



**City of Sutherlin
Planning Commission Meeting
Tuesday, January 19, 2016
7:00 p.m. – Sutherlin Civic Auditorium**

AMENDED

Agenda

- **Pledge of Allegiance**
- **Welcome and Introductions**
- **Introduction of Media**
- **Election: Chair and Vice-Chair**
- **Approval of Minutes:**
 - * December 15, 2015
- **Monthly Activity report(s)**
- **Public Comment**
- **Commission Comments**
- **Adjournment**
- **Workshop: Sign Ordinance**

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, DECEMBER 15, 2015**

COMMISSION MEMBERS PRESENT: Mike Flick, Patricia Klassen, John Lusby, Adam Sarnoski, Michelle Sumner and Floyd Van Sickle

COMMISSION MEMBERS EXCUSED:

COMMISSION MEMBERS ABSENT: Patricia Klassen, Floyd Van Sickle

CITY STAFF: Kristi Gilbert, Community Development Specialist

AUDIENCE: None

Meeting called to order at 7:00 pm by Chair Lusby.

FLAG SALUTE

INTRODUCTION OF MEDIA: None

APPROVAL OF MINUTES

A motion made by Commissioner Sumner to approve the minutes of the November 17, 2015 Planning Commission meeting; second made by Commissioner Flick.

In favor: Commissioners Flick, Sarnoski, Sumner and Chair Lusby

Opposed: None

Motion carried unanimously.

NATURAL HAZARD MITIGATION PLAN UPDATE

Kristi Gilbert, Community Development Specialist, indicated there was no additional update at this time. The Steering Committee's next meeting will probably be in January.

STAFF REPORTS

Gilbert provided a report on behalf of Director Luther in an effort to keep the Planning Commission apprised of recent land use and other relevant activities. (See Attached).

PUBLIC COMMENT – None.

COMMISSION COMMENTS – Discussion ensued regarding the option of moving the Planning Commission meetings to 6:30 p.m. Due to a lack of consensus, the Commission agreed to table the matter to the next meeting, in hopes of having a full panel to make the decision.

In follow up the Commission's requests regarding the frequency of meetings, Gilbert noted that Director Luther has prepared an Ordinance, which the council read at their meeting on December 14, 2015. The second reading would take place in January, 2016 and be effective 30 days thereafter. With that, the Commission will meet at their regular scheduled January meeting at 7:00 p.m..

ADJOURNMENT

With no further business the meeting was adjourned at 7:04 pm.

Respectfully submitted,

Kristi Gilbert

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2016.

John Lusby, Commission Chair



126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.ci.sutherlin.or.us

City of Sutherlin

Date: December 15, 2015
To: Sutherlin Planning Commission
From: CDD, Vicki Luther
Re: Monthly Activity Report

This report is provided in an effort to keep you apprised of recent land use and other relevant activities.

TRANSPORTATION

No activity at this time.

UTILITIES

Wastewater Treatment Plant Improvements – Pre-design contract awarded to Dyer Partnership to be completed by the end of this year. Dyer provided Council with a power point presentation at their September 28th meeting. Financing has been secured.

LAND USE ACTIVITY

Building Worksheets approved –

- 227 W Central – remodel/kitchen – Family and Friends
- 115 W Central – commercial use authorization – boutique shop

Commercial changes

- Kim's Court – Removing 15 old mobile homes and replacing with new Park Models. These homes are to be 14' wide and either 28' or 32' long. Each unit to have a minimum ten-foot wide landscaped side yard, a front sidewalk with one parallel parking space. They are placing the first units now with more to come in 2016 (total of 15). New sidewalks will be installed along N. State Street between First and Second Avenue – after all units have been placed.

Active Land Use Application status

SUB 13-01: Brooks Village (Avery) subdivision: 151 Pear Lane **Extension awarded**

SUB 13-02: Fairway Ridge (Galpin) subdivision: Scardi Blvd. Plan is to begin infrastructure this spring/summer. (***some clearing has occurred; conditions still in process***)

VAR 14-01: 716 Sandpiper Court – (Wilson) variance to setbacks. (***on hold***)

BLA 15-07: 855 Magnolia – (Shorey) Requesting boundary line adjustment to accommodate city set back requirements. (***on hold***)

15-S008: 482 Oak Street – (Habitat for Humanity) Lot Line Adjustment (**approved with conditions**)

15-S009: 535 S. State – (Brown) partition – 3 parcels (**in process**)

Right of Way

Charter	284 W. Everett Ave.
Avista	1535 E. Fourth Ave.
Avista	1545 E. Fourth Ave.

FOR YOUR INFORMATION

LAND USE APPLICATIONS

15-S009 – MICHAEL BROWN – LAND PARTITION



Community Development
126 E. Central Avenue
Sutherlin, OR 97479
(541) 459-2856
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City of Sutherlin

December 30, 2015

MEMORANDUM

TO: Applicant and All Interested Individuals

RE: **MICHAEL BROWN**, request for a land partition to divide a 1.50 acre property into three parcels, Parcel 1: 0.28 acres, Parcel 2: 0.60 acres and Parcel 3: 0.62 acres. The subject property is located on the west side of S. State Street, south of its intersection with SW Valentine Avenue in the City of Sutherlin. The subject 1.50 acre property is described as Tax Lot 1100 in Section 20AC, T25S, R5W, W.M.; Property ID No(s). R53776, and is addressed as 535 S. State Street. It is designated Low Density Residential by the Sutherlin Comprehensive Plan and zoned (R-1) Low Density Residential. A portion of the subject property contains identified wetlands. **PLANNING DEPARTMENT FILE NO. 15-S009.**

Official notice is hereby given of the Administrative decision of the Sutherlin Community Development Director in the matter of your request for approval of a Land Partition for which Administrative action was completed on December 30, 2015.

The above application has been **APPROVED**, subject to the following conditions:

1. The applicant shall submit a final Land Partition Plat which substantially conforms to the approved preliminary Plan in all aspects except as specifically conditioned by the Community Development Director, as well as the general standards and survey plat requirements prescribed by the Sutherlin Development Code. Any alterations shall be reviewed by the Planning Department.
2. The applicant shall meet all requirements of final plat submission and approval criteria in Section 4.4.160 of the Sutherlin Development Code. The final plat shall be filed within two (2) years of this approval, unless an extension is granted pursuant to Section 4.4.120 of the SDC.
3. The applicant shall submit a modified redevelopment plan showing the future development of Parcels 2 and 3, which addresses the City Public Works' comments regarding frontage for driveway accesses and utilities.
4. The applicant shall coordinate with the Oregon Department of State Lands to address any necessary mitigation of wetlands on the subject property.

5. The applicant shall comply with applicable local, county, state and federal regulations as applicable to the partition.
 - a. At the time of a building permit proposal on any of the new parcels, the permit shall indicate compliance with Development Code Section 2.2 R-1 building setbacks and lot coverage requirements; and the driveway separation, surface improvement and storm water runoff requirements of Development Code Section 3.2.110 Vehicle Access and Circulation.
6. The applicant shall obtain an access permit from the City Superintendent of Public Works for the three existing and/or proposed access locations onto S. State Street.
7. The property owner(s) shall enter in a Waiver of Remonstrance Agreement with the City for the subject property agreeing to participate in a local improvement district to upgrade S. State Street to collector street standards if said district is formed in the future. The Waiver shall be recorded with Douglas County Clerk with the final partition plat. The necessary form can be obtained from the City.
8. The applicant shall clearly identify all public and private access, utility or storm water easements on the final plat, which must be in conformance with the minimum requirements of the City.
 - a. If necessary, the Superintendent of Public Works will identify any necessary utility easements needed on the final plat.
9. All utilities shall be designed per standards to be located underground, pursuant to Section 3.5.150 of the Sutherlin Development Code.
10. The applicant shall provide a letter from the Superintendent of Public Works certifying that all required improvements have been constructed to standards or an Improvement Agreement and Security as defined by the Subdivision Ordinance have been met.

