MINUTES  
DECEMBER 11, 2013, 7:00 P.M.  
NORTH PLAINS SENIOR CENTER  
31450 NW COMMERCIAL STREET**

1. Chairman King called the meeting to order at 7:01 pm.

2. The pledge of allegiance was led by Chairman King.

3. **ROLL CALL**

**Commission:** Stewart King, Heather LaBonte, Doug Nunnenkamp and Daryl Olson present. Commissioners Ethan Hagar and Jeff Low, and Ex-Officio Teri Lenahan excused absence. Commissioner Aeron Braukman unexcused absence.

**Staff:** City Manager Martha DeBry and Account Clerk II Pam Smith present.

4. **PUBLIC COMMENTS**

None.

5. **CONSENT AGENDA**

November 13, 2013, Regular Session Minute Approval, Olson moved to approve the November 13, 2013, Regular Session minutes as written, Nunnenkamp seconded the motion and they were approved unanimously.

6. **PUBLIC HEARING**

A. Approval of Preliminary Subdivision Plat for a 5-lot Subdivision, File #13-44. King requested the reading of the quasi-judicial hearing process statement. Following the reading of the rules, King opened the Public Hearing at 7:05 p.m., and called for abstentions, ex parte contacts or any conflicts of interest by any Planning Commissioner. King noted he owns the brokerage firm that represented the applicant and stepped down. LaBonte took over the meeting at that point. The audience had no questions for, nor objections to, any Commissioners. LaBonte asked for the Staff Report to be read.

DeBry noted the applicant had proposed a 5-Lot Subdivision. In order to retain the 1925 home presently on the property (Lot 5), four new detached single-family dwellings were being proposed as well as a Tract A and Tract B. The applicant requested two minor variances regarding the area on lots 1-4, a minor variance for the width on lots 1, 3 and 4, and a standard variance for the width of lot 2. The subdivision would have three flag lots with Tract A being a shared private driveway for access to lots 2-4 and lots 3 and 4 would share a flagpole drive. Tract B would be a non-conforming lot for the preservation of the existing trees and would most likely become owned by the owners of Lot 5 (Michael and Marie Basile). While not a requirement this would be established to work around the maximum lot size of 9,000 square feet in zone R-7.5. Staff is recommending a variance to the lot maximum being

granted for Lot 5 and that Tract B be incorporated into the Lot. Staff is recommending the 2 minor area variances, the minor width variance and the standard width variance. The City is also requesting an extension of the 8" water main and the addition of a fire hydrant in the subdivision.

LaBonte asked if there were any questions or comments. Olson noted four lots were of substandard size and one was oversized. He asked if the square footage of all the lots was within the 10% or not. Nunnenkamp was also concerned with the substandard sized lots and the width of Lot 2 not meeting the standard.

Ryan O'Brien, 4380 SW Macadam Avenue, Suite 100, Portland, OR 97239, representing applicant Vince Biggi, noted the average lot size was 7500 for the five properties but the problem was the location of the current house and garage. Density for the site allows for five lots. O'Brien noted the plan meets the criteria and that variances are for unusual circumstances such as this one. He also noted infill properties sometimes have variances.

Nunnenkamp noted when developing an entire subdivision, it should be done correctly and meet the City's standards. The variance for the width of Lot 2 would not be a small variance and would not be in harmony with the rest of the neighborhood. Olson asked about the feasibility of the subdivision having four homes instead of five. (With three new instead of four new.) DeBry noted there were several small lots of similar size to the East of this property.

Mr. Biggi said that he didn't own the current house and trying to work around it was presenting a problem. He said that it was not feasible to develop a subdivision for only three new lots because of the costs involved. He also noted that he had built twice in that area of North Plains and had built 32' wide houses which were well built, beautiful and expensive homes, so a nice house could definitely be built on the narrow Lot 2. He also noted by removing one of the lots, there would still be a narrow lot, that it can't be avoided.

LaBonte asked about the requirements of the Fire Department. DeBry noted the Fire Department was fine with the property and would probably have no need to go down the driveway since it is a short enough distance to the homes from North Avenue, but a new fire hydrant would be installed near the shared driveway. LaBonte asked if the homeowner on Lot 5 shouldn't have been included in this meeting. DeBry said the home owners had signed the application and were aware of the meeting.

Letters had been received from two neighbors, Stacy Mills, 31790 NW North Avenue, and Richard Vandehey, 31880 NW North Avenue, concerned with the size of the lots. Each neighbor questioned why the builder proposed such a narrow lot (Lot 2) and also

why he wouldn't just do three new builds, instead of four. They felt four houses built in the small area available was not a good idea and asked that Planning Commission take that into account.

City resident Robert Vincent, 11255 NW 317<sup>th</sup> Place, North Plains, OR 97133, said he had talked to Neil Fernando of Emerio Design at the information meeting and he felt they had taken the resident's ideas into consideration. He felt the variances were fine and had no problem nor did his neighbor and he noted this neighbor had a small lot with a nice home. Mr. Biggi related how a narrow house can be a very nicely built home and that he had built and sold a 32' wide house for \$460,000.

LaBonte asked for discussion. Olson felt the variances were requested in order to squeeze an extra lot into the subdivision and that adding the four lots didn't meet the standards. He also felt it was not in harmony with the neighborhood. Mr. Biggi felt the Planning Commission hadn't consider future builds on this property from the beginning.

LaBonte asked about the 7' road dedication and DeBry said it was a requirement of Washington County. LaBonte asked if there was any more discussion. Hearing none and with no individuals present wishing to testify, she closed the Public Hearing at 7:38 and entertained a motion.

Olson moved to deny approval because the application didn't meet the minimum width requirements on all of the lots nor the square footage requirements. Nunnenkamp seconded the denial for the same reasons, not meeting the required criteria. LaBonte voted to approve the application. The Approval was denied by a vote of two to one.

King retook his seat as Chairman at 7:40.

**7. ELECTION OF OFFICERS**

- A. Chairperson Labonte nominated King and he was unanimously approved.
- B. Vice-Chairperson Nunnenkamp nominated LaBonte and she was unanimously approved.

**8. UNFINISHED BUSINESS**

DeBry led the discussion regarding revisions on the North Plains Comprehensive Plan Chapters 15.01 and part of 15.02. She let the Planning Commission know that once the revisions were made, they would have a chance to look those revisions over and further refine them if necessary before they would be submitted to Land Conservation and Development Commission (LCDC). Notations were made on the paperwork provided for the Agenda Packet but changes were discussed in particular, but not limited to, the following sections.

15.01.010 Population information was updated;

15.01.050 The Commission was okay with “softening” this language a bit, making this a goal, but not a requirement. DeBry would bring back the revised wording for review. She noted the range and diversity issue needed to be more clear including what the size of a neighborhood was and explaining a range of housing options, including rentals. Land area required per unit makes apartments hard to do. King acknowledged the change under #11 dropping the word “new” in regards to the Golf Course;

15.02.010 DeBry wanted to bring attention to the fact that the Planning Commission is designated as a Citizen Involvement Committee responsible for outreach with regards to the Comprehensive Plan. Planning Commission had not reported to City Council since 2007. The code says it should be done every 2 years and Planning Commission is now due to report to City Council;

15.02.020 DeBry made some revisions to the zones and noted how the goal for density of **40/40/20 mix** is not attainable and asked if the Commission would like that left in. The **density average of 8.4** dwellings per acre is attainable and, as a requirement, does need left in. The Commission felt it was good to keep the goal of 40/40/20, but not require it. DeBry also struck out the low density section as the City does not have that anymore and she relabeled the other residential zones. In the Neighborhood Community she suggested removing the 40/40/20 mix. Nunnenkamp asked when the City would be looking at the percentages again. DeBry said we could readjust if we were getting too dense. Until we expand, which would probably happen within the next two years, she felt there would be no need to address this. DeBry suggested putting in a range of minimum and maximum on the 8.4% density. (Example not less than 4% and not more than 10%) Being the first pass, she would make corrections to be approved when reviewed again.

The suggestion was made by DeBry to add a “Downtown Commercial” zone with different setbacks and conditions than the regular Commercial zone. King noted that C-1 zone is downtown and C-2 is highway which are already different. DeBry didn’t feel the setbacks in C-1 fit our downtown area. She also felt it would be nice to have a “Downtown Commercial Transition” Zone because downtown is so small. That would create the flexibility for businesses to be in Single Family Homes in that close residential area on the east end of town on Commercial Street, noting there are not enough small properties for new businesses. King asked if it would be considered an overlay. DeBry agreed that might be a way to make it work. King noted that the warehouses on the west end of town were not really commercial uses as intended. DeBry also did a flip in the Commercial uses between Institutional and Public Facility uses. King noted the Community Service overlay district had never been considered

since he was on the Planning Commission and DeBry felt that could be removed. King also felt schools and churches should be considered institutional or at least an overlay. The school is currently considered zoned 7.5 residential but is not really residential property that can be developed.

