PLANNING COMMISSION MEETING

AGENDA

A meeting of the City of Amity Planning Commission will be held at 6:30 p.m., Monday November 13, 2023 at Amity Fire Department, 700 S Trade, Amity, Oregon.

Join Zoom Meeting
https://us02web.zoom.us/j/89592578991?pwd=SDJEZm15aTIUUnlYUmRhbnM3cVlwZz09

Meeting ID: 884 0839 3376
Passcode: 003974

1. Call to Order.

2. Roll Call- Steve Ruyle, Lou Savage, Sean Fitzgerald, Dan Keliiheleua and Chairman Ryan Jones

3. Approval of July meeting minutes.

4. Comments from Citizens. This is the time for anyone to address the Planning Commission on matters that are not on the agenda.

5. New Business:
   a. Phasing Plan / Time Extension Request submitted by Community Home Builders for the Amity Oaks Planned Unit Development Subdivision, files #2210-01 PUD & 2210-02 SUB at 1204 Oak Street in Amity, Tax lot R5429AC00700, 9.8 acres. Request for approval of three-phase development plan for previously approved 36-lot residential subdivision. No changes are proposed to the number of lots or amount of open space.

6. Adjournment.

Next Meeting Date: December 11, 2023
A Regular Meeting of the City of Amity Planning Commission was held at 6:30 p.m. on Monday, July 24, 2023, at the Amity Fire Department, 700 S Trade St., Amity, Oregon, and by Zoom phone and video conferencing platform.

Members Present:
Lou Savage, Sean Fitzgerald, Steve Ruyle, Dan Keliheleua, and Ryan Jones (Chairman)

Members Absent:
None

Staff Present:
Mona Hatch (City Clerk), Natasha Johnson (City Recorder), Nathan Frarck (City Administrator) and Holly Byram (City Planner MWVCOG), Abby McFetridge (Keller Associates) and Peter Olsen PE (Keller Associates)

Guests Present:
Mercedes Serra, (3J), Chase Welborn (3J), Lillian Engel (resident), Andrew Werth (IBI Group/Arcadis), Matthew Rolston (Arcadis), and Jeff Clark (Amity School Superintendent)

Call to Order:
Chair Jones called the meeting to order at 6:41 PM.

Approval of Minutes from February 13, 2023
Chair Jones asked if the Commission wanted to entertain a motion to approve the minutes from the February 13, 2023 Planning Commission meeting. Commissioner Savage moved to approve the minutes; Commissioner Fitzgerald seconded. Motion passed 5-0-0.

Comments from Citizens
Chair Jones asked for comments from citizens not on the agenda. Citizen Lilian Engle asked commission regarding if pot shop is still planning on opening. City staff let her know they are still planning on opening in August. There were no further comments.

Old Business
There was none.

New Business:
A. Public Hearing for file No. 2304-01SDR & 2304-02CUP “Amity High School / Middle School Project” at Amity High School, 503 Oak Street in Amity, Tax Lot

Chair Jones opened the public hearing for file #2304-01 SDR & 2304-02CUP. He read the script and went over all the legal matters.
“Chair Jones asked the Commission if anyone wished to declare a potential or actual conflict of interest or bias? Chair Jones declared possible conflict of interest as he is on the school board. He declared he can make a non-bias decision. City Planner Byram asked if he personally could financially benefit from the decision. He declared he would not. He stated that he has also visited the site.

“Chair Jones asked if any member of the audience wish to declare a potential or actual conflict of interest or bias? Chair Jones declared possible conflict of interest as he is on the school board. He declared he can make a non-bias decision. City Planner Byram asked if he personally could financially benefit from the decision. He declared he would not. He stated that he has also visited the site.

“Chair Jones asked if any member of the audience wish to challenge the jurisdiction of the Planning Commission to hear this matter?” There were none.

“Chair Jones asked if any member of the audience wish to challenge the impartiality or disclosures of any member of the Planning Commission?” There were none.

Chair Jones asked for presentation of staff report. Planner Holly Byram went over the staff report which contained findings for the applicable criteria in the Amity Development Code, including the R1 zone, Site Design Review, and Conditional Use Permit sections, along with recommended conditions of approval. Byram stated that the applicant had participated in several pre-application meetings and discussions with staff. The current plan set resulted from several rounds of revisions requested by staff and the fire district. The proposed public improvements balance the City’s requirements, TIA recommendations, and proportionality with proposed development, under the City Engineer’s authority to approve modified designs. The Oak Street right-of-way dedication shown in the plan set is larger than the required 33 feet from centerline. Once that is corrected, the existing modular offices will likely not be in the right-of-way; likely no encroachment easement will be necessary.

“Chair Jones asked the commission members if there are any brief clarifying questions of staff before we move on?” There were questions.

Commissioner Ruyle asked for clarification regarding no sidewalk along North Sherman St. He asked if there was something in our code regarding sidewalks near schools. She explained the code language regarding this. She explained most of the pedestrian improvements were focused on Oak Street intersections. There is an existing sidewalk on Sherman between Oak and Jellison, but none is proposed between Jellison and Goucher. She explained the site plan shows connecting the sidewalk to Sherman Avenue at the end of the sidewalk.

Commissioner Savage asked for clarification regarding the new structures. She explained further regarding the structures. There were no further questions.

Chair Jones asked for presentation of applicant.

The applicant’s representative Mercedes Serra with 3J Consulting gave testimony. She presented a power point to the Commission which showed the site plan and color renderings of the building elevations. Applicant answered questions brought up in staff report. The applicant confirmed that the TIA did not document any pedestrian trips along the unimproved section of Sherman. She stated that the district would like more flexibility regarding recommended condition of approval #14 requirement to partner with City on a Safe Routes to School Grant Application for crosswalk at Oak and Nursery. The reason being that the grant priority may change once development is completed.
Commissioner Savage asked regarding the thin strip on the plans. The applicant explained it's the existing hallway inside the building and that it will be improved. There were no further questions.

Chair Jones asked for public testimony from proponents, opponents, neutral parties, and governmental entities. There were none.

Chair Jones asked for testimony from proponents. There were none.

Chair Jones asked for testimony from any opponents. There were none.

Chair Jones asked for testimony from neutral parties. There were none.

Chair Jones asked if there was any more testimony from proponents, opponents, neutral parties including government bodies. There were none.

Chair Jones asked if there is a request for Continuance. There was none.

Chair Jones asked if any Questions of Staff? Planner Byram noted the fire apparatus access point on the plans, which is on the north side of the new middle school wing, connecting from 3rd Street.