This Land Partition approval is valid for two (2) years from the date of this decision. If the conditions of this approval have not been satisfied within that time, this approval will become void and will require another application. Pursuant to Section 4.4.120 of the Sutherlin Development Code, an extension of up to a one (1) year may be granted by the Director upon written request of the applicant prior to expiration of the application,

A copy of the application, all documents and evidence submitted by or on behalf of the applicants, and the applicable criteria are available for inspection at no cost and copies will be provided at cost.

A copy of the Sutherlin Community Development Director's Findings of Fact, Conditions, and Decision is attached to this notice. The Findings, Conditions, and Decision were signed by the Sutherlin Community Development Director on December 30, 2015. This Type II Administrative Decision will not become effective until the period for filing an appeal has expired.

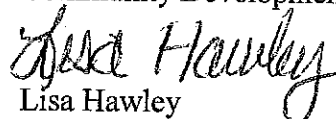
Any persons who are entitled to written notice, pursuant to Section 4.2 of the Sutherlin Development Code, who participated in the proceedings, or who are adversely affected or aggrieved by the decision may appeal the decision within fourteen (14) days from the date the written notice of decision was mailed by filing a timely written statement with the Sutherlin Community Development Department and submitting the required fee. Any person who is mailed written notice of this decision cannot appeal the decision directly to the State Land Use Board of Appeals under ORS 197.830.

This Administrative Decision will become effective the day after the appeal period expires unless review is sought pursuant to Section 4.2 of the Sutherlin Development Code. Please contact the Sutherlin Community Development Department at (541) 459-2856 if you have questions concerning this Administrative Decision. An information sheet for appeal is attached to this notice.

There may be no further notice from the Community Development Department regarding expiration of this approval for a Land Partition.

Sincerely,

Vicki Luther
Community Development Director



Lisa Hawley
Community Services Planner

ADMINISTRATIVE REVIEW AND DECISION

Michael Brown, Findings of Fact and Decision, Planning Department File No. 15-S009.

This matter was reviewed by the City of Sutherlin on December 29, 2015, for the Community Development Department in Sutherlin, Oregon.

The applicant, Michael Brown, submitted the proper application and evidence sufficient to warrant Administrative review as a Type II action, as provided for in Sections 4.2.130 and 4.4 of the Sutherlin Development Code.

The City takes official notice of the following:

1. The City of Sutherlin Comprehensive Plan, including the implementing City of Sutherlin Development Code, adopted and amended by the Sutherlin City Council July 2007, and as later amended, and which has been acknowledged by the Land Conservation and Development Commission.
2. The records of the Sutherlin Community Development Department concerning publication of mailing notice.

PROCEDURAL FINDINGS OF FACT

1. Application was filed with the Sutherlin Community Development Director on November 4, 2015, and was deemed complete on November 9, 2015. All applicable fees were paid to the City.
2. Notice of an Administrative Land Use Action before the Community Development Director was given in accordance with Section 4.2.130 of the Sutherlin Development Code.
3. This application is subject to the applicable criteria of the Sutherlin Development Code, including Sections 2.2.100, Residential Districts; 2.2.120, Residential Development Standards; 3.2, Chapter 4.4, Land Division Criteria.

FINDINGS OF FACT

1. Notice of the proposed partition was originally mailed to affected property owners of record within 100 feet, service providers, and governmental agencies on November 20, 2015.
 - a. The City of Sutherlin Public Works Operations and Public Works Utilities reviewed the proposed land partition and provided the following comments:

... The City has no apparent objections to this application.

The subject property currently has access to S. State Street. The City will require each of the proposed parcels to have separate frontage onto S. State Street and will require access permits for each new access.

The three parcels can be served by City water and sewer. Water is available on the west side of S. State Street. Sewer is available on the east side of S. State Street. Developer shall install two 6" sewer mains across S. State Street. One at the south

end of the subject property and one at the north edge of the property that will be shared with the southern two parcels of the adjoining property. Each water service shall be connected and metered at the main on S. State Street.

In the event of future redevelopment, the City shall require each proposed parcel to front S. State Street. Each infrastructure connection shall also be located on S. State Street.

- b. An adjoining property owner, Jewell Hubbard, 166 Valley Ct, expressed concerns about the proposed land partition. Ms. Hubbard commented that she does not object to the subdivision into three parcels if they will be used for single family residences, but does strongly object if the property were to be used for multiple family housing or a commercial venture. Ms. Hubbard was concerned about maintaining privacy and property values as well as maintaining the enjoyment of her property.

Staff notes that the proposed development is for single family dwellings, and not for multiple family development. No multiple family housing or commercial development is proposed with this request.

2. Comprehensive Plan: The subject property is designated Low Density Residential by the Sutherlin Comprehensive Plan.
3. Zoning: The subject property is designated (R-1) Low Density Residential by the Sutherlin Development Code.
4. Access: The subject property has an existing access onto S. State Street. With this request, each proposed parcel will have direct access onto S. State Street.
5. Services and Structures: City services and other infrastructure currently serve the area of the subject parcels.

RESIDENTIAL DISTRICTS

6. Residential Zone District, Low Density Residential, R-1 Zone (Section 2.2.100): In summary, the purpose of the city residential districts is to provide for neighborhoods ranging in densities from very low to moderately high. The R-1 zone is a residential zone with a various permitted residential uses, including single family dwellings.
 - a. The subject parcel has one existing single family dwelling. The owner intends to divide the parcel into three parcels, each with direct access onto S. State Street.
7. Residential Development Standards (Section 2.2.120): The Residential zoning districts fall into four categories: RH, R-1, R-2, and R-3, as denoted in SDC Section 2.2.120, and includes minimum lot area and dimensions, as well as minimum setbacks and maximum lot coverage. This proposed adjustment is between two units of land zoned (R-2) Medium Density Residential.
 - a. For the R-1 zone, the minimum lot area is 7,500 sq.ft. for a single family non-attached lot, with a minimum lot width at frontage 50 feet for a standard lot and 20 feet for a flag lot,

and a minimum lot depth of 100 feet where there is no alley right-of-way. The maximum lot coverage for development is 50 percent.

8. **FINDINGS:**

- a. The City finds that each proposed parcel will meet the minimum lot area, lot width & lot depth of the R-1 zone. No flag lots are being created as part of this land partition. As proposed,
 - i. Parcel 1 will be 0.28± acres (12,197± sq.ft.), with lot frontage of 95± feet and lot depth of 119 to 147 feet. Parcel 1 has an existing house and outbuilding.
 - ii. Parcel 2 will be 0.60± acres (26,136± sq.ft.), with lot frontage of 82± feet and lot depth of 206 to 216 feet. Parcel 2 is currently vacant of structures.
 - iii. Parcel 3 will be 0.62± acres (27,007± sq.ft.), with lot frontage of 102± feet and lot depth of 244 to 267 feet. Parcel 3 is currently vacant of structures.
- b. At the time of a new building proposal for Parcels 2 and 3, compliance with the setbacks and lot coverage standards of the R-1 zone will be required.

DESIGN STANDARDS

9. **Design Standards (Section 3.1)**

- a. 3.2.100 Vehicular Access and Circulation
- b. 3.5.100 Infrastructure Standards

10. The access to each proposed parcel will be via direct access onto S. State Street, which is designated an existing City collector street in the City's Transportation System Plan.

Section 3.2. Vehicle Access and Circulation

Applicability. *All development in the city must comply with the provisions of chapter 3, Design Standards. Development projects requiring land division, conditional use permit, and/or site design review approval require detailed findings demonstrating compliance with each section of chapter 3, as applicable. For smaller, less complex projects, fewer code provisions may apply and detailed findings may not be required where no discretionary land use or development permit decision is made.*

FINDING: The City finds that many of the following standards do not apply to the subject partition because each proposed parcel will have direct access to a public street, which is South State Street.

