



City of Sutherlin
Special Planning Commission Meeting
Tuesday, August 29, 2017
7:00 p.m. – Sutherlin Civic Auditorium

Agenda

Pledge of Allegiance

Introduction of Media

Approval of Minutes

May 2, 2017 - Special Meeting

May 23, 2017 – Special Meeting

Quasi-Judicial Public Hearing(s)

1. SUTHERLIN FAMILY CHURCH, request for a Conditional Use Permit for the existing church facility on the property. This review includes the removal of a portion of the existing facility (secondary building and modular unit) and a new replacement addition on the east of the existing church and a modified parking area. The subject 1.42 acre property is located on south side of W. Sixth Avenue at its intersection with W. Branton Street in the City of Sutherlin. It is described as Tax Lots 6800, 6900 and 6901 in Section 18DD, T25S, R5W, W.M.; Property I.D. Nos. R51151, R51144 & R51137; and is addressed as 878 W. Sixth Avenue. The property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential by the Sutherlin Development Code. **PLANNING DEPARTMENT FILE NO. 17-S014.**

2. CITY OF SUTHERLIN; Urban Growth Boundary (UGB) Amendment involving the exchange of approximately 302± acres. The areas to be removed from the UGB are the City's 202± acre Ford's Pond property located on the west side of Church Road and a 100± acre property located off S. State Street on Schoon Mountain. The area proposed to be added to the UGB is primarily located at the southwest corner of Exit 136 on the south side of W. Central Ave and Fort McKay Road, and is generally bounded by Schudeiske Road on the west and Parkhill Lane and Trails End Lane on the southeast adjacent to Interstate 5. **PLANNING DEPARTMENT FILE NO. 17-S015.**

Monthly Activity Report(s)

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, MAY 2, 2017**

COMMISSION MEMBERS PRESENT: Mandi Jacobs, Patricia Klassen, William Lee, John Lusby, Richard Price, Michelle Sumner

COMMISSION MEMBERS EXCUSED: Sam Robinson

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Brian Elliott, Community Development Director and Kristi Gilbert, Community Development Specialist and Lisa Hawley, City Planner

AUDIENCE: Ray Corvinus, Delmar Towler, Aubree Brown and John Klassen

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 March 21, 2017 Planning Commission meeting; second made by Commissioner Price.

In favor: Commissioners Jacobs, Klassen, Lee, Price, Sumner and Chair Lusby

Opposed: None

Motion carried unanimously.

QUASI-JUDICIAL PUBLIC HEARING

1. **DELMAR TOWLER, on behalf of the SEVENTH DAY ADVENTIST CHURCH**, request for a Variance to R-2 Sign Standards to allow for two new replacement signs: one 9' x 6' internally illuminated church sign with reader board approx. 10', high, and one 3' x 6' electronic reader board sign, approx. 5' 6" high for the school; along with a Variance to the setbacks. The subject 4.46 acre property is located on the north side of W. Central Avenue, east of its intersection with Taylor Street, in the City of Sutherlin. The subject property is described as Tax Lot 400 in Section 17CC, T25S, R5W, W.M.; Property I.D. No. R51088; and is addressed as 841 W. Central Ave. The property is designated both High and Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-3) High Density Residential and (R-2) Medium Density Residential by the Sutherlin Development Code. **PLANNING DEPARTMENT FILE NO. 17-S005.**

Chair Lusby opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable materials to be relied upon in making a decision.

Lusby asked the Commission if there were any conflicts of interest or personal bias; hearing none, Lusby then asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lusby asked for the Staff Report.

Lisa Hawley, City Planner, entered Staff Exhibits 1-10, including the Staff Report into the record. She then identified the parties in the matter and summarized the Staff Report into the record.

Commissioner Klassen expressed concern about the number of sign variances being requested, although she clarified that her comments were not directed to the requested application.

APPLICANT'S TESTIMONY

Delmar Towler, on behalf of the Seventh Day Adventist Church, Sutherlin, stepped forward and explained the sign proposal and that the church wanted to decrease the overall size of the proposed church sign and withdrawal its request for the school sign. He discussed other oversized signs in the immediate area and submitted copies of four photographs, Applicant's Exhibit No. 1, including pictures of other signs that may be impeding views or vision clearance.