Chair Jones asked, “if the staff have any further comments or clarification regarding this application?” There were none.

Chair Jones asked, “if any member of the Commission have any questions for the staff?” There were none.

Chair Jones closed the public hearing.

Chair Jones open discussion for deliberations by the Commission. He asked if any Commissioner had any additional clarifying questions from staff.

Commissioner Fitzgerald asked for explanation regarding the safe route application regarding the Nursery improvements and what happens if the city doesn’t get the safe route to school grant application. City Staff explained have been unsuccessful with previous grant applications. Superintendent Jeff Clark explained wanting to see what the most needed areas will be now that the pedestrian traffic pattern is changing. The priority may change.

Commissioner Savage asked if there is certain language that can be put in condition to require the school district to complete the Nursery Street crosswalk in a timely manner. Engineer Olsen explained and agreed should be some requirement. The grant is highly unsuccessful because it is competitive. Engineer McFetridge explained the safe route grants and could lose the opportunity to get the other grant.

Commissioner Ruyle asked for more clarification regarding being on ODOT ROW and if could put a time limit on this. Engineer Olsen recommends if after two safe routes to school grants not successful, then require school to put in improvements. Planner Byram pointed out ODOT comments in the staff report; the crosswalk at Nursery Street will require ODOT permits.
Commissioner Fitzgerald concern is the district’s funding for this project may not be available after two years. Commissioner Jones explained that it is all public money; whether the work is performed by the district, City, or ODOT. Superintendent Clark is concerned that the crosswalk striping in ODOT jurisdiction will trigger additional expensive ADA ramp requirements. Engineer Olsen explained that the Nursery Street crosswalk recommendation comes from the third-party TIA procured by the applicant.

Applicant’s Architect Andrew Werth asked if there any improvement plans for OR Hwy 153/ Nursery Street in the future. Engineer Olsen explained he doesn’t know the answer. Superintendent Clark stated that the flashing light and crosswalk at Trade Street/ 99W was a joint grant in cooperation between the City and school district.

The Commission discussed further regarding the crosswalk improvements time limit.

Commissioner Fitzgerald made motion to APPROVE the concurrent Site Design Review and Conditional Use Permit land use applications, files #2304-01SDR and #2304-02CUP, and adopt the findings and recommended conditions of approval included in the staff report to the Planning Commission, with revisions desired by the Planning Commission. Revision being that the crosswalk improvements on Nursery Street shall be completed by the applicant according to TIA for the project within two years of project completion. Planner Byram asked for clarification on the motion, if “completion” of project means the Final Certificate of Occupancy. Commissioner Fitzgerald confirmed yes; project completion meant Final Occupancy. Commissioner Savage seconded the motion, and with no discussion the motion passed unanimously 5-0-0.

Adjournment: Commissioner Fitzgerald made a motion to adjourn the meeting and Commissioner Savage seconded, and with no further discussion the motion passed 5-0-0.

Chair Jones adjourned the Planning Commission meeting at 7:54p.m.

Respectfully submitted,

Mona Hatch, City Clerk

Attested

Ryan Jones, Chair
STAFF REPORT  
TO THE AMITY PLANNING COMMISSION  

“Amity Oaks PUD Phasing Plan”

MEETING: November 13, 2023  
TO: Amity Planning Commission  
FROM: Holly Byram, Contract City Planner, MWVCOG  
RE: Phasing Plan/Time Extension Request, City file #2210-01 PUD & #2210-02 SUB  

EXHIBITS:  
A – Proposed phasing plan materials submitted by applicant, October 2023  
B – Phasing plan comments from City departments and partner agencies  
C – Original Notice of Decision, Amity Oaks PUD signed February 27, 2023

I. BACKGROUND
A. APPLICANT: Community Home Builders, Attn: Teresa Smith, McMinnville, Oregon  
B. REPRESENTATIVE: Steve Kay, Cascadia Planning + Development Services, Silverton, Oregon  
C. REQUEST: Applicant requests Planning Commission approval of a 1-year time extension and a 3-phase development plan request for the approved Amity Oaks PUD. The previously approved Amity Oaks PUD includes 36 residential lots, improvements on Oak Street, a neighborhood park with play structure, a walking trail, and an open space area within the floodplain of Ash Swale.
D. PROPERTY LOCATION: 1204 Oak Street in Amity, Tax lot R5429AC00700, 9.8 acres  
E. PROCEDURE: The Amity Development Code (ADC 3.109.03 Process) states that an approved land division is required to be recorded within 18 months of written approval, unless a time extension is requested and granted by the Planning Commission. No public hearing is required. Extensions may be granted for no more than one year at a time. For phased PUDs, typically only Phase 1 is held to the 18-month recording deadline. The Oregon Revised Statutes (ORS) allow 10 years for a full approved subdivision to be recorded.

II. FILE HISTORY
The Amity Planning Commission held a duly noticed public hearing on Monday, January 9, 2023, for two concurrent land use applications, Planned Unit Development file #2210-01 PUD and Subdivision file #2210-02 SUB. The public hearing was continued to Monday, February 13, 2023. Following public testimony and discussion, and Planning Commission voted 5-0-0 to approve the proposed PUD with a couple revisions to the recommended conditions of approval. The PUD subdivision was approved in a Notice of Decision signed February 27, 2023. No appeals were received by any party with standing.
III. PHASING / TIME EXTENSION REQUEST

The applicant/owner requests Planning Commission approval of a 1-year time extension and phasing plan for the approved Amity Oaks PUD Subdivision. No modifications are proposed to the original development plan in terms of the total number of lots or amount of open space provided. The subdivision and related improvements would be developed and recorded in three phases, with corresponding street(s) and utilities as summarized below:

- Phase 1 would include 11 lots, Oak St improvements to Roth St.
- Phase 2 would include 13 lots, Tract P-1 park, remaining Oak St improvements.
- Phase 3 would include 12 lots, Tract C trail.
PHASING DETAILS PROVIDED BY APPLICANT:

PHASE 1

• 11 lots are proposed at the entrance to Amity Oaks Lane and along the Oak Street frontage.
• First phase would include Oaks Street frontage and off-site improvements to the Roth Street intersection. Per Sisul Engineering’s October 24, 2023 memo, the improvements north of the site may be limited to a pavement width of 22’ from centerline and a curb on the west side of Oak Street if the owner of Tax Lot 602 does not dedicate an additional 8’ of right-of-way.
• The proposed water and sewer concept plan for Phase I is attached. The Phase I improvements will upsize the water line in Oak Street per the City’s Consulting Engineer’s comments.
• The gravity sewer main line would be extended to serve the proposed lots for Phase 1.
• Per attached storm concept, drainage would be conveyed through temporary open ditch to the stormwater facility in Tract B.
• A fire turnaround could be provided by providing a temporary easement within the shared driveway serving Lots 8 and 9 (current lot numbers).