3.2.110 Vehicular Access and Circulation.

A. **Intent and Purpose.**

1. *The intent of this section is to manage vehicle access to development through a connected street system with shared driveways, where practicable, and*

circulation systems that allow multiple transportation modes and technology, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain an adequate "level of service" and to maintain the "functional classification" of roadways [See Transportation System Plan adopted November 2006]. Major roadways including highways, arterials, and collectors, serve as the primary system for moving people and goods. "Access management" is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This section balances the right of reasonable access to private property with the right of the public to safe and efficient travel.

2. To achieve this policy intent, county and local roadways have been categorized in the comprehensive plan by function and classified for access purposes based upon their level of importance and function. (See section 3.5, Infrastructure Standards) Regulations apply to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the roadway network. The regulations are also intended to protect the substantial public investment in the transportation system, facilitate economic development, and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

B. Applicability. *This section applies to all public roads, streets, and alleys within the city and to all properties abutting them.*

C. Access Permit Required. *Access to a public street requires an access permit in accordance with the following procedures:*

1. Permits for access to City streets shall be subject to review and approval by city staff based on the standards contained in this section, and the provisions of section 3.5, Infrastructure Standards. Access permit applications are available at Sutherlin City Hall.

2. Permits for access to state highways shall be subject to review and approval by Oregon Department of Transportation (ODOT) except when ODOT has delegated this responsibility to the city. The city will coordinate with ODOT on such permits as necessary.

3. Permits for access to county highways shall be subject to review and approval by Douglas County. The city will coordinate with the county on such permits as necessary.

FINDING: The proposed parcels have frontage on S. State Street, which is an existing city street. The street is identified in the Sutherlin TSP as a collector street with planned upgrades in the

future. The land division proposes individual street access for Parcel 1 (over an existing driveway) and two new street accesses for Parcels 2 and 3. As a condition of approval, the applicant/property owners will be required to obtain an access permit(s) from the City of Sutherlin for the three proposed parcels.

D. Traffic Study Requirements. *The city or other agency with access jurisdiction may require a traffic study prepared by a traffic engineer to determine access, circulation and other transportation requirements. (See also, section 3.5, Infrastructure.)*

FINDING: A traffic study is not required for the partition since there will only be minor traffic impact on area streets with the potential for three homes on the three single family parcels. The Sutherlin TSP factored in new population growth including some infill of existing lots.

E. Conditions of Approval. *The city or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe, functional, and efficient operation of the street and highway system.*

FINDING: The three proposed parcels are not expected to require closing any existing curb cuts. However, future redevelopment of Parcels 2 and 3 will require shared driveways, which may require reciprocal access easement(s) and driveway maintenance agreement(s) between the affected parcels at the time of redevelopment.

F. Backing Movement. *Vehicle access to and from off-street parking areas, except for access to and from residential developments with one (1) or two (2) dwellings, shall not involve backing onto a public street.*

FINDING: The proposed lots are for single family homes; therefore, the back-up access restrictions, as described in the above standard, are not required.

G. Access Standards and Options. *When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of ten (10) feet per lane is required). These methods are "options" to the developer/subdivider, unless one method is specifically required by the city as a condition of approval.*

1. Option 1. *Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.*

2. Option 2. *Access is from a private street or driveway developed to city standards and connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A joint maintenance agreement and reciprocal access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive. The city may approve a private street under this option by a planned unit development (PUD), provided that public funds shall not be used to construct or maintain a*

private road, street, or drive. The city may require a public access easement as needed for emergency response access or refuse access.

3. Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access if the site abuts an arterial or collector street. Street accesses shall comply with the access spacing standards in subsection I, below.

4. Subdivisions Fronting Onto an Arterial Street. Subdivision lots fronting onto an arterial street shall not receive access onto the arterial street, except when alternate access (i.e., alleys or secondary streets) cannot be provided due to topographic or other physical constraints. In such cases, the city may require that access be provided by consolidating driveways for clusters of two (2) or more lots or for multiple buildings on a lot (e.g., includes flag lots and mid-block lanes).

5. Double-Frontage Lots. When a lot has frontage onto two (2) or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. A second access may be permitted only as necessary to accommodate projected traffic volumes. Except for corner lots, the creation of new double-frontage lots shall be prohibited in the residential district, unless topographic or physical constraints require the formation of such lots. When a fence or wall is built adjacent to the street in this case, a landscape buffer with trees and/or shrubs and ground cover not less than ten (10) feet wide shall be provided between the fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).

6. Important Cross-References to Other Code Sections. Section 3.6 requires that buildings be placed at or near the front property line in some zones, and driveways and parking areas be oriented to the side or rear yard for multiple family and commercial uses. Section 3.5.110 contains private street standards.

FINDING: Future residential development of a single family dwelling on each proposed parcel will be required to have off-street parking in accordance with residential standards. Each parcel has access to a public collector street. S. State Street is a collector street that does not prohibit new access, but controlled access is preferred. As proposed with this request, Parcel 1 will have a 95± foot wide street frontage, Parcel 2 will have a 82± foot wide street frontage and Parcel 3 will have a 102± foot street frontage. Each parcel will be required to locate a driveway that meets the driveway separation standard of 25 feet from another driveway. No shared driveways are required at this time. Future redevelopment of Parcel 2 and Parcel 3 will require compliance with the applicable driveway standards, including required 25 foot separation from another driveway.

H. New Street. The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when access cannot otherwise be provided from an existing street, in conformance with city standards. The city considers the development impact in considering whether a new street is needed. See also Section 3.5 Infrastructure Standards.

FINDING: The City finds that proposed parcels have access to S. State Street. S. State Street has a 60' right-of-way. The street is not constructed to complete collector street standards. Based on

the TSP plan for improvements to this portion of S. State Street the City Engineer believes the existing 60-foot right-of-way is adequate.

The Sutherlin TSP designates State Street as a collector street with needed improvements. The collector street standards for a street improvements include 58' to 62' of right-of-way; and a parking lane, a 7-8' planter strip and a 5-6' sidewalk on each side. The TSP lists a planned bike lane on page 9-1 and planned sidewalks on this portion of State Street on page 10-1, both to serve as needed connections to the planned east-west Parkway. The TSP Table 13-1 Capital Improvements List does not list this portion of State Street as a priority project.

Since the subject area is generally developed, the most likely method for future street improvements to meet those standards would be through a city-funded project, or a local improvement district. It may not be practical or desirable to require said improvements on a parcel-by-parcel basis. Conditions of approval require the applicant/property owner(s) of the subject property to enter in a Waiver of Remonstrance Agreement with the City to participate in a local improvement district which may be formed to upgrade S. State Street to collector street standards if said district is formed in the future.

***I. Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:*

- 1. Local Streets. A minimum of twenty-five (25) feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials).*
- 2. Arterial and Collector Streets. Access spacing on collector and arterial streets; and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the city's transportation system plan.*
- 3. Special Provisions for All Streets. Direct street access may be restricted for some land use types. For example, access consolidation, shared access, and/or access separation greater than that specified by Subsections 1-2, may be required by the city, county or ODOT for the purpose of protecting the function, safety and operation of the street for all users. Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.*

FINDING: Parcel 1 has an driveway access location; Parcels 2 and 3 will each have a new driveway access location onto S. State Street. The Development Code requires that driveway access separation widths comply with the Sutherlin TSP. But the TSP does not have additional driveway separation standards for a collector street. Therefore as described above, the future driveway accesses onto State Street must be separated from another driveway by 25 feet.