TESTIMONY IN FAVOR

There was no testimony in favor of the matter.

TESTIMONY IN OPPOSITION

Aubree Brown, property manager for Falcon Ridge Park, an adjacent owner to the northeast, stated that Mr. Towler had addressed their concerns about the lighting and size of the proposed sign, and that they no longer had any objections.

Discussion ensued regarding several clarifying questions of the applicant, including: type of message board sign and its capabilities, limiting the lighting & brightness of the sign, readability of the sign, height, and the existing setback from Central Ave with the new location. The Commission noted its main concern was the potential for the reader board to contain flashy, animated or scrolling type messages that would become a distraction or have a negative visual impact to the area. The Commission discussed adding a condition of approval to the variance to restrict the sign from becoming a distraction, similar to the requirements of Section 3.7.190.(C), which prohibits signs that are animated, flashing, blinking, strobing, and traveling lights or any design created to give the illusion of motion, except that the prohibition does not include electronic message signs.

With no further testimony, Chair Lusby closed the public portion of the hearing.

A motion made by Commissioner Jacobs to approve the requested Class C Variance to the R-2 Sign Standards and Variance to the Front Setback to permit installation of the requested sign, as modified by the applicant during the public hearing, and subject to the following condition of approval: (1) The proposed sign shall not be animated, flashing, blinking, strobing, or contain traveling lights, or otherwise have any design created to give the illusion of motion; second made by Commissioner Price.

In favor: Commissioners Jacobs, Klassen, Lee, Price, Sumner and Chair Lusby

Opposed: None

Motion carried unanimously.

2. **RAY CORVINUS**, request for a Variance to Fence Height Standards to authorize installation of a 6'11" fence (6' decorative metal fence with 11" lighting units) on a 0.29 acre property located on the north side of W. Central Avenue, immediately east of its intersection with Sherman Street, in the City of Sutherlin. The property is described as Tax Lot 4300 in Section 17CC, T25S, R5W, W.M.; Property I.D. No. R51039; and is addressed as 667 W. Central Avenue. The property is designated both Community Commercial by the Sutherlin Comprehensive Plan and zoned (C-3) Community Commercial by the Sutherlin Development Code. **PLANNING DEPARTMENT FILE NO. 17-S006.**

Chair Lusby opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable materials to be relied upon in making a decision.

Lusby asked the Commission if there were any conflicts of interest or personal bias; hearing none, Lusby then asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lusby asked for the Staff Report.

Lisa Hawley, City Planner, entered Staff Exhibits 1-10, including the Staff Report into the record. She then identified the parties in the matter and summarized the Staff Report into the record.

APPLICANT'S TESTIMONY

Ray Corvinus, P.O. Box 719, Elkton, stepped forward and indicated that he concurred with the Staff Report.

Discussion ensued about the fence, particularly about the height of it and the proposed light fixtures. Mr. Corvinus clarified that the fence would be a 6' decorative metal fence with 11" solar light fixtures on the main fence posts, approximately 10 feet apart, and run approximately 125' in length along the front property line. No use of prohibited materials is proposed.

TESTIMONY IN FAVOR

There was no testimony in favor of the matter.

TESTIMONY IN OPPOSITION

There was no testimony in opposition of the matter.

With no further testimony, Chair Lusby closed the public portion of the hearing.

A motion made by Commissioner Sumner to approve the requested Class C Variance to the Height Standards to permit installation of a 6'11" fence (6' ornamental metal fence with 11" light fixtures) along the front (south) property line on W. Central Avenue on the subject 0.29 acre property; second made by Commissioner Jacobs.

In favor: Commissioners Jacobs, Klassen, Lee, Price, Sumner and Chair Lusby

Opposed: None

Motion carried unanimously.

MONTHLY ACTIVITY REPORT

Brian Elliott, Community Development Director, provided the Planning Commission an update on 2017 City Projects.

- Wastewater Treatment Plant 90% Design, Final Plans will be available July 3, 2017, with construction to start in approximately September, 2017.
- Central Avenue Pavement project will run from Central Avenue to the Eastern City Limits. In approximately the beginning of June, the City will go out for bid on the project. The project is being proposed as two construction phases; with phase one being the ADA ramps and sidewalks and the second phase being the grind and inlay.
- North Comstock construction is proposed to begin mid-month.
- Central Park Playground Rehabilitation will begin this month pending the weather. The City is anticipating four to six weeks for construction.
- The Water Master Plan is on track.
- The 14" Force Main is complete; however, the City is requiring the contractor to fix the asphalt.
- Downtown Parking during construction has been addressed. The City has graveled the parking area located behind the various downtown businesses.