PHASE 2

• 13 lots are proposed with the extension of Amity Oaks Lane.
• Water, sewer and storm would be extended with street improvements.
• This phase would include installation of the recreation facilities within Tract P-1.
• The off-site street improvements to Oak Street north of Roth Street to Nursery Street would be completed with this phase.
• The off-site sanitary sewer main line that crosses Tax Lots 592 and 593 would be constructed with Phase 2.
• A portion of the open ditch would be filled in and replaced with storm pipe system.
• A fire turnaround could be provided by providing a temporary easement within the shared driveway serving Lots 13 and 14 (current lot numbers).

PHASE 3

• 12 lots are proposed with the completion of Amity Oaks Lane and the remainder of the public utilities.
• A portion of the open ditch would be filled in and replaced with storm pipe system.
• The installation of the trail and fencing preventing public access into the floodway would be installed with Phase III.
IV. DECISION CRITERIA

AMITY DEVELOPMENT CODE

2.302 PLANNED UNIT DEVELOPMENT (P.U.D.)
2.302.07 Modification of Approval
A new public hearing shall be required if any one of the following changes is proposed to an approved planned unit development site plan:

A. Increase or decrease of 10% (or more) in the number of dwelling units.

B. Increase or decrease of 10% (or more) in the area devoted to open space or recreational space.

FINDINGS: The original Amity Oaks PUD was reviewed and decided as a Type II land use application, pursuant to the decision criteria contained in the Amity Development Code (ADC) Section 2.302 ‘Planned Unit Development (PUD)’ and other applicable criteria. ADC 2.302.07 ‘Modification of Approval’ provides a path for the applicant to request to modify an approved PUD, however, no changes are proposed to either (A) the number of approved dwelling units, or to (B) the amount of approved open space / recreational space provided by the approved PUD. The approved PUD layout will remain the same. This request impacts the timing of development only. For this reason, a modification application and hearing are not required.

3.109 SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS

3.109.03 Process

A. Preliminary plats for subdivisions and PUDs shall be reviewed in accordance with the Type II review procedures.

B. Approvals of any preliminary plats for a subdivision or PUD shall be valid for eighteen (18) months after the date of the written decision. A Final Plat for a subdivision shall be recorded within this time period or the approvals shall lapse. PUDs which do not involve the subdivision of property shall show substantial progress toward the construction of the project within the eighteen-month period or the approval shall lapse.

C. The Planning Commission may extend the approval period for any subdivision or PUD for not more than one (1) additional year at a time. Requests for extension of approval time shall be submitted in writing thirty (30) days prior to the expiration date of the approval period.
D. If the approval period is allowed to lapse, the applicant must resubmit the proposal, including all applicable fees, for public hearing before the Planning Commission. The applicant will be subject to all applicable standards currently in effect.

FINDINGS: The original Amity Oaks PUD was reviewed and decided as a Type II land use application. The original deadline for plat recording is August 27, 2024. The applicant is requesting Planning Commission approval of a one-year time extension and development of the phasing plan detailed in Exhibit A.

The original 18-month plat recording deadline is August 27, 2024. The applicant is requesting a one-year time extension and phasing plan. The request for an extension was received at least 30 days prior to the deadline.

If approved, the deadline for Phase 1 plat recording would be adjusted to August 27, 2025. After Phase 1 is recorded, the recording deadline for Phases 2 and 3 would be subject to the standard state deadlines, per the Oregon Revised Statutes (ORS) 92.040, which is 10 years.

Regarding the specific improvement details contained in each of the three proposed phases, the plans were reviewed by the City Administrator, Public Works, City Engineer, and Fire Department. Their comments are combined in Exhibit B.

CITY ENGINEER COMMENTS

Project Engineer Adam Soto, working with City Engineer Peter Olsen of Keller Associates, commented:

I have reviewed the phasing plans and have the following comments:

1. The off-site improvements north of Roth Street can be completed in phase 2.
2. The off-site improvements to the sanitary sewer can be completed in phase 2.
3. The water main in Oak Street adjacent to the site must be upsized and extended in phase 1.
4. The 22’ pavement section & curb adjacent to taxlot 602 is acceptable pending ROW dedication.
5. Show fence around concrete walkway in phase 3 to prevent public access to floodway.
6. The stormwater concepts will be approved as drainage reports are provided for each phase’s plan reviews.
FIRE DEPARTMENT COMMENTS

Deputy State Fire Marshal Tony Miller and Amity Fire Department Chief Ian Yocum reviewed the phasing plan and commented:

Meet the conditions of approval as previously stated.

- Condition of approval #21; Specific language in the HOA Bylaws & CC&R’s for enforcement and who is enforcing the No Parking conditions of approval.

Phase I
- Provide an approved fire department turn around at the West end of Amity Oaks Lane.
- Fire department turn around (Hammerhead) on the easement for lots 10 & 11 must not be part of the driveway parking or the driveway must not be incorporated into the hammerhead.
- Post all No Parking signage as per conditions of approval.

Phase II
- Fire department turn around (Hammerhead) on the easement for lots 15 & 16 and 23 & 24 must not be part of the driveway parking for the lots or the driveway must not be incorporated into the hammerhead.
- Post all No Parking signage, as per conditions of approval.

V. STAFF CONCLUSION & RECOMMENDATION

Based upon the above findings to the limited criteria contained in the Amity Development Code, along with the specialized review provided by City departments and partner agencies, staff recommends that the Planning Commission approve both the one-year time extension request and the three-phase development plan, subject to the following recommended conditions of approval.

CONDITIONS OF APPROVAL

1. Applicant shall comply with the original adopted conditions of approval for land use files #2210-01PUD and 2210-02SUB, except where noted by the City Engineer and Fire Department phasing comments.

2. Applicant shall comply with the City Engineer phasing comments prior to civil plan set approval and platting for each phase of development.
3. Applicant shall comply with the Fire Department phasing comments prior to civil plan set approval and planning for each phase of development.

4. Applicant shall renumber lots to eliminate redundant numbering so that all 36 residential lots have unique labels.

5. Phase 2 shall include the full Tract P-1 frontage sidewalk to loop the path within the play area.

6. As adjusted by this time extension, Phase 1 plat shall be recorded by August 27, 2025. Phases 2 and 3 are bound by ORS to be recorded prior to February 27, 2033.