15.02.035 DeBry updated some of the language and felt there needed to be more explicit language about not building in the Flood Plain. King noted “unnamed tributary now had the name “Ghost Creek” and asked that be changed;

15.02.065 This section needed some updating in regards to parks, including the removal of the mention of a 20 acre park. DeBry noted we exceeded the minimum two acres of neighborhood parks per 1,000 population;

15.02.080 DeBry deleted most of this section and updated the mix and density information;

15.02.105 DeBry felt this section was too long and too detailed so she edited it;

15.02.144 This section was removed;

15.02.147 DeBry noted this section had been based on an old study and suggested the study be revisited;

15.02.160 The population projection information in this section would be updated. Nunnenkamp asked how the city could better promote commercial/ industrial growth. DeBry felt there was too little commercial space and no large buildings available. King also noted we should promote commercial/industrial growth noting the building east of town on the other side of the Oregon State Police (OSP) building with all of the infrastructure there, but no loading docks; and

15.02.163 A new projection would be received from Portland State soon to update this information.

DeBry felt enough had been covered for the evening and suggested the Commission would go over the rest of the information at the next meeting. She reminded the Planning Commission that once all changes are discussed and made, the Commission would have a chance to review the changes before a draft would be submitted to the Department of Land Conservation and Development (DLCD).

## **9. STAFF REPORT**

DeBry let the Commission know that 44 Building Permits were issued this year, approximately ½ DR Horton and half infill. She also let them know that she had done

an administrative variance for Sunset Terrace I. She reminded the Commission there would be two vacancies to fill with both Ethan Hagar and Aeron Braukman's terms expiring at the end of the month.

LaBonte asked about Home Occupation use in the Residential Zones and felt the definition should be more clearly defined with it being considered a secondary use in the residential zone.

Nunnenkamp commented on the signs at Commercial and West Union and noted one of the signs was quite unattractive. DeBry noted City Council had approved a new policy for rotating signs at that intersection and agreed the signs should be of professional quality. King stated there were a lot of frame signs and asked about the new sign pole scheduled to go in at that intersection. DeBry said City Council was looking at the design ideas and had not finished making that decision yet.

**10. ADJOURNMENT**

King noted the next scheduled meeting to be January 8, 2014 and adjourned the meeting at 8:53 pm.

Submitted by:

\_\_\_\_\_  
Pamela L. Smith, Account Clerk II

Minutes Approved: \_\_\_\_\_

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN**, that on December 11, 2013, at 7:00 p.m. at the North Plains Senior Center, 31450 NW Commercial Street, North Plains, Oregon, the Planning Commission of the City of North Plains will conduct a Public Hearing on the application of Emerio Design, Neil Fernando for a property **located at 31790 NW North Avenue**.

This application is a request to approve a preliminary plat for a 5-lot subdivision of single-family detached dwellings on a 0.96 acre lot designated R-7.5 on the City of North Plains Zoning Map. Tax lot #1N301BD400. Applicable sections of the zoning and development code include, but may not be limited to, the following: 16.20, 16.125, 16.135, 16.145, 16.150, 16.155, 16.160, 16.170, and 16.185.

Questions and written comments regarding the application can be directed to City Manager Martha DeBry [martha@northplains.org](mailto:martha@northplains.org) (503) 647-5555 or City Hall, 31360 NW Commercial Street, North Plains, OR 97133. Written comments will be received until 4:30 p.m. December 11, 2013 at City Hall, and at the public meeting.

All evidence relied upon by the City to make this decision is in the public record and available for public review at North Plains City Hall, North Plains, Oregon during regular business hours. A copy of the application is available for review at City Hall or online at [northplains.org](http://northplains.org). A copy of the City's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and available online at [www.northplains.org](http://www.northplains.org). The failure to address an issue with enough detail during the comment period or at the public meeting may preclude an appeal to the Land Use Board of Appeals or Appeals or Circuit Court on that issue. Only comments on the applicable criteria are considered relevant evidence. The hearing will be opened for presentation by the city and the applicant and then opened to the public. The hearing can be closed or continued at the discretion of the Planning Commission. If the hearing is closed, the Planning Commission has the right to extend the time for additional information to be submitted by the public or the applicant. After the comment period closes, the City shall issue a decision. The decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice.

**City of North Plains Planning Commission public hearing will be held December 11, 2013 at 7:00 p.m. at the North Plains Senior Center, 31450 NW Commercial St, North Plains, Oregon.**



6605 S.E. Lake Road, Portland, OR 97222  
 PO Box 22109 • Portland, OR 97269-2109  
 Phone: 503-684-0360; Fax: 503-620-3433  
 E-mail: [legals@commnewspapers.com](mailto:legals@commnewspapers.com)

**AFFIDAVIT OF PUBLICATION**

State of Oregon, County of Washington, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of the *Hillsboro Tribune and Forest Grove News-Times*, a newspaper of general circulation, published at Forest Grove, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

**City of North Plains  
 Notice of Public Hearing – Emerio Design  
 HT1042**

a copy of which is hereto attached, was published in the entire issue of said newspapers for

1 week in the following issue:  
**January 31, 2014**

*Charlotte Allsop*  
 Charlotte Allsop, Accounting Manager

Subscribed and sworn to before me this January 31, 2014.

*Gene R. Muller*  
 NOTARY PUBLIC FOR OREGON  
 My commission expires *Sept. 11, 2016*

Acct #600222  
**Attn: Margaret L. Reh**  
 City of North Plains  
 31360 NW Commercial St.  
 North Plains OR 97133  
 Size: 2 x 5.5"  
 Amount Due: \$99.00\*  
 \*Please remit to the above address.

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that on Tuesday, February 18, 2014, at 7:00 p.m. at the Jessie Mays Community Hall, 30975 NW Hillcrest Street, North Plains, Oregon, the North Plains City Council will conduct a Public Hearing regarding the appeal of a Planning Commission decision to deny the application of Emerio Design, Neil Fernando for a property located at 31790 NW North Avenue. The proposed project was a 5-lot subdivision of single-family detached dwellings on a 0.96 acre lot designated R-7.5 zone. Tax lot #1N301BD400. Applicable sections of the zoning and development code include, but may not be limited to, the following: 16.20, 16.125, 16.135, 16.145, 16.150, 16.155, 16.160, 16.170, and 16.185.

Questions and written comments regarding the application can be directed to City Manager Martha DeBry [martha@northplains.org](mailto:martha@northplains.org) (503) 647-5555 or City Hall, 31360 NW Commercial Street, North Plains, OR 97133. Written comments will be received until 4:30 p.m. February 14, 2014 at City Hall, and at the public meeting.

All evidence relied upon by the City to make this decision is in the public record and available for public review at North Plains City Hall, North Plains, Oregon during regular business hours. A copy of the application is available for review at City Hall or online at [northplains.org](http://northplains.org). A copy of the City's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and available online at [www.northplains.org](http://www.northplains.org). The failure to address an issue with enough detail during the comment period or at the public meeting may preclude an appeal to the Land Use Board of Appeals or Appeals or Circuit Court on that issue.

**The City Council of the City of North Plains public hearing will be held February 18, 2014 at 7:00 p.m. at the Jessie Mays Community Hall, 30975 NW Hillcrest Street, North Plains, Oregon.**

Publish 01/31/2014.

HT1042





## CITY OF NORTH PLAINS

31360 NW Commercial Street, North Plains, Oregon 97133

Date: February 7, 2014  
To: Mayor and City Council  
From: City Recorder Margaret Reh  
Subject: Matching Funds for North Plains Elementary School

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**Request:** Mayor Hatcher requested this item to be added to the agenda after Councilor Broome's inquiry at the January 21, 2014 Council meeting if the Council would agree to match funds raised at an upcoming dance. The North Plains Elementary School would be the beneficiary of this dance.

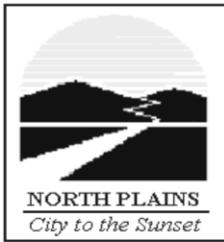
**Background:** Councilor Broome has been planning and organizing a country dance to take place on Saturday, March 22, 2014. This dance is a fundraiser to purchase art supplies for the North Plains Elementary School. Admission to the dance is \$5.00 per individual.

Music is being provided by DT and Country.

**Fiscal Impact:** Proceeds from ticket sales at the door and funds collected from raffle sales throughout the evening vary with each dance. The maximum amount raised at a past dance was \$700.

**Environmental Issues:** None

**Recommendation:** Council to agree to match the funds raised at the country dance on Saturday, March 22, 2014 to benefit the North Plains Elementary School.



## CITY OF NORTH PLAINS

31360 NW Commercial Street, North Plains, Oregon 97133

Date: January 24, 2014  
To: Mayor and City Council  
From: City Manager Martha DeBry  
Subject: Resolution No. 1816 authorizing Chamber of Commerce requests for the 2014 Farmers Market

---

**Request:** Council adopt Resolution No. 1816 authorizing Chamber of Commerce requests for the 2014 Farmers Market

**Background:** The North Plains Farmers Market has operated since July 2011, under the auspices of the North Plains Senior Center and North Plains Farmers Market Board. Recently the Farmers market Board severed its ties with the Senior Center, and has partnered with the North Plains Chamber of Commerce.