PUBLIC COMMENT - None

COMMISSION COMMENTS – Commissioner Sumner inquired if the potholes on S. State would be repaired. Staff will look into the matter.

Commissioner Jacobs expressed her concern with the contractors on N. Comstock leaving their trash behind on site, and if the City can ask them to clean up at the end of the day.

Commission Klassen inquired about the concrete water pots. Staff indicated they will set up a meeting to address the matter.

ADJOURNMENT - With no further business the meeting was adjourned at 7:57 pm.

Respectfully submitted,

Kristi Gilbert

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2017.

John Lusby, Commission Chair

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, MAY 23, 2017**

COMMISSION MEMBERS PRESENT: Mandi Jacobs, Patricia Klassen, William Lee, John Lusby, Richard Price, Michelle Sumner

COMMISSION MEMBERS EXCUSED: Sam Robinson

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Brian Elliott, Community Development Director and Kristi Gilbert, Community Development Specialist and Lisa Hawley, City Planner

AUDIENCE: Dave and Pam Sawaya, Joy Hanson, Bob Prehall and Michael Brown

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

FLAG SALUTE

INTRODUCTION OF MEDIA: None

QUASI-JUDICIAL PUBLIC HEARING

1. **535 S. STATE LLC**, request for a Class C Variance to Road Standards for a 0.62 acre unit of land located on the west side of S. State Street in the City of Sutherlin. The Sutherlin Development Code (SDC) limits access off a flag lot to two units of land, without improvement of the access road to applicable City standards. The applicant is requesting the variance to allow one additional unit of land to access onto S. State Street via a proposed 25 foot access & utility easement due to development constraints on the subject property. The subject 0.62 acre property is described as Tax Lot 1101 in Section 20AC, T25S, R5W, W.M.; Property ID No(s). R145139. 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. 17-S007.**

Chair Lusby opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable materials to be relied upon in making a decision.

Lusby asked the Commission if there were any conflicts of interest or personal bias; Commissioner Sumner disclosed that she drives by the subject property on her daily route. Lusby then asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lusby asked for the Staff Report.

Lisa Hawley, City Planner, entered Staff Exhibits 1-9, including the Staff Report into the record. She then identified the parties in the matter and summarized the Staff Report into the record.

APPLICANT'S TESTIMONY

Bob Prehall for 535 S. State LLC, 1670 Lookingglass Road, Roseburg, stepped forward and provided clarifying testimony about the requested variance. He explained why the variance was requested and that options to mitigate the wetlands were severely limited. He stated that he was not aware of the wetlands prior to application for the land division. He contended that the requested variance will protect the wetlands on the property, but will allow the building of a dwelling on the subject property. He commented that every variance could set a precedent.

TESTIMONY IN FAVOR

There was no testimony in favor.

TESTIMONY IN OPPOSITION

David Sawaya, 555 S State St, Sutherlin, stepped forward and stated that he is buying a portion of the subject property from the applicant under an unrecorded land sales contract. Mr. Sawaya expressed strong opposition to the variance. He stated he was told when he purchased the property that the access easement in question would only serve two lots. His dwelling at 555 S. State St is located at the west end of the easement. He stated that he felt the variance is being done to save money and cut costs of development.

APPLICANT'S REBUTTAL

Mr. Prehall explained that he was not doing the variance to save costs, but to make reasonable use of his property. Mr. Prehall also answered questions from the Planning Commission on the wetlands, including the status of the submittal of the wetland delineation permit to DSL (Department of State Lands), which hadn't occurred as of the time of the public hearing. Mike Brown, on behalf of the applicant, also commented on trying to develop a usable portion of the property outside of the wetlands.

The Planning Commission asked several clarifying questions of staff and the applicant regarding the status of the wetlands permit with DSL, as well as the paving of the shared access easement. Mr. Brown, on behalf of the applicant, stated that the access driveway has been paved. Mr. Sawaya commented that no ground cloth was laid down for the paving and questioned the longevity of the asphalt.