***J. Number of Access Points.** For single-family (detached and attached), two (2) family, and three (3) family housing types, one (1) street access point is permitted per lot; except that two (2) access points may be permitted for two (2) family and three (3) family housing on corner lots (i.e., no more than one (1) access per street), subject to the access spacing standards in subsection I, above. The number of street access points for multiple*

family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with section K, below, in order to maintain the required access spacing, and minimize the number of access points.

FINDING: The City finds that each proposed parcel (to allow a single family dwelling) will be allowed one access point onto the City street, subject to the minimum 25 foot driveway access separation width.

K. Shared Driveways. *The number of driveways intersecting a public street shall be minimized by the use of shared driveways on adjoining lots where feasible. The city may require shared driveways as a condition of land division or site plan review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

- 1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).*
- 2. Access easements and joint maintenance agreements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including any pathways and landscaping along such driveways, at the time of final plat approval (section 4.4) or as a condition of site development approval (Section 4.3).*

FINDING: The City finds the proposed three parcels will each have separate legal access onto S. State Street. No access easements or shared driveways are proposed with this request. However, future redevelopment of Parcel 2 and Parcel 3 will require shared driveways, which may require reciprocal access easement(s) and driveway maintenance agreement(s) between the affected parcels at the time of redevelopment.

L. Street Connectivity and Formation of Blocks Required. *In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:*

- 1. Block Length and Perimeter. The maximum block length and perimeter, measured along the property/right-of-way line, shall not exceed:*
 - a. Residential Zoning. Six hundred (600) feet length and one thousand eight hundred (1,800) feet perimeter unless the previous adjacent layout or topographical conditions justify a variation;*
 - b. C-1 Zoning. Four hundred (400) feet length and one thousand four hundred (1,400) feet perimeter;*
 - c. C-3 Zoning. Six hundred (600) feet length only.*
 - d. Industrial Zoning. No Standard.*

Figure 3.2.110L Street Connectivity and Formation of Blocks

- 2. Exception. Exceptions to standards in subsection L1 may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions*

of section 3.2.120.A. Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles.

FINDING: This standard does not apply to the proposed land division since the subject parcel is 1.50 acres and is not large enough to create a new block or area-wide pedestrian circulation.

M. Driveway Openings. *Driveway openings shall be the minimum width necessary to provide the required number of vehicle travel lanes (ten (10) feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:*

- 1. Single family, two (2) family, and three (3) family uses shall have a minimum driveway width of ten (10) feet, and a maximum width of twenty-four (24) feet, except that one (1) recreational vehicle pad driveway may be provided in addition to the standard driveway for lots containing more than seven thousand (7,000) square feet of area.*
- 2. Multiple family uses with between four (4) and seven (7) dwelling units shall have a minimum driveway width of twenty (20) feet, and a maximum width of twenty-four (24) feet.*
- 3. Multiple family uses with more than eight (8) dwelling units, and off-street parking areas with sixteen (16) or more parking spaces, shall have a minimum driveway width of twenty-four (24) feet, and a maximum width of thirty (30) feet. These dimensions may be increased if the City determines that more than two (2) lanes are required based on the number of trips generated or the need for turning lanes.*
- 4. Access widths for all other uses shall be based on ten (10) feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in chapter 3.4.*
- 5. Driveway aprons (when required) shall be constructed of concrete to city standards and shall be installed between the street and the driveway or private drive, as shown above. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of three (3) feet in width, with a cross slope not exceeding two (2) percent.*

FINDING: The above standard permits one driveway onto S. State Street for each parcel, which is a minimum of 10 feet wide and a maximum of 25 feet wide, which is required to be illustrated at the time of a building permit. No flag lots are being created with this request.

N. Fire Access and Parking Area Turn-Arounds. *A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than one hundred fifty (150) feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner.*

FINDING: The nearest fire hydrant is located on the southwest corner of State and Valentine streets. The Fire District has been notified and had no comments or concerns on this request. No

shared driveways are proposed with this time. Future development of Parcel 2 and Parcel 3 will require the length of the shared driveways to comply with the above standard.

O. Vertical Clearances. *Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of thirteen (13) feet six (6) inches for their entire length and width.*

FINDING: This standard is not applicable.

P. Vision Clearance. *No signs, structures or vegetation in excess of three (3) feet in height shall be placed in "vision clearance areas", as shown in figure 3.2.110P. The minimum required vision clearance area may be increased by the city upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.).*

FINDING: This standard is not applicable since new signs or structures are not proposed.

Q. Flag Lots. *Flag lots may be created where the configuration of a parcel does not allow for standard width lots. A flag pole access drive may serve no more than two' (2) dwelling units, including accessory dwellings and dwellings on individual lots. A drive serving more than one lot shall conform to the standards in subsections 1-4 below:*

1. Driveway and Lane *width of all shared drives and lanes shall be twenty (20) feet of pavement with a minimum lot frontage width of twenty-five (25) feet wide throughout the driveway;*
2. Easement. *Where more than one (1) lot is to receive access from a flag pole drive, the owner shall record an easement granting access to all lots that are to receive access. The easement shall be so indicated on the preliminary plat;*
3. Maximum Drive Lane Length. *The maximum drive lane length is subject to requirements of the uniform fire code, but shall not exceed one hundred fifty (150) feet without an emergency turnaround approved by the city; and*
4. Area Calculation. *The flag pole portion of a lot shall not be counted for the purpose of meeting lot area requirements or determining setbacks.*

FINDING: No flag lots are proposed with this development.

R. Construction. *The following standards shall apply to all driveways and private streets:*

1. Surface Options. *Driveways, parking areas, aisles, and turn-arounds shall be paved with asphalt, concrete or comparable surfacing; alternatively, a durable non-paving material such as pavers, or other materials approved by the city may be used to reduce surface water runoff and protect water quality.*
2. Surface Water Management. *When a paved surface is used, all driveways, parking areas, aisles and turn-arounds shall have on-site collection or infiltration of surface waters to minimize sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.*

3. Driveway Aprons. *When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be constructed to city standards and paved with concrete surfacing. See subsection M, above.*

FINDING: Future homes on the proposed parcels are required to meet the requirements of the surface and storm water improvements of this section.

11. INFRASTRUCTURE STANDARDS

SECTION 3.5.100 Purpose and Applicability.

A. Purpose. *This section provides planning and design standards for transportation, sewer, water, and storm drainage infrastructure.*

B. When Standards Apply. *All development shall be served with adequate infrastructure including transportation, sewer, water, and storm drainage, in conformance with this section and consistent with the City's engineering design criteria.*

C. Standard Specifications. *The City of Sutherlin general engineering requirements and standard specifications for street, storm drain, sewer, and waterline construction are incorporated in this code by reference.*

D. Conditions of Development Approval. *No development may occur unless required public infrastructure is in place or guaranteed, in conformance with the provisions of this code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.*

FINDING: City sanitary sewer and water service is available to the parcels from existing lines in S. State Street. The three parcels can be served by City water and sewer. Water is available on the west side of S. State Street, while sewer is available on the east side of S. State Street.

Based on comments provided by City Public Works, the Developer shall install two 6" sewer mains across S. State Street, one at the south end of the subject property and one at the north edge of the property that will be shared with the southern two parcels of the adjoining property. Each water service shall be connected and metered at the main on S. State Street. Furthermore, in the event of future redevelopment, the City shall require each proposed parcel to front S. State Street. Each infrastructure connection shall also be located on S. State Street.

SECTION 3.5.110: Transportation Standards.