The two groups would like to revamp the structure of the Farmers Market. Specifically, they are planning to:

- Move the market on to Commercial Street
- Change the hours from 8 am -1 pm on Saturdays to 4 p.m. to 9 p.m. on Thursday evenings
- Work more closely with downtown businesses to provide music entertainment, food options and possibly alcohol service

Both groups will benefit from this change as more volunteers will be available to set up and break down the market and the participation of businesses should raise interest in the event, which should in turn provide additional customers to the businesses.

On behalf of the Farmers Market, the Chamber of Commerce has made the following requests:

- Close Commercial Street between 31370 NW Commercial Street (Fire Station) and 31580 NW Commercial St (North Plains Market) between 4 pm and 9 pm Thursday nights between June and August.
- Provide City support of the Market by providing portable toilets, tables and chairs, trash pickup, use of electrical drops; and barricades, as well as assisting with hanging signs;
- Allow amplified music be permitted between the hours of 5 p.m. and 9 p.m.

- Waive the fees associated with street closure, music amplification and public assemblies; and

In the past the City has granted similar permissions to the Farmers Market directly.

The Chamber has indicated it has insurance and that will cover special events. Any alcohol service would be confined to a garden maintained by a business.

**Fiscal Impact:** If the requests are granted the City will not receive the fee revenue for small assemblies, street closures and amplified music. City staff will spend 1-2 hours a week moving the portable toilet, setting up barricades and conducting related activities, which is a cost the City has absorbed in the past.

**Environmental Issues:** No environmental issues are associated with this item.

**Recommendation:** Council to adopt Resolution No. 1816 authorizing Chamber of Commerce requests for the 2014 Farmers Market

**Sample Motion:** I move to adopt Resolution No. 1816.

*Attachments: Resolution No. 1816*

## RESOLUTION NO. 1816

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON, AUTHORIZING REQUESTS BY THE 2014 FARMERS MARKET

**WHEREAS**, the North Plains Farmers Market has operated since July 2011; and

**WHEREAS**, the North Plains Chamber of Commerce is seeking to partner with the North Plains Farmers Market Board to develop a market on Thursday evenings that will be integrated with Commercial Street businesses; and

**WHEREAS**, the Farmers Market will operate under the Chamber of Commerce, and not the North Plains Senior Center; and

**WHEREAS**, the Chamber of Commerce has made the following requests:

- Close Commercial Street between 31370 NW Commercial Street (Fire Station) and 31580 NW Commercial St (North Plains Market) between 4 pm and 9 pm Thursday nights between June and August.
- Provide City support of the Market by providing portable toilets, tables and chairs, trash pickup, use of electrical drops; and barricades, as well as assisting with hanging signs;
- Allow amplified music be permitted between the hours of 5 p.m. and 9 p.m.
- Waive the fees associated with street closure, music amplification and public assemblies; and

**WHEREAS**, the Municipal Code provides the City with the authority to regulate noise (amplified music), close streets, authorize public assemblies and waive fees;

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON, AS FOLLOWS:**

- Waives all fees associated with the Farmers Market
- Authorizes closure of Commercial Street between 31370 NW Commercial Street (Fire Station) and 31580 NW Commercial St (North Plains Market) between 4 pm and 9 pm Thursday nights between June and August.
- Authorizes staff to use City personnel and equipment resources in support of the farmers market;

- Authorizes amplified music be permitted between the hours of 5 p.m. and 9 p.m.
- Requires the Chamber of Commerce to provide proof of insurance for the special event in a minimum amount of \$1,000,000.

**INTRODUCED AND ADOPTED** this 18th day of February, 2014.

**CITY OF NORTH PLAINS, OREGON**

BY: \_\_\_\_\_  
David Hatcher, Mayor

ATTEST:

BY: \_\_\_\_\_  
Margaret L. Reh, City Recorder

# Accounts Payable

## Transactions by Account and Department



User: pam  
Printed: 02/12/2014 8:19 AM  
Batch: 000-00-0000

### January 2014-Auto Pay

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
110-000-200003	ING - State of OR Plan	TThurber xxx-xx-1634	01/31/2014	833	276.92	
110-000-200003	ING - State of OR Plan	TThurber xx-xxx-1634	01/31/2014	832	276.92	
110-000-200003	ING - State of OR Plan	TThurber xx-xxx-1634	01/31/2014	837	276.92	
110-000-200005	CIS - EBS TRUST	February Premiums	01/31/2014	836	125.96	
Subtotal for Dept: 000					956.72	
110-421-210000	CIS - EBS TRUST	February Premiums	01/31/2014	836	2,201.99	
110-421-610224	CHEVRON	PD 12/6/13 - 1/5/14	01/31/2014	819	1,043.45	
Subtotal for Dept: 421					3,245.44	
110-452-310000	CLEAN WATER SERVICE	JMCH 11/1/13 - 12/31/13	01/31/2014	813	261.24	
110-452-310000	COMCAST	JMCH 1/21/14	01/31/2014	817	46.14	
110-452-310000	NW NATURAL GAS CO.	JMCH 11/25/13 - 12/31/14	01/31/2014	807	391.28	
110-452-310000	PORTLAND GENERAL EL	JMCH 11/27/13 - 12/31/13	01/31/2014	825	100.26	
Subtotal for Dept: 452					798.92	
110-455-210000	CIS - EBS TRUST	February Premiums	01/31/2014	836	33.13	
110-455-310000	CLEAN WATER SERVICE	Library 11/1/13 - 12/31/13	01/31/2014	814	165.07	
110-455-310000	NW NATURAL GAS CO.	Library 11/25/13 - 12/31/13	01/31/2014	804	257.43	
Subtotal for Dept: 455					455.63	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
					Subtotal for Fund: 110	5,456.71
111-433-640000	PORTLAND GENERAL EL	Street Lights 11/27/13 - 12/31/13	01/31/2014	827	13.15	
111-433-640000	PORTLAND GENERAL EL	Street Lights 11/27/13 - 12/31/13	01/31/2014	828	13.15	
111-433-640000	PORTLAND GENERAL EL	Street Lights 11/27/13 - 12/31/13	01/31/2014	829	23.71	
111-433-640000	PORTLAND GENERAL EL	Street Lights 12/09/13 - 1/09/14	01/31/2014	821	2,695.90	
					Subtotal for Dept: 433	2,745.91
					Subtotal for Fund: 111	2,745.91
113-463-330000	PREMIER COMMUNITY	Yellow House Reconveyance Fee	01/31/2014	838	89.00	
113-463-330000	PREMIER COMMUNITY	Kaybern Reconvey/Record Fee	01/31/2014	839	89.00	
113-463-330000	PREMIER COMMUNITY	Yellow House UCC Termination Fee	01/31/2014	838	15.00	
113-463-830000	PREMIER COMMUNITY	Yellow House Principal	01/31/2014	838	79,562.94	
113-463-830000	PREMIER COMMUNITY	Kaybern Principal	01/31/2014	839	107,026.64	
113-463-831000	PREMIER COMMUNITY	Yellow House Interest to Jan 31, 2014	01/31/2014	838	288.41	
113-463-831000	PREMIER COMMUNITY	Kaybern Interest to Jan 31, 2014	01/31/2014	839	366.41	
					Subtotal for Dept: 463	187,437.40
					Subtotal for Fund: 113	187,437.40
210-433-310000	CLEAN WATER SERVICE	Pump house 11/1/13 - 12/31/13	01/31/2014	815	25.00	
210-433-310000	NW NATURAL GAS CO.	Pump House 11/25/13 - 12/31/13	01/31/2014	808	31.06	
210-433-310000	PORTLAND GENERAL EL	Pump House 11/27/13 - 12/31/13	01/31/2014	823	680.14	
210-433-310000	PORTLAND GENERAL EL	Water 11/27/13 - 12/30/13	01/31/2014	826	12.85	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
210-433-610600	CITY OF HILLSBORO (Uti	JWC Water Purchase 11/27/13 - 12/31/13	01/31/2014	816	8,440.26	
				Subtotal for Dept: 433	9,189.31	
				Subtotal for Fund: 210	9,189.31	
610-000-200001	ASIFlex	Paydate 1/3/14	01/31/2014	834	228.25	
610-000-200001	ASIFlex	Year End Adjustment	01/31/2014	831	197.31	
610-000-200001	ASIFlex	Pay Date 01/17/2014	01/31/2014	830	228.25	
610-000-200004	PERS Deposit	Contributions	01/31/2014	835	9,132.30	
610-000-200004	PERS Deposit	UAL and Side Accounts	01/31/2014	835	1,286.75	
610-000-200005	CIS - EBS TRUST	February Premiums	01/31/2014	836	28.04	
				Subtotal for Dept: 000	11,100.90	
610-413-210000	CIS - EBS TRUST	February Premiums	01/31/2014	836	1,737.96	
				Subtotal for Dept: 413	1,737.96	
610-415-210000	CIS - EBS TRUST	February Premiums	01/31/2014	836	2,326.74	
610-415-210000	CIS - EBS TRUST	February Premiums	01/31/2014	836	569.85	
610-415-300000	ADP, INC.	Client Cont. Education - SBaker, RLeombo	01/31/2014	800	180.00	
610-415-330000	ADP, INC.	Processing Chrg for Pd ending 12/29/13	01/31/2014	818	179.35	
610-415-330000	ADP, INC.	Proc Chrg for Pd Ending 1/12/14	01/31/2014	801	179.35	
				Subtotal for Dept: 415	3,435.29	
610-419-310000	CLEAN WATER SERVICE	Yellow House 11/1/13 - 12/31/13	01/31/2014	809	89.42	
610-419-310000	CLEAN WATER SERVICE	Kaybern 11/1/13 - 12/31/13	01/31/2014	810	7.50	
610-419-310000	CLEAN WATER SERVICE	Kaybern 11/1/13 - 12/31/13	01/31/2014	811	21.25	
610-419-310000	CLEAN WATER SERVICE	City Hall 11/1/13 - 12/31/13	01/31/2014	812	173.74	
610-419-310000	NW NATURAL GAS CO.	City Hall 11/25/13 - 12/31/13	01/31/2014	805	199.37	