Chairman Lusby commented that in years past, the City had many issues with the number of driveways coming off flag lots, resulting in negative impacts on development, and explained that the City did amendments to their code to limit the number of driveways off a flag lot.

Discussion ensued regarding one additional user on the 25-foot shared driveway not being materially detrimental to the purposes of the Development Code or to other properties in the same land use district or vicinity. The Commission further discussed, based on the existing wetlands and the proximity of the first dwelling on the shared driveway easement to the right-of-way of S. State Street, that a precedent has not been created to allow more parcels on a private shared driveway or access easement without improvement to full City standards. It was discussed that a fire turn-around may be required at the time of future structural development of the subject property due to the length of the access driveway.

Chair Lusby closed the public portion of the hearing.

A motion made by Commissioner Sumner to approve the requested Variance to Road Standards for a 0.62 acre unit of land; second made by Commissioner Jacobs.

In favor: Commissioners Jacobs, Lee, Price, Sumner and Chair Lusby

Opposed: None

Motion carried unanimously.

PUBLIC COMMENT - None

COMMISSION COMMENTS – None

ADJOURNMENT - With no further business the meeting was adjourned at 7:36 pm.

Respectfully submitted,

Kristi Gilbert

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2017.

John Lusby, Commission Chair



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

City of Sutherlin

August 22, 2017

STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Lisa Hawley, Community Services Planner

RE: **SUTHERLIN FAMILY CHURCH**, request for a Conditional Use Permit for the existing church facility on the property. This review includes the removal of a portion of the existing facility (secondary building and modular unit) and a new replacement addition on the east of the existing church and a modified parking area. The subject 1.42 acre property is located on south side of W. Sixth Avenue at its intersection with W. Branton Street in the City of Sutherlin. It is described as Tax Lots 6800, 6900 and 6901 in Section 18DD, T25S, R5W, W.M.; Property I.D. Nos. R51151, R51144 & R51137; and is addressed as 878 W. Sixth Avenue. The property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential by the Sutherlin Development Code. **PLANNING DEPARTMENT FILE NO. 17-S014.**

STAFF EXHIBITS

1. Notice of Public Hearing with affidavit of mailing
2. Copy of Legal Notice posted in the News Review
3. Property Owners within 100 Feet
4. Staff Report with Responses Attached
5. Conditional Use Permit application and attachments
6. Vicinity Map
7. Assessor Maps
8. City Zoning Map
9. Aerial Photograph
10. Situs Map

INTRODUCTION

The applicant, Sutherlin Family Church (SFC), is requesting a request for a Conditional Use Permit for the existing church facility on the property. As proposed, the SFC plans to remove and demolish four existing older structures on their property and construct a new addition onto the east side of the existing primary church building. The SFC also proposes to develop and upgrade the existing parking lot to current standards.

The subject 1.42 acre property is located on the south side of W. Sixth Avenue at its intersection with W. Branton Street in the City of Sutherlin. The subject property is described as Tax Lots 6800, 6900 and 6901 in Section 18DD, T25S, R5W, W.M.; Property I.D. Nos. R51151, R51144 & R51137; and is addressed as 878 W. Sixth Avenue. The existing development of the property includes the primary building (sanctuary and classrooms), secondary building (gathering room), modular with offices and two sheds.

The property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential by the Sutherlin Development Code.

During the public hearing on August 29, 2017, the Planning Commission will accept public testimony and make a decision on the application after the public hearing. This application is being processed as a Type III procedure for a Conditional Use Permit, subject to the applicable criteria of Sections 2.2 [R-2 zone], Chapter 3 [Design Standards], 4.2.140 [Type III actions], and 4.5 [Conditional Use Permits] of the Sutherlin Development Code. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the applicable criteria and render a decision on the matter.

PROCEDURAL FINDINGS OF FACT

1. The requested application was filed with the City on July 7, 2017, and deemed complete on July 11, 2017.
2. Notice of a Public Hearing on the Variance application before the Planning Commission was given in accordance with Section 4.2.140.C as a Type III procedure. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on August 8, 2017.
 - a. John McDonald, ODOT Development Review Planner, commented that ODOT reviewed the conditional use permit and had no comments.
 - b. At the time of the mailing of this staff report, no other written comments or remonstrances have been received.
3. Present Situation: The subject property is currently developed with the primary church sanctuary and other associated buildings.
4. Plan Designation: Residential Medium Density (RM).
5. Zone Designation: (R-2) Medium Density Residential.
6. Public Water: The subject property has existing public water from the City of Sutherlin.