A. Purpose. *The purpose of this section is to implement the Transportation System Plan and protect the City's investment in the public street system. Upon dedication of streets to the public, the City accepts maintenance responsibility for the street. Failure to meet City standards may place an undue maintenance burden on the public, which may be only marginally benefited by the street improvement. Variances to street standards must be evaluated in this context.*

B. Development Standards. *No development shall occur unless the development has frontage onto or approved access from a public street, in conformance with the provisions of section 3.2, Access and Circulation, and the following standards are met:*

- 1. Private streets shall not be permitted, except as approved by a PUD. In approving a private street as part of a PUD the city must find that construction of a public street is impractical and the street will be constructed to a standard that approximates the city standards for public streets, except as modified to address physical site constraints. The city shall not be responsible for maintaining or improving any private street.*
- 2. Streets within and/or adjacent to a development shall be improved in accordance with the comprehensive plan, transportation system plan and the provisions of this section, as determined by the city.*
- 3. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public streets shall be dedicated to the applicable City, County or County jurisdiction.*
- 4. New streets and private streets shall be paved.*
- 5. The city may accept a future improvement guarantee (e.g. owner signs and records a city approved agreement to participate in local improvement assessment) in lieu of street improvements if one (1) or more of the following conditions exist:*
 - a. A partial improvement may create a potential safety hazard to motorists or pedestrians;*
 - b. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;*
 - c. The improvement would be in conflict with an adopted capital improvement plan;*
 - d. Requiring the applicant to bear the full cost of improvement would exceed the rough-proportionality standard in section 3.5.100D; or*
 - e. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new street.*

FINDING: The City finds the proposed parcels created by this land partition will each have frontage onto S. State Street. No additional development standards are required at this time to construct new streets. In addition, no private streets are proposed as a part of the this partition request.

C. Creation of Rights-of-Way for Streets and Related Purposes. *Streets shall be created through the approval and recording of a final subdivision or partition plat, or quit claim deed, provided that the street is deemed essential by the city for the purpose of implementing the comprehensive plan / transportation system plan, and the deeded right-of-way conforms to the standards of this code. All deeds of dedication shall be in a form prescribed by the city and shall name "the public," as grantee.*

FINDING: The City finds that no new streets are being created by the subject land partition. S. State Street has an existing 60 foot right-of-way where it fronts the subject property, which is within the street right-of-way range of 58' to 62' for a residential collector street. The City finds that an additional dedication of right-of-way from the subject property's frontage adjoining State Street is not required.

D. Creation of Access Easements. *Access easements are only allowed with a private street or drive meeting city standards for one single family unit. Access easements are discouraged in all residential districts, unless they are an integral part of a PUD, or required by the city for access management reasons (i.e., shared driveways along arterial streets). The city may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with section 3.2.110 (K), Access and Circulation. Access easements shall be created and maintained in accordance with the uniform fire code, section 10.207, and shall be shown and described on any final subdivision or partition plat that requires them.*

FINDING: The City finds that no access easements (i.e. shared driveways) are being created by the subject land partition. However, future redevelopment of Parcel 2 and Parcel 3 will require shared driveways, which may require reciprocal access easement(s) and driveway maintenance agreement(s) between the affected parcels at the time of redevelopment.

E. Street Location, Width and Grade. *Except as noted below, the location, width and grade of all streets shall conform to the transportation system plan, as applicable; and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:*

- 1. Street grades shall be approved by the city, in accordance with the design standards in subsection N, below; and*
- 2. Where the location of a street is not shown in an existing street plan (see subsection H), the location of streets in a development shall either:*
 - a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this section; or*
 - b. Conform to a street plan adopted by the city council, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.*

FINDING: The City finds that partial street improvements or right-of-way dedications along the parcel frontages are impractical at this time; and therefore are not required with this request. However, in the event that a local improvement district is formed in the future to upgrade S. State Street with improvements to meet full city street standards, the applicant is required to participate in the improvements as provided for in the local improvement district provisions of the City. The required waiver to participate in such an improvement district will be a condition of approval.

F. Minimum Rights-of-Way and Street Sections. *Street rights-of-way and improvements shall be the widths in Table 3.5.110. A variance shall be required in conformance with section 5.2.110 to vary the standards in Table 3.5.110. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:*

1. *Street classification in the comprehensive plan/transportation system plan;*
2. *Anticipated traffic generation;*
3. *On-street parking needs;*
4. *Sidewalk and bikeway requirements based on anticipated level of use;*
5. *Requirements for placement of utilities;*
6. *Street lighting;*
7. *Minimize drainage, slope, and wetland impacts;*
8. *Street tree location, as provided for in section 3.3;*
9. *Protection of significant vegetation, as provided for in section 3.3;*
10. *Safety and comfort for motorists, bicyclists, and pedestrians;*
11. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
12. *Access needs for emergency vehicles; and*
13. *Transition between different street widths (i.e., existing streets and new streets), as applicable.*

(See Table 3.5.110F Street and Parkway Design Standards)

FINDING: The existing 60 feet of S. State Street right-of-way is within the planned residential collector street width range of 58 feet to 62 feet.

H. Future Street Plan and Extension of Streets.

1. *The City shall require the submittal of a future street plan in conjunction with an application for a subdivision or partition when the subject request could affect development of the city's future street system. The purpose of the future street plan is to facilitate orderly development of an interconnected street system, provide greater certainty to the city and neighboring property owners, and allow for future growth in conformance with the comprehensive plan and transportation system plan. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within six hundred (600) feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions with future development*
2. *Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the city determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. Developers are encouraged to also install conduits for other utilities in coordination with those utilities. The point where the streets temporarily end shall conform to a-c, below:*
 - a. *These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.*
 - b. *A reflective barricade (e.g., fence, bollards, or similar vehicle barrier) shall be constructed at the end of the street by the partitioner or subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction*

over the street. The cost of the barricade shall be included in the street construction cost.

c. Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over one hundred (150) feet in length.

FINDING: The City finds there are no planned street connections on or adjoining the subject property.

I. Street Alignment and Connections.

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than three hundred (300) feet on such streets are created, as measured from the centerline of the intersecting streets.

2. Spacing between local street intersections shall have a minimum separation of one hundred twenty-five (125) feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.

3. All local and collector streets that abut or stub to a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns or compliance with other standards in this Code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than fifteen (15) percent for a distance of two hundred fifty (250) feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

4. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks.

5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to the following standards in chapter 3.2, Access and Circulation. The maximum block length shall not exceed:

a. Residential districts – Six hundred (600) feet;

Exceptions to the standards in a-b may be granted when an access way is provided at or near mid-block, in conformance with the provisions of section 3.2.120A.

FINDING: The City finds that no new streets, subdivisions or developments are proposed with this partition request, therefore this criterion is not applicable.

K. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

1. Streets shall have at least twenty-five (25) feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;

2. Intersections which are not at right angles shall have a minimum corner radius of twenty (20) feet along the right-of-way lines of the acute angle; and

3. *Right-of-way lines at intersection with arterial streets shall have a corner radius of not less than twenty (20) feet.*

FINDING: This section is not applicable because no new street sections are planned to be built.

L. Existing Rights-of-Way. *Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of partition, subdivision, or development, subject to the provision of section 3.5.100D.*

FINDING: The city has found that no additional right-of-way is required to be dedicated for S. Street as discussed in this report.

M. Cul-de-sacs. *A dead-end street shall be no more than four hundred (400) feet long, and shall only be used when open space (e.g., street ends at park or greenway), environmental, or topographical constraints; existing development patterns; or compliance with other standards in this code preclude street extension and through circulation. Such dead-end-street shall conform to all of the following standards:*

1. *The city may require a dead-end or cul-de-sac street to stub to the outer property line of the development when future street extension may be possible through redevelopment of an adjacent property (e.g., existing development on adjacent property could redevelop and allow extension in foreseeable future).*
2. *All cul-de-sacs exceeding one hundred fifty (150) feet shall terminate with a circular or hammer-head turnaround. Circular turnarounds shall have a radius of no less forty (40) feet (i.e., from center to edge of pavement); except that turnarounds may be larger when they contain a landscaped island or parking bay in their center. When an island or parking bay is provided, there shall be a fire apparatus lane of twenty (20) feet in width; and*
3. *The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.*

FINDING: A cul-de-sac or dead end street is not proposed or applicable with this request.