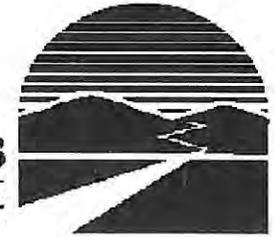
Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
610-419-310000	NW NATURAL GAS CO.	Yellow House 11/25/13 - 12/31/13	01/31/2014	806	132.29	
610-419-310000	PORTLAND GENERAL EL	Yellow House 11/27/13 - 12/30/13	01/31/2014	820	50.29	
610-419-310000	PORTLAND GENERAL EL	City Hall 11/27/13 - 12/30/13	01/31/2014	822	351.82	
Subtotal for Dept: 419					1,025.68	
610-433-210000	CIS - EBS TRUST	February Premiums	01/31/2014	836	3,956.78	
610-433-310000	PORTLAND GENERAL EL	Public Works 11/27/13 - 12/31/13	01/31/2014	824	137.63	
Subtotal for Dept: 433					4,094.41	
Subtotal for Fund: 610					21,394.24	
Report Total:					226,223.57	

# Accounts Payable

## Transactions by Account and Department

User: pam  
 Printed: 02/12/2014 8:19 AM  
 Batch: 000-00-0000

**NORTH PLAINS**  
*City to the Sunset*



### January 2014-Manual Checks

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
110-000-200000	KELLI ELMERS	JMCH Refundable Deposit	01/08/2014	21745	300.00	
Subtotal for Dept: 000					300.00	
110-421-300000	VISA/ CARDMEMBER SE	Santa Lucia Coffee	01/15/2014	21779	5.39	
110-421-300000	VISA/ CARDMEMBER SE	Bravehorse Tavern	01/15/2014	21779	32.38	
110-421-300000	VISA/ CARDMEMBER SE	Homewood Suites	01/15/2014	21779	199.61	
110-421-300000	VISA/ CARDMEMBER SE	New Balance	01/15/2014	21779	422.37	
110-421-330000	ADVANCED PUBLIC SAF	Annual Hosting Fee 10/1/13 - 9/30/14	01/22/2014	21798	1,200.00	
110-421-330000	DMV, MOTOR VEHICLES	Suspension Package	01/15/2014	21769	11.50	
110-421-330000	PUMPKIN RIDGE GOLF C	Room Rental for Metro Law Enf Dinner	01/15/2014	21775	250.00	
110-421-330000	T-MOBILE	Monthly Charge 11/21/13 - 12/20/13	01/08/2014	21757	30.86	
110-421-330000	VERIZON WIRELESS	PD 01/08/14 - 02/07/14	01/22/2014	21797	113.52	
110-421-330000	VERIZON WIRELESS	PD 01/07/14 - 02/06/14	01/22/2014	21797	243.12	
110-421-340000	Petty Cash	PD Carwashes	01/22/2014	21781	96.00	
110-421-340000	DUYCK'S GARAGE	2007 Tahoe Front Brakes	01/08/2014	21770	272.96	
110-421-350000	IACP	Membership Renewal - Annual Dues	01/22/2014	21790	120.00	
110-421-350000	OREGON COUNCIL OF P	8-Quarterly Dues: Jan, Feb, Mar 2014	01/22/2014	21799	78.00	
110-421-350000	PEACE OFFICERS RESEA	8 Current Members 1/1/14	01/22/2014	21800	96.00	
110-421-610000	Petty Cash	PD Materials	01/22/2014	21781	84.30	
110-421-610000	Petty Cash	PD Materials	01/22/2014	21781	15.00	
110-421-610000	VISA/ CARDMEMBER SE	PD JINGLE - Jo Ann	01/15/2014	21779	21.46	
110-421-610000	VISA/ CARDMEMBER SE	PD JINGLE - Fred Meyer	01/15/2014	21779	5.39	
110-421-610000	VISA/ CARDMEMBER SE	PD - Cards - Fred Meyer	01/15/2014	21779	19.74	
110-421-610000	VISA/ CARDMEMBER SE	NAPA Auto Parts	01/15/2014	21779	65.99	
110-421-610000	VISA/ CARDMEMBER SE	New Balance	01/15/2014	21779	8.95	
110-421-610000	VISA/ CARDMEMBER SE	Observ Tech	01/15/2014	21779	-799.96	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
110-421-610000	VISA/ CARDMEMBER SE	Brownells	01/15/2014	21780	127.94	
110-421-610100	Petty Cash	Belt	01/22/2014	21781	20.00	
110-421-610100	BLAZING STITCHES EMB	Beanies with Logos	01/08/2014	21765	56.88	
110-421-610100	VISA/ CARDMEMBER SE	Northern Safety	01/08/2014	21779	20.85	
110-421-610100	VISA/ CARDMEMBER SE	Northern Safety	01/08/2014	21779	124.38	
110-421-610224	SUNSHINE INC.	PD December Fuel	01/08/2014	21755	78.84	
110-421-610224	SUNSHINE INC.	PD December Discount	01/08/2014	21755	-1.58	
110-421-630000	TASER INTERNATIONAL	XDPM Battery Pk Assembled	01/08/2014	21756	132.81	
110-421-630000	TASER INTERNATIONAL	X26 Handle, Black and TLA, XDPM X26	01/08/2014	21756	11.69	
110-421-630000	VISA/ CARDMEMBER SE	Camera Project Jameco	01/15/2014	21779	37.20	
110-421-630000	VISA/ CARDMEMBER SE	Camera Project Cascade Controls	01/15/2014	21779	82.54	
110-421-630000	VISA/ CARDMEMBER SE	Camera Project Amazon	01/15/2014	21779	31.00	
110-421-630000	VISA/ CARDMEMBER SE	CAMERA PROJECT - Feeney	01/15/2014	21779	1,900.00	
110-421-630000	VISA/ CARDMEMBER SE	Camera Project Feeney	01/15/2014	21779	256.00	
110-421-630000	VISA/ CARDMEMBER SE	CAMERA PROJECT - Feeney	01/15/2014	21779	971.83	
110-421-630000	VISA/ CARDMEMBER SE	Camera Project CarQuest	01/15/2014	21779	6.16	
110-421-630000	VISA/ CARDMEMBER SE	CAMERA PROJECT - MS ERnet Video	01/15/2014	21779	700.00	
110-421-630000	WILLAMETTE VALLEY A	Wyatts .308 Magazine, Detmag System	01/08/2014	21759	860.00	
Subtotal for Dept: 421					8,009.12	
110-452-310000	PORTLAND GENERAL EL	Chamber 11/27/13 - 12/31/13	01/08/2014	21752	14.06	
110-452-310000	PORTLAND GENERAL EL	314/Kaybern	01/15/2014	21774	12.54	
110-452-310000	PORTLAND GENERAL EL	JMCH	01/15/2014	21774	12.54	
110-452-310000	RON-JONS UNLIMITED, I	2 Weekly Toilets 12/1/13 - 12/31/13	01/08/2014	21753	166.00	
110-452-610000	COASTWIDE LABORATO	Microburst Economizer Disp	01/15/2014	21787	73.04	
110-452-610000	VISA/ CARDMEMBER SE	Harbor Freight	01/08/2014	21779	13.25	
110-452-610000	VISA/ CARDMEMBER SE	Lowes	01/08/2014	21779	17.88	
Subtotal for Dept: 452					309.31	
110-455-300000	MEDICA, DONNA	REIMBURSEMENT Mileage Cover Oregon	01/08/2014	21747	131.08	
110-455-310000	COMCAST	Library 1/3/14 - 2/2/14	01/08/2014	21743	86.99	
110-455-310000	PORTLAND GENERAL EL	Library 11/27/13 - 12/30/13	01/08/2014	21752	382.31	
110-455-330000	TYCO INTEGRATED SEC	Library 02/01/14 - 02/28/14	01/22/2014	21782	69.53	
110-455-330000	SERVICE AMERICA COM	Library January Janitorial	01/15/2014	21776	175.00	
110-455-330000	UNIQUE MANAGEMENT	12-26 Placements	01/22/2014	21796	8.95	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
110-455-340000	DeLAGE LANDEN	Contract 12/15/13 - 1/14/14	01/08/2014	21744	137.00	
110-455-610000	DEMCO, INC.	Glass Reinforced Filament Tape	01/15/2014	21768	39.75	
110-455-610000	FRIENDS OF THE NORTH	Contrib for Wm Stafford 1/17/14 event	01/15/2014	21771	750.00	
110-455-610000	VISA/ CARDMEMBER SE	Library PO	01/08/2014	21779	23.75	
110-455-610000	VISA/ CARDMEMBER SE	Label Outfitters	01/15/2014	21779	49.25	
110-455-610000	VISA/ CARDMEMBER SE	VISTAPR - Staff Mousepads	01/15/2014	21779	34.85	
110-455-610000	VISA/ CARDMEMBER SE	Barnes and Noble	01/15/2014	21779	50.93	
110-455-610000	VISA/ CARDMEMBER SE	National Pen	01/15/2014	21779	130.40	
110-455-610000	VISA/ CARDMEMBER SE	Amazon - Goo Gone	01/15/2014	21779	26.28	