VI. PLANNING COMMISSION OPTIONS

The following are motions the Planning Commission may use:

1. **Motion to APPROVE** the requested Amity Oaks PUD Subdivision 1-year time extension request and 3-phase development plan, subject to staff’s recommended conditions of approval.

2. **Motion to APPROVE** the requested Amity Oaks PUD Subdivision 1-year time extension request and 3-phase development plan, subject to staff’s recommended conditions of approval, **AS REvised** by the Planning Commission, stating those revisions.

3. **Motion to DENY** the requested 1-year time extension and/or 3-phase development plan request, stating the reason for denial.

4. **Motion to TABLE** the time extension/phasing plan request agenda item to a future Planning Commission meeting, identifying the specific information needed.
Hi Holly,

The attached plans should show the correct lot numbering for the phasing plan. Below are some additional comments in red based on the attached engineer’s memo.

Thanks,

Steve Kay
Cascadia Planning + Development Services
503-804-1089
steve@cascadiapd.com
www.cascadiapd.com

Quick note - the lot numbering on the 3 separate phases sent over needs to be reworked. There are several redundancies.

Also, can you please update these bullet points from August with any details you feel staff and PC need to know? These should address the water line, off-site Oak Street improvements:

**Phase I**
- 11 lots are proposed at the entrance to Amity Oaks Lane and along the Oak Street frontage.
- First phase would include Oak Street frontage and off-site improvements to the Roth Street intersection. Per Sisul Engineering's October 24, 2023 memo, the improvements north of the site may be limited to a pavement width of 22’ from centerline and a curb on the west side of Oak Street if the owner of Tax Lot 602 does not dedicate an additional 8’ of right-of-way.
- The proposed water and sewer concept plan for Phase I is attached. The Phase I improvements will upsize the water line in Oak Street per the City's Consulting Engineer’s comments.
- The gravity sewer main line would be extended to serve the proposed lots for Phase 1.
- Per attached storm concept, drainage would be conveyed through temporary open ditch to the stormwater facility in Tract B.
- A fire turnaround could be provided by providing a temporary easement within the shared driveway serving Lots 8 and 9 (current lot numbers).

**Phase II**
- 13 lots are proposed with the extension of Amity Oaks Lane.
• Water, sewer and storm would be extended with street improvements.
• This phase would include installation of the recreation facilities within Tract P-1.
• The off-site street improvements to Oak Street north of Roth Street to Nursery Street would be completed with this phase.
• The off-site sanitary sewer main line that crosses Tax Lots 592 and 593 would be constructed with Phase 2.
• A portion of the open ditch would be filled in and replaced with storm pipe system.
• A fire turnaround could be provided by providing a temporary easement within the shared driveway serving Lots 13 and 14 (current lot numbers).

Phase III
• 12 lots are proposed with the completion of Amity Oaks Lane and the remainder of the public utilities.
• A portion of the open ditch would be filled in and replaced with storm pipe system.
• The installation of the trail and fencing preventing public access into the floodway would be installed with Phase III.

Thank you!
Holly

From: Byram, Holly
Sent: Monday, October 30, 2023 1:29 PM
To: steve@cascadiapd.com
Subject: RE: Amity Oaks Phasing Plans
Importance: High

Hi Steve,
We are working to wrap up review comments for the PC meetings and courtesy mailing to neighbors.

Do you have an updated overview map like the one below showing all 3 phases on one?
Good Morning Holly,

Following up on our discussion a few weeks ago, attached are draft Amity Oaks phasing plans for your review. Although not included with these plans, we are anticipating that the off-site Oak Street improvements, at least to the Roth Street intersection, will be installed with Phase I of the project. When discussing the phasing with the city engineer, please let me know if they would be supportive of installing the off-site improvements north of Roth Street with Phase II of the project.

Thanks,
MEMO
Date: October 24, 2023
To: Steve Kay, Cascadia Planning
    Alice Springer, Community Home Builders
From: Tom Sisul

Extension of Oak Street improvements, north of Amity Oaks site, across frontage of TL 602

There is some ambiguity in the Conditions of Approval with regards to the improvements across TL 602.
Condition #10 states “Oak Street Improvements: Applicant shall be responsible for the construction of sidewalks and ¾ street improvements along of Oak Street for the full project frontage, tapered to existing.”
Condition #36 states “Oak Street Width: Applicant shall construct widening within the Oak Street right-of-way as recommended by the City Engineer to provide 30 foot width where pavement is less than 28 feet in width, to allow two way traffic plus one lane of parking on the east side of the street, with the west side signed for no parking for increased pedestrian safety.”
However through Condition #6, which refers to the comments made by the City’s Consulting Engineer, is the following comment, “3/4 width street improvements along the development frontage on Oak Street, and extending to the Roth Street intersection to include: 44 feet of pavement width including Roth and Oak Street intersection; curb, gutter and sidewalk on the west side – including an ADA return ramp transition from sidewalk to pavement; ROW dedication to accommodate 33 feet from the existing centerline.”

According to survey information furnished by Leland McDonald & Associates, the existing half right-of-width along the western half of Oak Street, south of Roth Street is 25 feet. Community Home Builders will be able to provide the necessary 8 feet of dedication along the Oak Street frontage of the Amity Oaks site. However, dedication from the owner of TL 602, is unlikely to be granted.
Condition #10 requires the ¾ street and allows for tapering of to the existing pavement.
Condition #36 requires at least 28 feet of pavement width. Condition #6 incorporates the comments of the City’s Consulting Engineer with regards to curbing and installing sidewalk along the frontage of TL 602. Without dedication by the owner of TL 602, at best, a curb could be set 22 feet off the centerline with pavement improvements, but no sidewalk could be installed along the frontage of TL 602. Because no sidewalk could be installed along the frontage of TL 602, no ADA curb ramp transition could be installed either.
We would like clarity about what the improvement requirement will be along TL 602. There is a conflict between Conditions #10 and #36 and the City’s Consulting Engineer’s comments about what is required along the frontage of TL 602.

The offsite Oak Street improvements north of Roth Street per Condition #36.

We wish to delay this required improvement until either the 2nd or 3rd phase of the proposed development. The 1st phase of the proposed Amity Oak development will only consist of 11 lots. The first phase of development will have far more significant development costs than, and higher infrastructure costs per lot, than either Phases 2 or 3. We are proposing that the first phase of the development, would construct all the required street improvements along Oak Street, south of Roth Street. It also has to upsize the waterline in Oak Street as per the City’s Consulting Engineer’s comments and construct the stormwater facility at the south end of the project.