N. Grades and Curves. *Grades shall not exceed ten (10) percent on arterials, twelve (12) percent on collector streets, or twelve (12) percent on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet) when approved by the city engineer, and:*

1. *Curb radii shall not be less than seven hundred (700) feet on arterials, five hundred (500) feet on major collectors, three hundred fifty (350) feet on minor collectors, or one hundred (100) feet on other streets; and*
2. *Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization shall provide a landing averaging five percent or less. Landings are that portion of the street within twenty (20) feet of the edge of the intersecting street at full improvement.*

FINDING: This section is not applicable to this request.

O. Curbs, Curb Cuts, Ramps, and Driveway Approaches. *Concrete curbs, curb cuts, wheelchair and bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in section 3.2 Access and Circulation.*

FINDING: Construction of the future driveways accesses will be required to comply the applicable standards outlined above.

P. Street Names. *No street name shall be used that duplicates or could be confused with the names of existing streets in the vicinity of the city, except for extensions of existing streets. Street names, signs and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers. Street names shall conform to section 12.24, as amended, of the Sutherlin Municipal Code.*

FINDING: This section is not applicable because there are no new streets proposed that need to be named.

Q. Filed Street Survey and Survey Monuments Required. *Upon completion of a street improvement and prior to acceptance by the city, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the city that all boundary and interior monuments shall be reestablished and protected and required street survey(s) have been filed.*

FINDING: This section is not applicable as no street improvements, including acceptance by the City, are required with this request.

R. Street Signs. *The city, county or county with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.*

FINDING: No new street signs are required as part of this land partition.

S. Mail Boxes. *Plans for mail boxes to be used shall be approved by the United States Postal Service.*

FINDING: This section is not applicable for this request. Future development will require compliance, as outlined above.

T. Street Light Standards. *Street lights shall be installed in accordance with city standards.*

FINDING: This section is not applicable to this request. No new street improvements are proposed with this partition.

U. Street Cross-Sections. *The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final city acceptance of the roadway.*

1. *Sub-base and leveling course shall be of select crushed rock;*
2. *Surface material shall be of Class C or B asphaltic concrete;*
3. *The final lift shall be Class C asphaltic concrete as defined by A.P.W.A. standard specifications; and*
4. *No lift shall be less than one and one half (1 ½) inches in thickness.*

FINDING: This section is not applicable because there are no new streets are proposed.

12. APPROVAL CRITERIA – TENTATIVE PLAN

SECTION 4.4.140 Approval Criteria - Tentative Plan. The city shall approve, approve with conditions or deny a tentative plan based on the following approval criteria:

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

FINDING: The City finds this criterion is not applicable because a subdivision is not proposed and partitions are not named.

B. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to uniformly transition to such facilities in existing or approved subdivisions and partitions on adjoining property as to width, general direction and in all other respects.

FINDING: The City finds that S. State Street is a collector street and the Sutherlin TSP designates this section of the street is to be upgraded with sidewalks and bike lanes connecting to the proposed east-west Parkway. The City finds that a waiver of remonstrance for a possible future Local Improvement District (LID) to finance the improvements is required as a condition of approval.

C. Lot Size and Residential Density. The subdivision meets the lot size and residential density standards required by the zoning district (chapter 2)

FINDING: The City finds the R-1 residential lot size standards have been met as discussed earlier in this report. The R-1 density standards encourage up to 6 dwelling units per net acre of land. The 1.50 acre parcel is adding 2 potential dwelling units to the housing inventory with this request. Future development of Parcel 2 and Parcel 3 could add an additional 4 parcels, for a total of six (6) additional potential dwelling units. This total is within the R-1 density minimum-maximum of 0-6 dwellings per acre.

D. When dividing a tract into large lots or parcels (i.e. greater than two times or 200 percent the minimum lot size allowed in the underlying zoning district, the lots parcels are of such size, shape and orientation as to facilitate future re-division in accordance with the requirements of the zoning district and this code.

FINDING: The City finds the underlying minimum lot size in the R-1 zone is 7,500 square feet. Parcel 1 will be 0.28± acres (12,197± sq.ft.) in size with an existing house and outbuilding, and will not be of sufficient area to permit redevelopment. Parcels 2 and 3 will be 0.60± acres

(26,136± sq.ft.) and 0.62± acres (27,007± sq.ft.) in size, respectively. Both are vacant of structures.

The applicant has submitted a proposed redevelopment plan that identifies the possible future division of the Parcels 2 and 3. Based upon comments from City Public Works regarding parcel frontage for access and utilities, the applicant/property owner(s) will be required to submit a modified redevelopment plan that addresses the comments from Public Works as a conditional of approval.

- E. Block and lot standards.** *All proposed blocks (i.e., one (1) or more lots bound by public streets), lots and parcels conform to the specific requirements below:*
- 1. All lots and blocks shall comply with the lot area, setback, and dimensional requirements of the applicable zoning district (chapter 2), and the standards of section 3.2 Access and Circulation, and the flag lot standards of section 3.2.110 (Q), if applicable.*
 - 2. Setbacks shall be as required by the applicable zoning district (chapter 2).*
 - 3. Every lot shall conform to the standards of section 3.2, Access and Circulation.*
 - 4. The applicant may be required to install landscaping, walls, fences, or other screening as a condition of subdivision approval. See also, chapter 2 Zoning Districts, and section 3.3, Landscaping, Street Trees, Fences and Walls.*
 - 5. In conformance with the uniform fire code, a twenty (20) foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than one hundred fifty (150) feet from a public right-of-way or approved access drive. See also, section 3.2 Access and Circulation.*
 - 6. Where a common private 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 and the county clerk's reference number shown on the face of the plat.*

FINDING: The City finds the proposal complies with the R-1 zone development standards as described earlier in this report. The proposal has raised no fire access concerns. The three parcels will each have direct access onto S. State Street.

E. Minimize Flood Damage. *All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway. Development in a one hundred (100) year flood plain shall comply with federal emergency management agency requirements, including filling to elevate structures above the base flood elevation. The applicant shall be responsible for obtaining such approvals from the appropriate agency before city approval of the final plat.*

FINDING: The City finds the property is not located in a designated flood plain.

F. Determination of Base Flood Elevation. *Where a development site consists of ten (10) or more lots, or is located in or near areas prone to inundation, and the base flood*

elevation has not been provided or is not available from another authoritative source, it shall be prepared by a qualified professional, as determined by the Director.

FINDING: The City finds that the subject site is not within a floodplain as indicated on the FEMA maps dated February 17, 2010.

G. *Need for Adequate Utilities.* *All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to prevent or minimize flood damage to the extent practicable.*

FINDING: The City finds public and private utilities can be made available to the proposed three parcels.

H. *Need for Adequate Drainage.* *All subdivision and partition proposals shall have adequate surface water drainage provided to reduce exposure to flood damage. Water quality or quantity control improvements may be required.*

FINDING: The City finds this criterion is not applicable until such time as a home is proposed on each parcel and provisions for drainage are determined.

I. *Floodplain, Park, and Open Space Dedications.* *Where land filling and/or development is allowed within or adjacent to the one hundred (100) year flood plain outside the zero-foot rise flood plain, and the comprehensive plan designates the subject flood plain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway adjoining or within the flood plain. When practicable, this area shall include portions at a suitable elevation for the construction of a pedestrian/bicycle pathway within the flood plain in accordance with the city's adopted trails plan or pedestrian and bikeway plans, as applicable. The city shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact to the park and/or trail system, consistent with section 3.5, and section 3.5.100.D in particular.*

FINDING: The City finds the Sutherlin Comprehensive Plan does not designate the property as flood plain, a future park or open space development. Furthermore, no development is proposed on the vacant lots at this time.