110-455-610000	VISA/ CARDMEMBER SE	Postage	01/15/2014	21779	5.23	
110-455-610000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	78.75	
110-455-640000	BAKER & TAYLOR	Library Materials	01/15/2014	21764	3.22	
110-455-640000	BLUEWATER PRODUCTI	Various Novels	01/08/2014	21762	100.00	
110-455-640000	INGRAM LIBRARY SERV	Library Materials	01/22/2014	21802	104.90	
110-455-640000	INGRAM LIBRARY SERV	Library Materials	01/22/2014	21802	170.59	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	19.45	
110-455-640000	VISA/ CARDMEMBER SE	CREDIT Amazon	01/15/2014	21779	-1.03	
110-455-640000	VISA/ CARDMEMBER SE	CREDIT Jacobsens	01/15/2014	21779	-15.84	
110-455-640000	VISA/ CARDMEMBER SE	CREDIT Barnes and Noble	01/15/2014	21779	-15.30	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	17.96	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	14.96	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	36.48	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	19.99	
110-455-640000	VISA/ CARDMEMBER SE	Postage	01/15/2014	21779	57.75	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	18.87	
110-455-640000	VISA/ CARDMEMBER SE	Barnes and Noble (returned for above CR)	01/15/2014	21779	15.30	
110-455-640000	VISA/ CARDMEMBER SE	Amazon	01/15/2014	21779	143.89	
110-455-640000	VISA/ CARDMEMBER SE	Jacobsens	01/15/2014	21779	47.52	
Subtotal for Dept: 455					2,918.76	
110-465-360000	COMMUNITY NEWSPAP	Public Hearing	01/08/2014	21767	105.00	
Subtotal for Dept: 465					105.00	
Subtotal for Fund: 110					11,642.19	
113-463-330000	PAULY, ROGERS AND C	June 30, 2013 Review	01/08/2014	21751	2,500.00	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
113-463-330000	SECRETARY OF STATE	Sum of Rev and Exp FY 2013	01/08/2014	21754	40.00	
				Subtotal for Dept: 463	2,540.00	
				Subtotal for Fund: 113	2,540.00	
131-452-770000	DR HORTON	REIMBURSEMENT Parks SDCs less \$7000	01/22/2014	21788	94,660.00	
				Subtotal for Dept: 452	94,660.00	
				Subtotal for Fund: 131	94,660.00	
210-000-555555	JOE & ALICIA TANKERSL	Refund check	01/24/2014	21805	54.31	
				Subtotal for Dept: 000	54.31	
210-433-207000	CITY OF HILLSBORO-Wat	July 1, 2013 - September 30, 2013 SDCs	01/15/2014	21766	40,712.00	
210-433-207000	CITY OF HILLSBORO-Wat	October 1, 2013 -3 December 31, 2013 SDC	01/15/2014	21766	34,896.00	
210-433-340000	GENERAL PACIFIC, INC.	Housing Gasket, Liner Bottom Plastic	01/08/2014	21746	71.98	
210-433-610000	HD SUPPLY WATERWOR	Supplies	01/15/2014	21772	1,737.34	
				Subtotal for Dept: 433	77,417.32	
				Subtotal for Fund: 210	77,471.63	
610-000-200002	AFLAC	FEBRUARY premiums	01/22/2014	21783	243.09	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
					Subtotal for Dept: 000	243.09
610-411-300000	CITY OF FOREST GROVE	Joint Legislative Dinner and Training Se	01/22/2014	21786	204.00	
610-411-300000	VISA/ CARDMEMBER SE	Overpayment to Hyatt Hotel CNewton	01/08/2014	21779	-268.19	
610-411-300100	VISA/ CARDMEMBER SE	Lowes	01/08/2014	21779	20.62	
610-411-300100	VISA/ CARDMEMBER SE	Albertsons	01/08/2014	21779	19.90	
610-411-300100	VISA/ CARDMEMBER SE	Lowes	01/08/2014	21779	26.88	
610-411-300100	VISA/ CARDMEMBER SE	Jo Ann	01/08/2014	21779	4.77	
610-411-300101	CHRISTINE LANTZ	4th of JULY Graphic Design Services	01/22/2014	21791	288.75	
610-411-300103	Petty Cash	Lights and cups for dance	01/22/2014	21781	7.00	
610-411-300104	NP SENIOR CENTER	DONATION for capital improvements/kitchen	01/22/2014	21793	8,150.00	
610-411-500000	VISA/ CARDMEMBER SE	Fred Meyer Employee Gift Cards	01/08/2014	21779	725.00	
					Subtotal for Dept: 411	9,178.73
610-412-330000	BEERY, ELSNER & HAM	Planning Comm, Dev Code and Muni Code	01/22/2014	21785	80.00	
610-412-330000	BEERY, ELSNER & HAM	Galic, NPCC, Chamber, vac on CWS prop	01/22/2014	21785	1,050.00	
610-412-330000	BEERY, ELSNER & HAM	IGA betw Hlsb and NP re computer service	01/22/2014	21785	47.50	
610-412-330000	BEERY, ELSNER & HAM	Speight, business Nuis, Reg-JIN	01/22/2014	21785	448.49	
					Subtotal for Dept: 412	1,625.99
610-413-300000	OCPDA	Conference Registration	01/15/2014	21773	190.00	
					Subtotal for Dept: 413	190.00
610-414-300000	OAMR MEMBERSHIP CH	Membership Dues 2014 MRch	01/22/2014	21794	50.00	
610-414-330000	Petty Cash	Wa County Records	01/22/2014	21781	186.00	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
					Subtotal for Dept: 414	236.00
610-415-330000	MOONLIGHT BPO	JANUARY Statement Processing	01/15/2014	21792	126.12	
610-415-330000	MOONLIGHT BPO	JANUARY Postage	01/15/2014	21792	298.09	
610-415-330000	MOONLIGHT BPO	JANUARY Newsletter	01/15/2014	21792	468.00	
					Subtotal for Dept: 415	892.21
610-419-310000	XO COMMUNICATIONS	City Hall 12/18/13 - 1/17/14	01/08/2014	21760	592.91	
610-419-330000	TYCO INTEGRATED SEC	City Hall 02/01/14 - 02/28/14	01/22/2014	21782	213.36	
610-419-330000	MILLIMAN	2014 Or Public Employers Salary Survey	01/29/2014	21803	195.00	
610-419-330000	SERVICE AMERICA COM	City Hall January Janitorial	01/15/2014	21776	195.00	
610-419-340000	PACIFIC OFFICE AUTOM	Copies 8/31/13 - 11/30/13	01/08/2014	21750	112.57	
610-419-340000	PACIFIC OFFICE AUTOM	Contract Payment 12/15/13 - 01/14/14	01/08/2014	21750	808.50	
610-419-340000	TEMP CONTROL MECHA	Contract Period 1/1/14 - 1/31/14	01/08/2014	21795	309.00	
610-419-610000	Petty Cash	Cords	01/22/2014	21781	5.25	
610-419-610000	SMITH, PAM	Mileage - 10/1/13 - 12/30/13	01/15/2014	21777	23.22	
610-419-610000	THAYER COMPANY	Office Supplies	01/15/2014	21778	204.02	
610-419-610000	THAYER COMPANY	Office Supplies	01/15/2014	21778	306.42	
610-419-610000	VISA/ CARDMEMBER SE	City PO	01/08/2014	21779	40.85	
610-419-610000	VISA/ CARDMEMBER SE	CashNCarry	01/08/2014	21779	37.07	
610-419-610000	VISA/ CARDMEMBER SE	Fred Meyer	01/15/2014	21779	7.99	
610-419-610000	VISA/ CARDMEMBER SE	PO	01/15/2014	21779	19.95	
610-419-610000	VISA/ CARDMEMBER SE	PO	01/15/2014	21779	5.65	
610-419-610000	VISA/ CARDMEMBER SE	OVER LIMIT FEE (PD - Camera Project)	01/15/2014	21779	87.47	
610-419-610000	WHITEHORSE GRAPHIC	Business Cards - DeBry	01/08/2014	21758	175.00	
610-419-621000	ASIFlex	Admin Fee for Pd Beginning 12/01/13	01/15/2014	21763	18.75	
					Subtotal for Dept: 419	3,357.98
610-433-310000	AT&T WIRELESS SERVIC	Public Works 12/06/13 - 01/05/14	01/22/2014	21784	31.72	
610-433-340000	NAPA AUTO PARTS	Power Steering FLuid	01/08/2014	21748	11.26	