The addition of 11 homes, actually only an increase of 10 homes over the historical use of the site as a homestead previously existed on the site, will not have same impacts as the eventual 36 lot subdivision. We note that the 11 proposed lots will only increase the number of homes that must access the City’s street system via Oak Street, south of Nursery Street, by approximately 1/3.

Sanitary Sewer deepening across Tax Lots 592 and 593

To serve what we are proposing as Phases 2 and 3, the sanitary sewer line across tax lots 592 and 593 will need to be deepened. See Sheet 3.1 of the original application plans. Because this deepening will need to occur on private lands and potentially require additional permanent easement or a temporary construction easement could be necessary, we wish to delay the installation of this offsite sanitary line until Phase 2, when it would be needed. Our intent for Phase 1 would be to extend the gravity line in Oak Street as needed to serve the proposed lots for Phase 1.

We would like it recognized that construction of a lower the off-site sewer line across Tax Lots 592 and 593 will not be a requirement for Phase 1 as proposed, but rather for Phase 2.

Temporary Storm Drain ditches for Phase 1

As noted on the Phase 1 preliminary plan concept, we are proposing as part of Phase 1 improvements to have some temporary storm drain ditching across what will eventually be Phases 2 and 3. As proposed, these open trenches would be filled in Phases 2 and 3, and the ultimate storm drain pipe system would be constructed. However, prior to development of
Phase 2, the lowest portion of the road system which will be in a fill area, will not yet have been constructed. Therefore we wish to make use of temporary storm drain ditching on higher ground that will allow the runoff from the Phase 1 improvements to be able to drain via gravity to the storm drain water quality and detention pond.
Holly,

I have reviewed the phasing plans and have the following comments:

1. The off-site improvements north of Roth Street can be completed in phase 2.
2. The off-site improvements to the sanitary sewer can be completed in phase 2.
3. The watermain in Oak Street adjacent to the site must be upsized and extended in phase 1.
4. The 22' pavement section & curb adjacent to taxlot 602 is acceptable pending ROW dedication.
5. Show fence around concrete walkway in phase 3 to prevent public access to floodway.
6. The stormwater concepts will be approved as drainage reports are provided for each phase’s plan reviews.

Can you communicate these comments to the representatives?

Thanks,

Adam Soto, PE
Project Engineer
CELL 907-723-7394

Good afternoon all,

Regarding the phasing request for the Amity Oaks PUD Subdivision, the applicant has provided the attached and below additional details today.

Thank you,

Holly C. Byram
Associate Planner,
Mid-Willamette Valley Council of Governments (MWVCOG)
Holly,

Upon the completion of the Phase review regarding the Amity Oaks Plans, Amity Fire Department have noted comments below.

Meet the conditions of approval as previously stated.

- Condition of approval #21; Specific language in the HOA Bylaws & CC&R’s for enforcement and who is enforcing the No Parking conditions of approval.

**Phase I**
- Provide an approved fire department turn around at the West end of Amity Oaks Lane.
- Fire department turn around (Hammerhead) on the easement for lots 10 & 11 must not be part of the driveway parking or the driveway must not be incorporated into the hammerhead.
- Post all No Parking signage as per conditions of approval.

**Phase II**
- Fire department turn around (Hammerhead) on the easement for lots 15 & 16 and 23 & 24 must not be part of the driveway parking for the lots or the driveway must not be incorporated into the hammerhead.
- Post all No Parking signage, as per conditions of approval.

Thanks

Tony Miller  
Deputy State Fire Marshal  
Polk & Yamhill Counties  
Fire & Life Safety Services  
Office of State Fire Marshal  
Cell (503) 779-6094  
Email tony.miller@osfm.oregon.gov
Holly,

I’ve reviewed the plans and comments and generally think everything looks good. I had some more general questions as well that I’ll ask and you may have an easy answer for. If you don’t have an easy answer, then don’t bother answering as my questions right now are general curiosity, not a need to know.

- The phase 3 plan misnumbered the lots, but I am counting all 36 lots.
- I can support the argument for delaying the improvements north of Roth until Phase 2 or the beginning of Phase 3.
- Is there concern for TL 602 not dedicating the additional needed right of way? Is there something the City could do to ease the relationship there and maybe encourage the dedication if it would make more sense/allow CHB to construct improvements?
- Overall, the phasing plan looks solid.

Thanks,

Nathan Frarck
City Administrator
City of Amity, Oregon
nfrarck@ci.amity.or.us
(971) 706-0785

Good afternoon all,
Regarding the phasing request for the Amity Oaks PUD Subdivision, the applicant has provided the attached and below additional details today.
Thank you,

Holly C. Byram
Associate Planner,
Mid-Willamette Valley Council of Governments (MWVCOG)

Pronouns: she/her
hbyram@mwvcog.org
(503) 540-1617
NOTICE OF PLANNING COMMISSION DECISION & APPEAL PROCEDURES

You are receiving this notice of Planning Commission decision either because you are the applicant, the property owner, or because you provided testimony during the public hearing.

CITY FILE: 2210-01 PUD & SUB 2210-02 SUB “Amity Oaks Planned Unit Development”

APPLICANT: Community Home Builders, Attn: Teresa Smith

PROPERTY: 1204 Oak Street in Amity. Tax lot R5429AC00700, 9.8 acres.

REQUEST: Applicant proposes a 36-lot residential Planned Unit Development (PUD) Subdivision. The development includes frontage improvements to Oak Street, a neighborhood park with play structure, a gravel walking trail, and an open space area within the floodplain of Ash Swale. Modifications are requested to City standards regarding minimum lot size, side yard setback, minimum lot width, lot coverage, and lot depth to width ratio.

PROCEDURE: Pursuant to the Amity Development Code (ADC) Section 3.101.02, a Site Design Review is a Type II Action. A Type II Action is a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards. Public notice and a public hearing are provided. A decision of the Planning Commission is final, unless appealed to the Amity City Council within 12 days of this notice.

DECISION: Approved with conditions

SUMMARY OF HEARING:
On January 9, 2023 the Amity Planning Commission opened a duly noticed public hearing for two concurrent land use applications, Planned Unit Development file #2210-01 PUD and Subdivision file #2210-02 SUB. On that evening, the Planning Commission performed legal declarations, heard a report from consulting City Planner with comments from City Engineers, and accepted public comments from the applicant and all interested parties in-person, remote via Zoom, and in writing. Following deliberation, the Planning Commission voted unanimously to reopen and continue the public hearing to the next regular meeting date of February 13, 2023 in order to allow the City Engineers additional time to research issues related transportation and traffic safety on Oak Street, specifically referencing
the applicant’s Traffic Impact Analysis (TIA), the City’s adopted Transportation System Plan (TSP), and the Amity Public Works Development Standards (APWDS).