K. *Phased Development.* *The city may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be greater than two (2) years without reapplying for a tentative plan approval. The criteria for approving a phased land division proposal are:*

- 1. Public facilities shall be constructed in conjunction with or prior to each phase;*
- 2. The development and occupancy of any phase dependent on the use of temporary public facilities shall require city receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 4.4.180. A temporary public facility is any facility not constructed to the applicable city standard;*

3. *The phased development shall not result in requiring the city or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal.*

FINDING: The City finds a development phasing plan is not applicable to the partition. The applicant will have two years to finalize the proposed partition plan, as stated in the conditions of approval.

L. Lot Size Averaging. *The city may allow residential lots or parcels less than the minimum lot size under the applicable zoning district for projects that provide common open space or active recreation land and facilities. Such open space shall provide public access easements containing paved trails. The lot or parcel sizes shall meet the following:*

1. *The average area for all residential lots or parcels shall not be less than that allowed by the underlying zone; and*
2. *No lot or parcel created under this provision shall be less than eighty (80) percent of the minimum lot size allowed in the underlying zone.*

For example, if the minimum lot size is seven thousand five hundred (7,500) square feet, the following three (3) parcels could be created as part of a single partition application: six thousand (6,000) square feet, seven thousand five hundred (7,500) square feet, and nine thousand (9,000) square feet.

FINDING: The City finds this criterion is not applicable because the partition is for a total of three parcels which exceed the minimum R-1 lot size; therefore there is no reason for the applicant to request lot averaging.

M. Temporary Sales Office. *A temporary sales office in conjunction with a subdivision may be approved as set forth in section 4.10.100, Temporary Uses.*

FINDING: The City finds this criterion is not applicable since this is a land partition.

N. Conditions of Approval. *The city may attach such conditions as are necessary to carry out provisions of this code, and other applicable ordinances and regulations, and may require landscape screening between uses, or access reserve strips granted to the city for the purpose of controlling access to adjoining undeveloped properties. See also, section 3.5.100.D (Infrastructure).*

FINDING: The City finds there are conditions necessary to assure the land division is recorded in compliance with City requirements as stated in this report. The conditions are listed below in the decision.

Additional Criteria

13. **Site Analysis (Section 4.4.130B.7):** *Wetland and floodplain, including wetland areas, streams, wildlife habitat and other areas identified by the city or natural resource regulatory as requiring protection.*

FINDING: Mapping from the City of Sutherlin shows that a portion of the subject property contains identified wetlands. The wetlands appear to be located primarily in the northern half of the property in the area for proposed Parcel 2, and do not appear to affect proposed Parcels 1 or 3. Prior to structural development on proposed Parcel 2, the applicant shall coordinate with the Oregon Department of State Lands to address any necessary mitigation of wetlands on the subject property.

4.4.160 Final Plat Submission Requirements and Approval Criteria.

A. Submission Requirements. *Final plats shall be reviewed and approved by the city prior to recording with Douglas County. The applicant shall submit the final plat within two (2) years of the approval of the tentative plan as provided by section 4.4.120. Specific information about the format and size of the plat, number of copies and other detailed information can be obtained from the city. The city will not accept as complete an application for final plat until the tentative plan has been approved.*

B. Approval Criteria. *By means of a Type I procedure the director shall review the final plat and shall approve or deny the final plat based on findings regarding compliance with the following criteria:*

- 1. The final plat complies with the approved tentative plan, and all conditions of approval have been satisfied;*
- 2. All public improvements required by the tentative plan have been installed and approved by the planning director. Alternatively, the developer has provided a performance guarantee in accordance with section 4.4.180;*
- 3. The streets and roads for public use are dedicated without reservation or restriction other than revisionary rights upon vacation of any such street or road and easements for public utilities;*
- 4. The streets and roads held for private use have been approved by the city as conforming to the tentative plan and, where applicable, the associated PUD;*
- 5. The plat contains a dedication to the public of all public improvements, including but not limited to streets, public pathways and trails, access reserve strips, parks, and sewage disposal, storm drainage, and water supply systems;*
- 6. The applicant has provided copies of all recorded homeowners association Codes, Covenants, and Restrictions (CC&R's), deed restrictions, private easements and agreements (e.g., for access, common areas, parking, etc.), and other recorded documents pertaining to common improvements recorded and referenced on the plat;*
- 7. Water and sanitary sewer service is available to each and every lot, is provided; or bond, contract or other assurance has been provided by the subdivider to the city that such services will be installed in accordance with section 3.5, Infrastructure Standards, and the bond requirements of section 4.4.180. The amount of the bond, contract or other assurance by the subdivider shall be determined by a registered professional engineer, subject to review and approval by the city; and*
- 8. The plat contains an affidavit by the surveyor who surveyed the land represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92, and indicating the initial point of the survey, and giving the dimensions and kind of such monument, and its*

reference to some corner established by the U.S. Geological Survey or giving two or more permanent objects for identifying its location.

FINDING: The City finds the applicant shall meet final plat submission requirements and approval criteria in the Sutherlin Development Code, Section 4.4.160 listed above. The applicant shall conform to all applicable requirements of Section 3.5 Infrastructure Standards of the Sutherlin Development Code.


DECISION

Based on the Director's review of the material, exhibits received in evidence, and the above Findings of Fact, the requested Land Partition has been found to be in sufficient compliance with the applicable Comprehensive Plan and Sutherlin Development Code provisions to warrant tentative approval. This requested Land Partition is hereby **TENTATIVELY APPROVED**, subject to the following conditions:

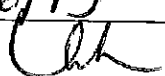
1. The applicant shall submit a final Land Partition Plat which substantially conforms to the approved preliminary Plan in all aspects except as specifically conditioned by the Community Development Director, as well as the general standards and survey plat requirements prescribed by the Sutherlin Development Code. Any alterations shall be reviewed by the Planning Department.
2. The applicant shall meet all requirements of final plat submission and approval criteria in Section 4.4.160 of the Sutherlin Development Code. The final plat shall be filed within two (2) years of this approval, unless an extension is granted pursuant to Section 4.4.120 of the SDC.
3. The applicant shall submit a modified redevelopment plan showing the future development of Parcels 2 and 3, which addresses the City Public Works' comments regarding frontage for driveway accesses and utilities.
4. The applicant shall coordinate with the Oregon Department of State Lands to address any necessary mitigation of wetlands on the subject property.
5. The applicant shall comply with applicable local, county, state and federal regulations as applicable to the partition.
 - a. At the time of a building permit proposal on any of the new parcels, the permit shall indicate compliance with Development Code Section 2.2 R-1 building setbacks and lot coverage requirements; and the driveway separation, surface improvement and storm water runoff requirements of Development Code Section 3.2.110 Vehicle Access and Circulation.
6. The applicant shall obtain an access permit from the City Superintendent of Public Works for the three existing and/or proposed access locations onto S. State Street.
7. The property owner(s) shall enter in a Waiver of Remonstrance Agreement with the City for the subject property agreeing to participate in a local improvement district to upgrade S. State Street to collector street standards if said district is formed in the future. The Waiver shall be recorded with Douglas County Clerk with the final partition plat. The necessary form can be obtained from the City.

8. The applicant shall clearly identify all public and private access, utility or storm water easements on the final plat, which must be in conformance with the minimum requirements of the City.
 - a. If necessary, the Superintendent of Public Works will identify any necessary utility easements needed on the final plat.
9. All utilities shall be designed per standards to be located underground, pursuant to Section 3.5.150 of the Sutherlin Development Code.
10. The applicant shall provide a letter from the Superintendent of Public Works certifying that all required improvements have been constructed to standards or an Improvement Agreement and Security as defined by the Subdivision Ordinance have been met.