Account Number	Vendor	Description	GL Date	Check No	Amount	PO No
610-433-340000	ONE CALL CONCEPTS, I	Oregon Utility Notification Cntr DECEMB	01/08/2014	21749	20.84	
610-433-340000	VISA/ CARDMEMBER SE	Home Depot	01/08/2014	21779	299.00	
610-433-340000	VISA/ CARDMEMBER SE	Harbor Freight	01/08/2014	21779	52.98	
610-433-340000	VISA/ CARDMEMBER SE	Lowes	01/08/2014	21779	28.65	
610-433-610000	COASTWIDE LABORATO	Floor Pad	01/22/2014	21801	42.00	
610-433-610000	NEWMAN TRAFFIC SIGN	20 Stop Signs plus freight	01/15/2014	21804	570.20	
610-433-610000	NEWMAN TRAFFIC SIGN	20 signs @ \$28.30 each	01/22/2014	21804	64.00	
610-433-610090	DUYCK, BENJAMIN	Boots	01/22/2014	21789	150.00	
610-433-610224	SUNSHINE INC.	PW December Fuel	01/08/2014	21755	642.22	
610-433-610224	SUNSHINE INC.	PW December Discount	01/08/2014	21755	-12.85	
Subtotal for Dept: 433					1,900.02	
Subtotal for Fund: 610					17,624.02	
Report Total:					203,937.84	



## CITY OF NORTH PLAINS

31360 NW Commercial Street, North Plains, Oregon 97133

Date: February 18, 2014  
To: Mayor and City Council  
From: City Manager Martha DeBry  
Subject: Approval of city policies Number 604-613

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**Request:** Council approve policies Number 604-613

**Background:** The draft policy manual was distributed at the 9/16/13 council meeting.

To manage the workload of the reviewing ordinance Council directed that batches of policies be presented at a series of meetings.

Policies to be approved on January 21, 2014 are:

- 604 Americans with Disabilities Act
- 605 Worker's Compensation
- 606 Workplace Safety
- 607 Drug free Workplace
- 608 Drug Discipline
- 609 GINA
- 610 Corrective Action
- 611 Complaint or Grievance
- 612 Performance Evaluations
- 613 Information Systems

All policies are as previously distributed to Council.

**Fiscal Impact:** Review and adoption of the policies has no direct fiscal impact.

**Environmental Issues:** No environmental issues are associated with this item.

**Recommendation:** All the policies will be approved by one motion after all have been reviewed and discussed.



## CITY OF NORTH PLAINS

31360 NW Commercial Street, North Plains, Oregon 97133

Date: February 11, 2014  
To: Mayor and City Council  
From: City Manager Martha DeBry  
Subject: Introduction of Ordinance No. 419 Amending Municipal Code Section 6.25 Peddlers, Solicitors, Street Vendor and Temporary Merchant Ordinance

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**Request:** Council consider the introduction of Ordinance No. 419 amending Municipal Code Section 6.25 Peddlers and Solicitors.

**Background:** Municipal Code Section 6.25 provides general rules for the management of businesses that are temporary and mobile. While the ordinance contemplates door-to-door sales of things like magazines (solicitors) or candy (peddlers), temporary merchants (which work less than 45 days a year) and some street vendors, it does not easily accommodate newer trends in small business such as self-contained food trucks or outdoor artisan markets. A table of the kinds of vendors covered by the ordinance and the differences between the designations is included in Council's packet.

The proposed revisions streamline the application process to one type of application for all kinds of businesses, provides hours of operations, and allows applications by umbrella groups. It also preserves the exemption for merchants that participate in City events and the Farmers Market. Tighter restrictions are proposed for door-to-door sales within the community and a consistent set of operating hours is proposed for mobile and vendors, solicitors and peddlers.

**Fiscal Impact:** The proposed change may provide the opportunity for some additional businesses to operate within the City. Street vendors would become subject to business licenses which may provide some additional revenue. Staff will be recommending adjustments to the fees associated with the permits, maintaining higher fees for permits requiring background checks, and lowering vendor fees for businesses which do not require the higher level of scrutiny. Renewal fees should also be established for solicitors and peddlers.

**Environmental Issues:** This regulation relies on Washington County to monitor food processing related activities. It provides a more streamline process to allow outdoor markets or food pods to be developed.

**Recommendation:** Council read Ordinance No. 419 by title only.

**Sample Motion:** I move to approve Ordinance No. 419.

**Attachments:** Copy of Ordinance No. 419

**Table of Vendors**

<i>Type</i>	<i>Solicitor</i>	<i>Peddler</i>	<i>Stationary Street Vendor</i>	<i>Stationary Food Cart</i>	<i>Mobile Street Vendor</i>	<i>Mobile Food Cart</i>	<i>Temporary Merchant</i>
<b>Conditions:</b>							
<b>Zone</b>	All zones	All zones	Commercial Industrial	Commercial Industrial	Commercial Industrial	Commercial Industrial	Events in public and private locations
<b>Locations</b>	Private property	Private property	Private property	Private property	Public right-of-way	Public right-of-way	Private property or public right-of-way
<b>Current Hours of Operations</b>	9 am – 9 pm	9 am – 9 pm	Half hour before dawn and half hour after dusk	Half hour before dawn and half hour after dusk	Half hour before dawn and half hour after dusk	Half hour before dawn and half hour after dusk	No restriction
<b>Proposed Hours of Operation</b>	9 am-5 pm	9 am-5 pm	5 am – 11 pm	No restriction	9 am-5 pm	5 am- 11 pm	5 am – 11 pm
<b>Current Registration Term</b>	6 months	6 months	6 months	6 months	6 months	6 months	45 days
<b>Proposed registration term</b>	30 days	30 days	12 months	12 months	12 months	12 months	30 days
<b>Business License Required</b>	No	No	Yes	Yes	Yes	Yes	No
<b>Merchandise Applicant</b>	Ordered	On-site	On-site	On-site	On-site	On-site	On-site
<b>Applicant</b>	Individual	Individual	Individual or Group	Individual or Group	Individual	Individual	Individual or Group
<b>Example Businesses</b>	Magazines, Landscaping services	Candy	Produce stand, coffee cart	Food truck pod	Ice cream truck	Food truck	Seasonal strawberry sales, outdoor market

**ORDINANCE NO. 419**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS,  
OREGON, AMENDING MUNICIPAL CODE 6.25 PEDDLERS, SOLICITORS, STREET  
VENDOR AND TEMPORARY MERCHANT ORDINANCE**

**WHEREAS**, the City Council has reviewed the peddlers and solicitors ordinance and the permitting process.

**THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON,  
ORDAINS AS FOLLOWS:**

**Section 1.** The Municipal Code Chapter 6.25 is amended as stated on Exhibit A.

**Section 2.** Severability. If any provision of this Ordinance or its application to any person or circumstances is held to be unconstitutional or invalid for any reason, the remainder of this Ordinance or the application of the provisions to other persons or circumstances shall not be affected.

**INTRODUCED** on the 18<sup>th</sup> day of February, 2014, **AND  
ADOPTED** this 3<sup>rd</sup> day of March, 2014.

**CITY OF NORTH PLAINS, OREGON**

By: \_\_\_\_\_  
David Hatcher, Mayor

ATTEST:

By: \_\_\_\_\_  
Margaret L. Reh, Deputy City Recorder

**Exhibit A**  
**Ordinance No. 419**

**CHAPTER 6.25**  
**PEDDLERS AND SOLICITORS**

**Sections:**

6.25.010	<u>Purpose</u>
6.25.020	<u>Definitions</u>
6.25.030	<u>Registration Requirements for Peddlers, Solicitors and Street Vendors</u>
6.25.040	<u>Special Standards for Peddlers, Solicitors and Street Vendors</u>
6.25.050	<u>Appeals by Peddlers and Solicitors</u>
6.25.060	<u>Requirements for Temporary Merchants; Term</u>
6.25.070	<u>Exemptions for Temporary Merchants</u>
6.25.080	<u>Special Standards, Application and Fees for Temporary Merchants</u>
6.25.090	<u>Licensing Approval, Authority and Appeals of Temporary Merchants</u>
6.25.100	<u>Penalty</u>

6.25.010 Purpose

This ordinance is enacted to regulate peddlers and solicitors and to authorize the imposition of a fee to help defray the costs to the City for investigating applications, monitoring peddlers and solicitors, street vendors and other temporary merchants, and administering this ordinance. This ordinance applies to business activities that are conducted in areas outside of traditional business locations, such as private lots or public rights-of-way.