On Monday, February 13, 2023, the Amity Planning Commission reconvened the continued public hearing on the concurrent files. On that evening, the Planning Commission repeated the full legal script and declarations, heard brief statements from both the Contract City Planner and the Contract City Engineer(s), and opened public testimony to the applicant and all interested parties in person, by zoom, and in writing. Following the applicant’s rebuttal, the Planning Commission closed the public hearing, deliberated, and voted unanimously 5-0-0 to approve the concurrent applications, adopt the findings and recommended conditions of approval contained in the January staff report, as amended by the February staff report, and as amended by the Planning Commission’s additional conditions of approval, included below as conditions #35 – 37, plus the following recommendation to the City Council:

**STATEMENT REGARDING SDC REIMBURSEMENT METHODOLOGY:** The Amity Planning Commission supports the Amity City Council adoption of an ordinance authorizing System Development Charge (SDC) reimbursement / credit methodology for development projects in the city of Amity.

**PROPOSED AMITY OAKS PUD SUBDIVISION LAYOUT:**

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Notice of Decision of the Amity Planning Commission  
City files #2210-01 SUB & 2210-02 PUD – Amity Oaks PUD  
Page 2 of 7
CONDITIONS OF APPROVAL:
Concurrent City files 2210-01 PUD and 2210-02 SUB are approved, subject to the following conditions.

1. **DUE DILIGENCE:** It is the responsibility of the applicant to obtain copies of and be familiar with all applicable codes and standards.

2. **COST OF DEVELOPMENT:** Applicant shall be responsible for all costs of required public and private infrastructure improvements associated with the development, including any applicable system development charges (SDCs).

3. **DESIGN STANDARDS:** The design of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the City, and all improvements for which City approval is required, shall comply with the requirements of the most recently adopted Amity Public Works Design Standards, 2021.

4. **REVISED PLAN SET:** Prior to construction, applicant shall submit revised plan sets for City Engineer review and approval.

5. **PUBLIC IMPROVEMENTS:** Pursuant to ADC 2.208.05 Improvement Requirements, all improvements required by this ordinance or as conditions of approval of any subdivision or partition shall be completed prior to the issuance of any building permits for any structures within the subject development. If the Developer requests approval to record the final plat before all required improvements have been constructed and all conditions of approval have been met by the Developer and accepted by the City, the Developer shall provide a security guarantee satisfactory to the City that all improvements will be constructed in conformance with all City standards and ordinances and all conditions of approval will be satisfied.

6. **CITY ENGINEER COMMENTS:**
   a. Applicant shall comply with the City Engineer redline corrections and associated comment log, attached in Exhibit A to the staff report for the January 9, 2023 public hearing.

   b. Applicant shall comply with the additional City Engineer application comments and recommended conditions of approval, dated February 1, 2023.

7. **FIRE DEPARTMENT APPROVAL:** Prior to civil plan set approval for construction, Fire Department approval is required regarding hydrants, fire flow, access, and signage.
8. FLOOD PLAIN: Prior to platting, applicant shall complete the Letter of Map Amendment (LOMA) procedure to confirm that none of the residential lots within the subdivision will be impacted by the special flood hazard area of Ash Swale.

9. DSL COMMENTS: Applicant shall observe DSL comments regarding removal-fill permits and wetland delineation, prior to any earthmoving activities within the special flood hazard area where wetlands may be present.

10. OAK STREET IMPROVEMENTS: Applicant shall be responsible for the construction of sidewalks and ¾ street improvements of Oak Street for the full project frontage, tapered to existing.

11. NO PARKING AMITY OAKS LANE: Prior to platting, applicant shall sign Amity Oaks Lane for no parking along the north/west side of the new street, as well as the north side of the hammerhead, to ensure a minimum of 26-foot width fire access.

12. FLAG LOT DRIVEWAY EASEMENT: Prior to or with platting, applicant shall record shared access, utility, and maintenance agreements for all pairs of flag lots with shared driveways.

13. FLAG LOT FIRE LANE SIGNAGE: Prior to final occupancy, applicant shall install no parking signs along all shared flag lot driveways to maintain minimum 20-foot fire access width.

14. TRACT A EASEMENT: Prior to platting, Tract A shall grant the City an easement for the full width of Tract A, for the underlying utilities.

15. TRACT A IMPROVEMENTS & BOLLARDS: Prior to platting, applicant shall improve Tract A in compliance with fire access code, either paved 20-ft width or load-rated gravel, and shall install removable bollards or gate with knox box for Fire Department access.

16. TRACT B STORMWATER BASIN: HOA shall retain ownership and full maintenance responsibility for the private stormwater facility in Tract B.

17. TRACT B FENCE: Prior to platting, applicant shall construct a fence around the stormwater facility in Tract B to ensure no public access to either the facility or to abutting Tract C Open Space. Applicant shall also install no parking signage to maintain emergency access to the facility.

18. PRIVATE STORMWATER AGREEMENT: Pursuant to the APWDS, the HOA shall sign and record a private storm water maintenance agreement with the City, to be reviewed by City Attorney prior to signing.
19. **TRACT P-2 FENCE:** Prior to final occupancy on any lot within the Amity Oaks PUD, applicant shall construct a fence along the shared boundary between Tract P-2 and Tract C, and install signage for “no public access” on Tract C. (Note: as revised by Condition 37)

20. **TRACT C DONATION:** Should the City of Amity agree to accept the Open Space Tract C, applicant and City shall first sign an agreement drafted by the City Attorney which confirms the HOA’s obligation to reimburse the City for regular maintenance plus related staff time.

21. **HOA BYAWS & CC&Rs:** Prior to plating, Applicant shall provide a draft of the HOA Bylaws & CC&Rs for City review and comment.

22. **PLANTING & IRRIGATION PLAN:** Prior to civil plan approval, applicant shall supply the City a plan which demonstrates all planned landscaping, plantings, and irrigation (if any). Landscaping standards are found in ADC 2.207.

23. **LANDSCAPING INSTALLATION:** All landscape material shall be guaranteed by the developer for a period of one year from the date of installation. A copy of the guarantee letter shall be furnished to the City by the developer.