DECISION FOR APPROVAL:


Vicki Luther
Community Development Director

12/29/15
Date Approved

Date Mailed 12/30/15


FOR YOUR INFORMATION

LAND USE ACTIVITY WORKSHEETS

2015-80	137 MILLER ST
2015-81	1436 W CENTRAL AVE
2016-01	1116 W CENTRAL AVE - DEMO
2016-02	1000 E CENTRAL #33




Community Development
126 E Central Avenue
Sutherlin, OR 97479
(541) 459-2856

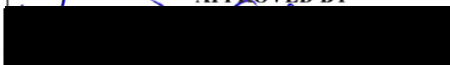
CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2015-80	APPLICANT CLAUDE WRIGHT 137 MILLER ST SUTHERLIN OR 97479 541-315-2425	OWNER CLAUDE WRIGHT 137 MILLER ST SUTHERLIN OR 97479 541-315-2425
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SITE INFORMATION

SITE ADDRESS 137 MILLER ST	TAX ACCOUNT NUMBER R50220	M-TL 25-05-20BB-01800	SIZE (ACRES) 0.26
IMPROVEMENT CONSTRUCT 8 X 10 STORAGE SHED			
EXISTING STRUCTURES (NUMBER AND TYPE) SFD		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE CENTRAL TO MILLER STREET TO PROPERTY AT 137 MILLER.			
As, for, or on behalf of, all property owners:			
Applicant Signature: 		Date: <u>12-28-15</u>	

PLANNING DEPARTMENT INFORMATION

ZONING R2		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT	EXT. SIDE 10FT
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT 10FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE NA		
CONDITIONS OF APPROVAL:		REFER TO:		
AUTHORIZED TO CONSTRUCT 8 X 10 STORAGE SHED. MUST MEET ZONE/SETBACK REQS,				
APPROVED BY 	DATE DECEMBER 28, 2015	EXPIRATION DATE DECEMBER 28, 2016		
FEES PUBLIC UTILITES	CITY WATER NO	RECEIPT CITY SEWER NO	ACCESS PERMIT NO	



Community Development
126 E Central Avenue
Sutherlin, OR 97479
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CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2015-81	APPLICANT DOUBLE R PRODUCTS 901 NW E ST GRANTS PASS OR 97526 541-476-1387	OWNER TRUAX CORPORATION PO BOX 3002 CORVALLIS OR 97339
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SITE INFORMATION

SITE ADDRESS 1436 W CENTRAL	TAX ACCOUNT NUMBER R45033	M-TL 25-05-19AB-5000	SIZE (ACRES) 0.54
IMPROVEMENT AUTHORIZE REPLACEMENT SIGNAGE FOR EXISTING GAS STATION			
EXISTING STRUCTURES (NUMBER AND TYPE) FUELING CANOPY, COMMERCIAL BLDG & SHED		DISTANCE OF BUILDING SITE FROM SURFACE WATER > 50 FEET	
DIRECTIONS FROM CENTRAL AVENUE CENTRAL TO 1436 W CENTRAL			
As, for, or on behalf of, all property owners:			
Applicant Signature: <u>SEE ATTACHED</u>		Date: _____	


PLANNING DEPARTMENT INFORMATION

ZONING C3	OVERLAYS None			
SETBACKS				
FRONT GARAGE 0FT	FRONT PROPERTY LINE 0FT	REAR 10FT	SIDE 0FT	EXT. SIDE 0FT
SIGN CODE SEE CONDITIONS	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		

CONDITIONS OF APPROVAL:

REFER TO: Douglas County

AUTHORIZE REPLACEMENT SIGNAGE FOR EXISTING GAS STATION (GROUND SIGN AND CANOPY SIGNS). NO NET INCREASE IN SIGN HEIGHT. MUST MEET ZONE/SETBACK REQUIREMENTS.

APPROVED BY 	DATE DECEMBER 29, 2015	EXPIRATION DATE DECEMBER 29, 2016	
FEES PUBLIC UTILITES	\$50.00 CITY WATER NO	RECEIPT # CITY SEWER NO	47985 ACCESS PERMIT NO



Community Development
126 E Central Avenue
Sutherlin, OR 97479
(541) 459-2856


CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
DEMOLITION

WORKSHEET NUMBER 2016-01	APPLICANT TIMBER TOWN LAND LLC 1116 W. CENTRAL AVE SUTHERLIN OR 97479 541-643-9748	OWNER TIMBER TOWN LAND LLC 1116 W. CENTRAL AVE SUTHERLIN OR 97479 541-643-9748
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SITE INFORMATION

SITE ADDRESS 1116 W. CENTRAL AVE	TAX ACCOUNT NO. R50395	M-TL 25-05-19AA-04900	SIZE (ACRES) 1.11
IMPROVEMENT DEMOLISH EXISTING 1940 SFD AND SHED			
EXISTING STRUCTURES (NUMBER AND TYPE) 1940 SFD & SHED		DISTANCE OF BUILDING SITE FROM SURFACE WATER > 50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL TO PROPERTY AT 1116 W CENTRAL			
As, for, or on behalf of, all property owners: Applicant Signature: <u>SEE ATTACHED</u> Date: _____			

PLANNING DEPARTMENT INFORMATION

ZONING C3 & R3	OVERLAYS None			
SETBACKS				
FRONT GARAGE N/A	FRONT PROPERTY LINE N/A	REAR N/A	SIDE N/A	EXT. SIDE N/A
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT N/A	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL: DEMOLISH EXISTING DILAPIDATED 1940 SFD AND SHED.		REFER TO: Douglas County		
APPROVED BY 	DATE JANUARY 5, 2016	EXPIRATION DATE JANUARY 5, 2017		
PUBLIC UTILITIES	CITY WATER NO	CITY SEWER NO	ACCESS PERMIT NO	




Community Development
126 E Central Avenue
Sutherlin, OR 97479
(541) 459-2856


CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
MANUFACTURED

WORKSHEET NUMBER 2016-02	APPLICANT SILVER GLEN 1200 E CENTRAL AVE SP 85 SUTHERLIN OR 97479 541-643-1241	OWNER ELSIE BELDT 827 BLACK DIAMOND WAY STE A LODI CA 95242 541-643-1241
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SITE INFORMATION

SITE ADDRESS 1000 E CENTRAL AVE SP#33	TAX ACCOUNT NUMBER R42731	M-TL 25-05-16CD-00300	SIZE (ACRES) 8.73
IMPROVEMENT PLACE MH IN SPACE 33 OF EXISTING MH PARK			
EXISTING STRUCTURES (NUMBER AND TYPE) MH PARK		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE APPROXIMATELY TWO MILES EAST ON CENTRAL FROM I-5 TO PROPERTY ON THE RIGHT.			
As, for, or on behalf of, all property owners: Applicant Signature:  Date: 1-6-16			

PLANNING DEPARTMENT INFORMATION

ZONING R2	OVERLAYS None			
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT	EXT. SIDE 10FT
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED 2 SPACES		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE NA		
CONDITIONS OF APPROVAL:		REFER TO: Douglas County		
AUTHORIZED TO PLACE MH IN SPACE 33 OF EXISTING MH PARK AT 1000 E CENTRAL AVE. MUST MEET ZONE/SETBACK REQS, INCLUDING SECTION 2.6.170 OF THE DEVELOPMENT CODE. MUST MEET THE UBC FOR MH PARKS.				
APPROVED BY 	DATE JANUARY 6, 2016	EXPIRATION DATE JANUARY 6, 2017		
FEE PUBLIC UTILITIES	\$25.00 CITY WATER YES	RECEIPT CITY SEWER YES	FEE APPLIED TO CREDIT ACCESS PERMIT NO	