6.25.020 Definitions

The following words and phrases, except where the context clearly indicates a different meaning, shall mean:

- A. "Peddler" means a person, or persons traveling from place to place selling and delivering merchandise or services at the same time. The term "peddler" does not include a person who has been specifically invited to a customer's residence or business location, or a non-profit organization as organized under the Internal Revenue Service Code.
- B. "Person or persons" means any natural person and any firm, proprietorship, partnership or corporation.
- C. "Solicitor" means a person, or persons who travel from place to place not carrying goods, but taking orders for future delivery, or soliciting for money or other things of value. The term "solicitor" does not include a person who has been specifically invited to a customer's residence or business location, or a non-profit organization as organized under the Internal Revenue Service Code.

- D. "Street vendor" means a person, or persons traveling on public streets, public sidewalks, public property, or private streets, and carrying, conveying or transporting such items as food, beverages, flowers, and balloons, offering and exposing the same for sale by hand or from a mobile type device such as a push cart or van. There are four categories of street vendors:
1. "Stationary street vendor" refers to any street vendor who occupies a specifically permitted area on private property.
  2. "Mobile street vendor" refers to any street vendor who does not occupy a specifically permitted area on private property, but instead travels consistently or intermittently throughout the city while offering goods or services for sale, including prepackaged foods.
  3. "Stationary Food Cart" refers to any self-contained food vendor who occupies a specifically permitted area on private property and is subject to Washington County, OR regulations regarding temporary restaurants.
  4. "Mobile Food Cart" to any street vendor that is parked in the public right-of-way and specialized in selling food items and is subject to Washington County, OR regulations regarding temporary restaurants.
  5. "Temporary merchant" means a person, or persons occupying a temporary, fixed location, not within a permanent building, and selling or delivering from stock on hand, doing business in much the same manner as a permanent business.

6.25.030 Registration Requirements for Peddlers, Solicitors, Street Vendors and Temporary Merchants

- A. Registration. All peddlers, solicitors, street vendors and temporary merchants shall register individually with the city prior to engaging in any vending activities. The registration shall be filed with the City Recorder on a form supplied by the city. Registrations will be accepted only during normal city business hours. Failure to provide complete and accurate information may result in a violation of this section and immediate revocation and/or denial of registration. Registrants must provide the following information:
1. Personal identification including date of birth, driver's license number and/or other appropriate identification.
  2. Copies of any state or county licenses which are required to operate or conduct activities proposed by the registrant.
  3. A statement which confirms the registrant has no previous criminal history, including conviction or incarceration for a crime such as theft, burglary, robbery, fraud, deceit, or any other crime of violence, within the ten year period prior to the date of registration.

4. A description of the goods or services offered for sale.
5. If located on private property, the applicant shall obtain a signed, written consent from the owner of the property which authorizes the merchant to conduct business from the property.
6. If located on public property, the temporary merchant shall obtain a signed, written consent authorized by the City Council or other public agency with authority to allow the merchant to conduct business from the publicly owned property. The City is under no obligation to approve any request for such use.

B. Term of Registration.

1. A peddler, solicitor or temporary merchant registration is valid for 30 days, and must be renewed thereafter.
2. The street vendor and food cart registration is valid for a period of twelve months, and must be renewed thereafter.

6.25.040 Special Standards

A. Peddlers and Solicitors. All peddlers and solicitors shall:

1. Limit hours of operation to 9:00 a.m. and 5:00 p.m.
2. Not enter uninvited into a private building, structure or room.
3. Not enter uninvited upon private property that is posted “No Soliciting” or with a similar sign.
4. Within 30 seconds after beginning the conversation with a potential customer:
  - a. Provide identification of both the person and whom the person represents;
  - b. Explain the purpose of the person’s call;
  - c. Provide a description in commonly understood terms of the goods or services offered for sale; and
  - d. Inquire whether the person being solicited is interested in listening to a sales presentation and immediately discontinue the solicitation if the person being solicited gives a negative response.
5. During the course of the solicitation, state the total cost of the goods or services offered for sale and the number, timing and amount of installment payments if payment on an installment basis is available to the person being solicited.

B. Street Vendors, Food Carts. All street vendors and food carts shall:

1. Limit operations to the following hours:
  - a. Stationary Street Vendors may operate between 5 a.m. to 11 p.m.
  - b. Stationary Food Carts may operate at any hour of the day.
  - c. Mobile Street Vendors may operate between 9 a.m. and 5 p.m.
  - d. Mobile Food Cart may operate between 5 a.m. and 11 p.m.
2. Street vendors can only operate in commercial and industrial zones.
3. All street vendors must display a city-issued identification card to operate within North Plains.
4. Street vendors cannot advertise through the placement of signs (temporary or permanent) or employ a barker. (Signs on the side of vehicles or carts are allowed.)
5. Street vendors shall not be located in the right-of-way directly in front of the entrance of any open business.
6. Food Carts are subject to all health and safety rules of Washington County and the State of Oregon.
7. Food Carts shall not park in a public right of way within 40 feet of the entrance of a building containing a restaurant, delicatessen or bakery business, unless they have received the written permission of the business to operate in closer proximity to the business.

6.25.060 Requirements for Temporary Merchants

- A. Requirements. One temporary merchant license may serve as an umbrella license for several related organizations on one lot or public facility during the same license period.

Term. A temporary merchant license is valid for up to 30 consecutive days for each location, after which it may be renewed, subject to a fee set by City Council resolution.

6.25.070 Exemptions for Temporary Merchants

The following temporary merchants do not require a license and are exempt from the application requirements contained within Section 6.25.080 but must meet the standards under Section 6.25.080.

- A. Any temporary merchant who is in operation for three or fewer consecutive days at the same location.
- B. A non-profit organization selling goods, wares or merchandise, whose business is in operation on private property during one period not exceeding 30 consecutive days in any three month period.
- C. Sales associated with events sponsored by City of North Plains or specifically exempted by the City Council.
- D. Temporary construction offices in conjunction with the initial development of residential, commercial or industrial property.

6.25.080      Special Standards, Application and Fees for Temporary Merchants

A. Standards.

- 1. Temporary Merchants shall limit operations to the hours of 5 a.m. – 11 p.m.
- 2. The activities of the temporary merchant shall not unduly restrict parking spaces on public.
- 3. Licenses for a temporary merchant shall be displayed by the temporary merchant in a visible location and shown to any customer or city official upon request.
- 4. The proposal shall comply with the North Plains Zoning and Development Code as far as signage, height restrictions, public access, setbacks, coverage, vision clearance and yard requirements.
- 5. A temporary merchant shall comply with all applicable sanitation codes, including waste disposal. If self-contained facilities such as porta-potties are proposed, they must also meet all applicable city and state sanitation requirements.

B. Fees. All fees shall be charged as set by City Council resolution. Fees are non-refundable.

6.25.090      Licensing Approval, Authority and Appeals

- A. The city shall have the authority to approve or deny any application for a license to be issued.
- B. A license shall not be issued if the applicant has provided false information on the application form.

- C. Any applicant for a license which is denied approval may appeal the decision to the City Manager. The City Manager may accept or reject the decision of city staff, or waive any requirements imposed.

6.25.100      Penalty

Any person who engages in activities within the corporate city limits without having first registered, as provided by this Chapter, or without having first applied for and obtaining the license herein provided for, or who violates any other of the provisions of this Chapter, shall have committed an infraction and shall be processed in accordance with Chapter 1.01 of the Municipal Code. Every day of a continuing violation shall be deemed a separate offense for the purposes of these penalties.



## CITY OF NORTH PLAINS

31360 NW Commercial Street, North Plains, Oregon 97133

Date: January 24, 2014  
To: Mayor and City Council  
From: City Manager Martha DeBry  
Subject: Ordinances No. 420 and 421 prohibiting use and sale of tobacco and vapor products to minors and prohibiting smoking at City properties

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**Request:** Council consider two ordinances a) prohibiting use and sale of tobacco and vapor products to minors and b) prohibiting smoking at City properties.

**Background:** Mrs. Carla Bennett made a presentation on Tobacco prevention and education in Washington County at the Council meeting on February 3, 2014. At that time Ms. Bennett advocated for the Council's consideration of ordinance to address nicotine product sale and use.

In recent years, the use of electronic cigarettes has grown greatly, and state laws do not address this trend. E-cigarettes are battery-powered devices that allow users to inhale a vapor mix consisting of nicotine, flavor additives and other chemicals. These may contain 0-24 mg of nicotine. The products are marketed with candy flavors like gummy bear, chocolate and bubble gum. Use of the e-cigarettes is called "vaping" as a cloud of vapor is generated by their use. The vapor is not as toxic as traditional cigarettes which are known to contain carcinogens and other toxic elements; however it can emit a noticeable odor.