24. **CLEAR VISION AREAS:** At all times, clear vision areas shall be maintained at the intersection of all public streets and driveways, and as otherwise outlined in Section 2.209.08.

25. **SIGNS:** Sign standards are provided in ADC 2.206 Signs. No signage was reviewed or approved with this application. Sign Permit review is a separate application at the City of Amity.

26. **PARK LIGHTING:** Any light used to illuminate the recreation amenities in Tracts P-1 and P-2 shall be directed entirely onto the tracts, and shall be deflected away from any residential use.

27. **GARBAGE & RECYCLING:** Prior to civil plat set approval for construction, applicant shall provide communication from the garbage and recycling company, confirming that the proposed subdivision can be serviced for collection.

28. **BUILDING PERMITS:** Building permits and inspections are issued by Yamhill County, in partnership with the City of Amity. The first step is a Building Compliance Application submitted to the City.

29. **HOMEOWNERS ASSOCIATION:** Prior to plating, a non-profit Homeowners Association shall be formed pursuant to the HOA standards in ADC 2.302.05 (J). Consistent with those standards, HOA membership shall be mandatory for each Amity Oaks PUD home owner and any successive
buyer. The open space restrictions shall be in perpetuity. No change in open space use or dissolution of homeowners association shall occur without a public hearing before the Planning Commission and approval by the City Council.

30. **FINAL PLAT:** Approval of final plat shall be pursuant to the requirements in ADC 3.109.04 Final Plat Requirements, including required endorsements listed in subsection (D), and the supplemental information with final plat listed in subsection (E), and procedures in ADC 3.109.05.

31. **MONUMENTS:** Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection at all points of curvature, points of tangency of street center lines, and other points required by state law.

32. **BENCH MARKS:** Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a brass cap set in a curb or other immovable structure.

33. **APPROVAL TIMELINE:** Pursuant to ADC 3.109.03, Approvals of any preliminary plats for a subdivision or PUD shall be valid for one year after the date of the written decision. A Final Plat for a subdivision shall be recorded within this time period or the approvals shall lapse. PUDs which do not involve the subdivision of property shall show substantial progress toward the construction of the project within the one year period or the approval shall lapse. The Planning Commission may extend the approval period for any subdivision or PUD for not more than one (1) additional year at a time. Requests for extension of approval time shall be submitted in writing thirty (30) days prior to the expiration date of the approval period. If the approval period is allowed to lapse, the applicant must resubmit the proposal, including all applicable fees, for public hearing before the Planning Commission. The applicant will be subject to all applicable standards currently in effect.

34. **MODIFICATION OF PUD APPROVAL:** Pursuant to ADC 2.302.07, A new public hearing shall be required if any one of the following changes is proposed to an approved planned unit development site plan: A. Increase or decrease of 10% (or more) in the number of dwelling units. B. Increase or decrease of 10% (or more) in the area devoted to open space or recreational space.

35. **OAK STREET BOND:** Prior to City approval of development permits, applicant shall supply the City a maintenance bond to cover potential damage to utilities within the Oak Street right-of-way during construction of public improvements associated with the PUD. Bond shall be released upon platting.
36. OAK STREET WIDTH: Applicant shall construct pavement widening within the Oak Street right-of-way as recommended by the City Engineer, to provide 30-foot width where pavement is surveyed as less than 28 feet in width, to allow for two-way traffic plus one lane of parking on the east side, with the west side signed for no parking for increased pedestrian safety.

37. USABLE OPEN SPACE: Prior to platting, applicant shall expand the usable portion of Tract C open space area through the development of a 3-foot wide natural surface loop trail, approximately 300 feet in length, to be maintained in perpetuity by the HOA.

Signed,

[Signature]
City Administrator
For the Amity Planning Commission

Feb 27, 2023
Date

APPEALS: A party who establishes standing by participating in the public hearing process orally or in writing, or a party adversely affected by the decision, may appeal the decision to the Amity City Council. An issue which is the basis for an appeal must have been raised during the public hearing process. This decision may be appealed to the City Council within 12 calendar days of the date of decision. The appeal must be filed on the appropriate form. If you have questions about the City’s decision or appeal procedures, please contact the City Recorder at Amity City Hall (503) 835-3711.
City Engineer Comments

February 1, 2023

Subject: Amity Oaks PUD/Subdivision
Client: City of Amity

APPLICATION COMMENTS AND RECOMMENDED ADDITIONAL CONDITIONS OF APPROVAL

- General
  - These additional comments are provided to the developer in response to the discussions that took place during January 9th, 2023 public hearing for the Amity Oaks Subdivision/PUD application.
  - All public development and utility improvements shall comply with Amity Public Works Design Standards and shall be prepared by an Oregon registered Professional Engineer submitted to the City for review by the Public Works Director and City Engineer.
  - All comments and conditions of approval on this application are still applicable unless noted otherwise.
  - The following recommended conditions of approval are to address existing traffic and pedestrian deficiencies and are therefore not eligible for SDC credit/reimbursement. Additional offsite traffic and pedestrian improvements not included herein may be eligible for SDC credit/reimbursement.

- Storm
  - In storm water calculations, include all surface areas (impervious and pervious) in runoff calculations

- Water
  - Include 15 foot water easement as depicted below
  - Extend waterline to the East for future waterline extension – include blowoff or fire hydrant at dead end

- Streets
  - Provide ROW survey from Roth to Nursery including existing pavement limits
  - ¾ width street improvements along the development frontage on Oak St. and extending to the Roth St. intersection to include:
    - 44 feet street pavement width, including Roth & Oak intersection
    - Curb, gutter, and sidewalk on the West side - including an ADA return ramp transition from sidewalk to pavement
- ROW dedication to accommodate 33 feet from the existing centerline
  - From Roth to Nursery on Oak St:
    - provide signage for No Parking on the West side
    - where existing pavement width is less than 28 feet, widen street to 30 feet
    - repair existing pothole damage
  - TIS Review
    - No revisions necessary
      - AM and PM turning movement counts included middle school start and dismissal times. Therefore, counts include middle school traffic.
      - Turning movement counts were collected during 2019. Therefore, COVID did not affect results.
### Development Application Design Review; City Engineer Comment Log

**Project:** Amity Oaks  
**Commenter:** Abby M., EI

* These comments are in response to the Cascadia Planning and Development Services development plans dated 9/22/22. These comments should be reviewed with the City Engineer Redlined plans dated 12/20/22. Status of previous comments are also included.