Since e-cigarettes do not contain tobacco, in Oregon these devices are not subject to age restrictions that apply to traditional cigarettes. Technically any child can enter a market and purchase an e-cigarette. Nicotine delivery systems like e-cigarettes can be as addictive as traditional cigarettes. A 2013 survey of Oregon teens suggests that 5.2% of 11<sup>th</sup> graders now use e-cigarettes. Nationally, almost 10% of middle and high school students are using e-cigarettes according to the Centers for Disease Control. Washington County is encouraging local agencies to consider local bans on the sale of nicotine products to minors until the State of Oregon adopts more consistent rules regarding e-cigarette sales. This ordinance also prohibits the use of vapor products by minors.

Additionally, Council can limit the use of nicotine products at City facilities. Generally, the City has experienced no issues with people using e-cigarettes indoors. At this time there is nothing preventing a person from entering the Library or Jessie Mays and using e-cigarettes. Ordinance No. 421 would define smoking and tobacco use to include the

use of e-cigarettes and smokeless tobacco products at city facilities. The ordinance prohibits the use of these products at City Hall, the Library, and parks. It would apply to the indoors as well as the outdoor spaces.

**Fiscal Impact:** The proposed change would not have a direct fiscal impact on the City. Four retailers in North Plains offer e-cigarettes. Three of them also sell tobacco products.

**Environmental Issues:** Nicotine is a stimulant drug that is naturally occurring in tobacco and other plants. When consumed by humans it is known to increase blood pressure and heart rate; and may cause microvascular injury. Health educators generally discourage tobacco and nicotine use to promote a healthy addiction-free lifestyle.

**Recommendation:** Council introduce Ordinances No. 420 and 421

**Sample Motion:** I move to read by title only Ordinances No. 420 and 421.

*Attachments: Ordinances*

**ORDINANCE NO. 420**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS,  
OREGON, ESTABLISHING MUNICIPAL CODE 4.50 PROHIBITING THE SALE AND  
USE OF TOBACCO AND VAPOR PRODUCTS BY MINORS**

**WHEREAS**, the City of North Plains Municipal Code Chapter 4 addresses general health and welfare issues within the community, and

**WHEREAS**, the City Council has received information from Washington County Tobacco Education and Prevention program.

**THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON,  
ORDAINS AS FOLLOWS:**

**Section 1.** The Municipal Code Chapter 4.50 is established, prohibiting the sale and use of tobacco and vapor products by minors as stated on Exhibit A.

**Section 2.** Severability. If any provision of this Ordinance or its application to any person or circumstances is held to be unconstitutional or invalid for any reason, the remainder of this Ordinance or the application of the provisions to other persons or circumstances shall not be affected.

**INTRODUCED** on the 18<sup>th</sup> day of February, 2014, **AND  
ADOPTED** this 3<sup>rd</sup> day of March, 2014.

**CITY OF NORTH PLAINS, OREGON**

By: \_\_\_\_\_  
David Hatcher, Mayor

ATTEST:

By: \_\_\_\_\_  
Margaret Reh City Recorder

**Exhibit A**  
**Ordinance No. 420**

Chapter 4.50.       PROHIBITS THE SALE AND USE OF TOBACCO AND VAPOR  
PRODUCTS BY MINORS

Sections:

- 4.50.001           Definitions.
- 4.50.002           Sale and use of tobacco and vapor products by minors prohibited.
- 4.50.003           Penalties.

4.50.001           Definitions.

The following definitions apply to this chapter:

"Tobacco" means any tobacco product, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, electronic cigarettes and any other form of tobacco or nicotine product (not approved by the FDA) which may be utilized for smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption.

"Vapor product" means a noncombustible product that employs a mechanical heating element, battery or circuit and that can be used to heat a nicotine solution; or a cartridge or other unit containing a nicotine solution to be placed in an electronic cigarette, device or product.

4.50.002           Sale and use of tobacco and vapor products by minors prohibited.

The sale, possession, distribution and use of tobacco, nicotine or vapor product in any form to persons under 18 years of age are prohibited. A person under the age of 18 may not purchase, attempt to purchase, use or obtain any tobacco or vapor product. Tobacco or vapor products in a retail store may not be located in an area accessible to customers without assistance by a store employee.

4.50.003           Penalties.

The sale of tobacco or vapor product in any form to persons under 18 years of age is prohibited. Any person who knowingly sells, or causes to be sold, tobacco to a person under 18 years of age commits the crime of endangering the welfare of a minor, pursuant to ORS 163.575.

**ORDINANCE NO. 421**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS,  
OREGON, ESTABLISHING MUNICIPAL CODE 4.53 PROHIBITING THE USE OF  
SMOKING AND TOBACCO PRODUCTS AT CITY FACILITIES.**

**WHEREAS**, the City of North Plains Municipal Code Chapter 4 addresses general health and welfare issues within the community, and

**WHEREAS**, the City Council has received information from Washington County Tobacco Education and Prevention program.

**THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON,  
ORDAINS AS FOLLOWS:**

**Section 1.** The Municipal Code Chapter 4.53 is established, prohibiting the use of smoking and tobacco products at City facilities as stated on Exhibit A.

**Section 2.** Severability. If any provision of this Ordinance or its application to any person or circumstances is held to be unconstitutional or invalid for any reason, the remainder of this Ordinance or the application of the provisions to other persons or circumstances shall not be affected.

**INTRODUCED** on the 18<sup>th</sup> day of February, 2014, **AND ADOPTED** this 3<sup>rd</sup> day of March, 2014.

**CITY OF NORTH PLAINS, OREGON**

By: \_\_\_\_\_  
David Hatcher, Mayor

ATTEST:

By: \_\_\_\_\_  
Margaret Reh City Recorder

**Exhibit A**  
**Ordinance No. 421**

Chapter 4.53 PROHIBITS SMOKING AND USE OF TOBACCO ON CITY PROPERTY

Sections:

- 4.53.001 Definitions.
- 4.53.002 Smoking and tobacco use prohibited.

- 4.53.001 Definitions.

The following definitions apply to this chapter:

"Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, electronic cigarette, pipe, hookah, plant or any other smoking, tobacco, nicotine or tobacco-like product or substance in any manner or any form.

"Tobacco use" means smoking, chewing, vaping, inhaling or any other means of ingestion or consumption of any tobacco product.

"Tobacco" means any tobacco product, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, electronic cigarettes and any other form of tobacco or nicotine product which may be utilized for smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption.

Note: this policy does not prohibit use of FDA-approved nicotine replacement therapy products, such as nicotine patches, gum and lozenges, which are intended to help quit tobacco use and minimize symptoms of nicotine addiction.

- 4.53.002 Smoking and tobacco use prohibited.

Smoking and tobacco use is prohibited on all city-owned, leased and maintained properties, as well as all city-sponsored events and markets. This includes, but is not limited to, buildings, parking lots, park and recreation areas, vehicles and other real and personal property.

# March 2014 Council Calendar

<i>Meeting</i>	<i>Primary</i>	<i>Alternate</i>	<i>Note</i>	<i>Date</i>
<b>City Council</b>			<b>7:00 p.m. Jessie Mays Community Hall</b>	<b>03/03</b>
<i>Washington County Coordinating Committee (WCCC)</i>	<i>Hatcher</i>	<i>DeBry</i>	<i>2<sup>nd</sup> Monday @ 12 noon</i>	<b>03/10</b>
<i>Planning Commission</i>	<i>Hatcher</i>		<i>2<sup>nd</sup> Wednesday @ 7 p.m.</i>	<b>03/12</b>
<i>Washington County Office of Community Development Policy Advisory Board</i>	<i>Kindel</i>	<i>Demagalski</i>	<i>2<sup>nd</sup> Thursday @ 7 p.m.</i>	<b>03/13</b>
<b>City Council</b>			<b>7:00 p.m. at Jessie Mays Community Hall</b>	<b>03/17</b>
<i>Library Board</i>	<i>Lenahan</i>		<i>3<sup>rd</sup> Wednesday @ 7 p.m.</i>	<b>03/19</b>
<i>Benefit Dance (proceeds to North Plains Elementary School for Art Supplies)</i>			<i>Jessie Mays @ 6:30</i>	<b>03/22</b>
<i>Playdate</i>			<i>Jessie Mays Community Hall @ 1:30 p.m.</i>	<b>03/23</b>
<i>Metro Policy Advisory Committee (MPAC)</i>	<i>Hatcher</i>		<i>4<sup>th</sup> Wednesday @ 5 p.m.</i>	<b>03/26</b>
<i>Parks Board</i>			<i>4<sup>th</sup> Wednesday @ 7 p.m.</i>	<b>03/26</b>
<i>Metropolitan Area Communications Commission (MACC)</i>	<i>Warren</i>	<i>Demagalski</i>		