<table>
<thead>
<tr>
<th>Comment #</th>
<th>Reference</th>
<th>Date of Comment</th>
<th>Keller Comment</th>
<th>Date of Response</th>
<th>Developer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sheet PR-1</td>
<td>12/20/2022</td>
<td>Plans to be used for review and construction need to be 22 x 34 inches</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Water and wastewater crossings to be called out with 18” vertical separation, general note, TYP</td>
<td></td>
<td></td>
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<tr>
<td>3</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Less than 3' horizontal separation between water main and sewer service. Separation required per OAR 333-061-0050</td>
<td></td>
<td></td>
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<tr>
<td>4</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Call out pointing to wrong intersection of lines. Existing waterline in Oak St is 2” - developer to upsize existing waterline to 8” from existing hydrant at 1211 Oak, south to development. All water mains to be 8” DI. Resurface road as required to cover trenching</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Sheet 3.2</td>
<td>12/20/2022</td>
<td>Manhole spacing must be less than 300’ per PWDS. Minimum pipe slopes are provided in the PWDS to help shallow the pipe network.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Sheet 3.2</td>
<td>12/20/2022</td>
<td>Sanitary profile is deeper and steeper than necessary. For this site, target 4’ min cover TYP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Sheet 3.2</td>
<td>12/20/2022</td>
<td>Include profile of water main to demonstrate adequate vertical separation and cover between top of pipe and FG</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Sheet 4.1</td>
<td>12/20/2022</td>
<td>Include storm profile view</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Need Curb ramps at intersections, TYP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Sheet 5</td>
<td>12/20/2022</td>
<td>provide street sections, street details, storm/sanitary details, etc… as design progresses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Sheet 6</td>
<td>12/20/2022</td>
<td>Line weights make it difficult to see what’s proposed/existing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Sheet 3.2</td>
<td>12/20/2022</td>
<td>2020 PreApp minutes say Oak Ave 3/4 street improvements with sidewalk on west side of frontage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Sheet 3.2</td>
<td>12/20/2022</td>
<td>Make use of City Detail 206 for a drop manhole where applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Please break up water, sanitary, storm, and street improvements into separate sheets with profiles. Only bold linework for those improvements on those sheets and fade the rest back so it’s easier to see what’s proposed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Sheet PR-4</td>
<td>12/20/2022</td>
<td>Oak Ave., not St.</td>
<td></td>
<td></td>
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<tr>
<td>16</td>
<td>Sheet PR-4</td>
<td>12/20/2022</td>
<td>Roth Ave., not St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Sheet 2</td>
<td>12/20/2022</td>
<td>Provide dimensions and details for hammerheads for fire dpmt review</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Emergency access lane to have bollards on both ends with locks for fire dpmt use. Access must be a pull-through style with access to Oak Ave. The Western approach is missing the hatching.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Show sanitary sewer easement for the existing sewer line. Verify there is enough room to install the new pipe and manholes adjacent to the existing. A parallel collection system will not be allowed, so the existing system will need to tie into the proposed manholes and the existing system will need to be demolished.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Damages to the sidewalk, approaches, and driveways are to be expected if they are constructed before the homes are built. Expect the City to complete a through inspection of the curb, approach, and sidewalk before they are accepted.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Sheet 3.1</td>
<td>12/20/2022</td>
<td>Relocate the storm collection system into the roadway to avoid future maintenance access under the sidewalk, driveways, and curb. Approaches for lots 19,20 and 21,22 do not match the renderings on sheet A1.2</td>
<td></td>
<td></td>
</tr>
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### Stormwater Report Comments

| 1         | SDR 3   | 12/20/2022 | Use curve numbers from the ODOT hydraulics manual per PWDS |                  |
| 2         |         |            |                                                            |                  |
| 3         |         |            |                                                            |                  |
| 4         |         |            |                                                            |                  |
| 5         |         |            |                                                            |                  |

### Traffic Impact Analysis Comments

| 1         | TIA 2   | 12/20/2022 | Church Ave., not St. |                  |
| 2         | TIA 2   | 12/20/2022 | Oak Ave., not St.    |                  |
| 3         | TIA 3   | 12/20/2022 | Roth Ave., not St.   |                  |
| 4         | TIA 4   | 12/20/2022 | Identify study intersections on map                        |                  |

Page 1 of 2
<table>
<thead>
<tr>
<th>5</th>
<th>TIA 8</th>
<th>12/20/2022</th>
<th>Where are these growth rates from? I'm unable to locate their origins</th>
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<tbody>
<tr>
<td>6</td>
<td>TIA Fig. 4 Appendix D</td>
<td>12/20/2022</td>
<td>It seems unlikely that 0% of trips would go North/South on Oak Ave</td>
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Response Page

**Department of State Lands (DSL) WN#**
WN2022-1180

**Responsible Jurisdiction**

<table>
<thead>
<tr>
<th>Staff Contact</th>
<th>Jurisdiction Type</th>
<th>Municipality</th>
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<tbody>
<tr>
<td>Holly Byram</td>
<td>City</td>
<td>Amity</td>
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<th>Local case file #</th>
<th>County</th>
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<tbody>
<tr>
<td>2210-01PUD &amp; 2210-02SUB</td>
<td>Yamhill</td>
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**Activity Location**

<table>
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<tr>
<th>Township</th>
<th>Range</th>
<th>Section</th>
<th>QQ section</th>
<th>Tax Lot(s)</th>
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<tbody>
<tr>
<td>05S</td>
<td>04W</td>
<td>29</td>
<td>AC</td>
<td>700</td>
</tr>
</tbody>
</table>

Street Address
1204 Oak St
Address Line 2
City
Amity
Postal / Zip Code
97101

State / Province / Region
OR
Country
Yamhill

Latitude
45.109804

Longitude
-123.205503

**Wetland/Waterway/Other Water Features**

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

- The National Wetlands Inventory shows wetland, waterway or other water features on the property.

- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

- The property includes or is adjacent to designated Essential Salmonid Habitat.

**Applicable Oregon Removal-Fill Permit Requirement(s)**

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.
A state permit is required for any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

Closing Information

Additional Comments
Based on a review of the available information, the proposed development, as shown on the submitted site plan appears to avoid impacts to onsite wetlands and waters.

Ash Swale is identified as an Essential Salmonid waterway. Any removal or fill activities in Ash Swale or associated wetlands may require a permit. For this reason, best management plans for sediment and erosion control are recommended during construction.

The proposed work appears to avoid work in the 100 yr floodplain and floodway. A wetland delineation is recommended prior to any work within this area,

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: [http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx](http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx)
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: [https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf](https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf)

Response Date
1/5/2023

Response by: Chris Stevenson

Response Phone: 503-986-5246