7. Sanitary Sewer: The subject property has existing sanitary sewer from the City of Sutherlin.
8. Transportation System: The subject 1.42 acre property is located at the intersection of W. Sixth Avenue and W. Branton Street. W. Sixth Avenue is an existing collector street under the City's Transportation System Plan.
9. Transportation Connectivity: The subject property abuts W. Sixth Avenue and W. Branton Street; surrounding existing development prohibits additional connectivity to other nearby streets.
10. Pedestrian & Bicycle Access: W. Sixth Avenue is a designated pedestrian path and bicycle way under the Transportation System Plan.
11. Overlay: The subject property is not located within the 100 year flood plain or subject to any other overlays.

FINDING: The procedural findings noted above are adequate to support the Planning Commission's decision on the request Variance.

APPLICABLE CRITERIA & FINDINGS

The proposed Conditional Use Permit is considered a Type III procedure, subject to the applicable criteria of Sutherlin Development Code, including Section 2.2 [R-2 zone], Chapter 3 [Design Standards] and 4.5 [Conditional Use Permits].

Based upon the application materials and information submitted by the applicant and other evidence provided, staff presents the following findings to address the applicable criteria:

DEVELOPMENT STANDARDS (SECTION 2.2, R-2 ZONE)

1. The subject property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential by the Sutherlin Development Code. Churches and places of worship, together with their accessory uses, are conditionally permitted uses in the R-2 zone.
 - a. The R-2 zone provides the following development standards:
 - i. Minimum lot area is 6,000 sq.ft. for a single family non-attached lot, with a minimum lot width at frontage 40 feet for a standard lot and 20 feet for a flag lot.
 - ii. Minimum lot depth of 90 feet where there is no alley right-of-way.
 - iii. Maximum lot coverage for development is 60 percent.
 - iv. Maximum height of structures is 35 feet.
 - v. Minimum property setbacks: Front - 15 feet for a house (20 feet for garage entrance), Side (one story) – 5 feet, Side (two story) – 7 feet, and Side (township-style) – 0 feet, and Rear – 10 feet.

FINDING: As indicated in the application, the applicant proposes to demolish four existing older structures on the property (total area is 4,860-sqft) and construct a 3,978-sqft two-story addition onto the east side of the existing primary church building. This will result in a net decrease of 882-sqft. The applicant also proposes to develop and upgrade the parking lot according to current standards.

The new addition will be located approximately 51± feet from the east property line and 35± feet from the north property line (W. Sixth Avenue). The development will comply with the required setbacks of the R-2 zone and will not exceed the maximum lot coverage. The proposed development will result in no net increase in gross floor area; therefore there will be no adverse impact on the public utilities, transportation system, or neighborhood environment.

DESIGN STANDARDS (CHAPTER 3)

2. The requested application requires review of the vehicle and bicycle parking standards in Section 3.4 of the Sutherlin Development Code.
3. Table Section 3.4.120.A outlines the required vehicle parking standards. Churches and similar places of worship require one space per every 100 square feet of combined sanctuary and school spaces (and accessory uses). Per Section 3.4.130, a minimum of two (2) bicycle parking spaces per use is required for all uses greater than ten (10) vehicle
 - a. To address parking, the application states, in part, the “total post-development gross floor area is 18,500-sf, which requires 185 off-street parking spaces. According to 3.4.120.B, adjacent on-street parking spaces count at a ratio of 1:1 for off-street parking spaces. There is a total of 16 on-street parking spaces adjacent to the property on West 2nd Avenue, Branton Street, and West 6th Avenue. The development includes 104 parking spaces, and the church offices north of West 6th Avenue include 65 parking spaces. The church office parking spaces may be utilized by the sanctuary because church gatherings are not typically held during office hours. The total number of parking spaces utilized by the church building is 185 after development, which meets the code requirement. Two bicycle parking spaces are required; five are proposed.”

FINDING: As indicated in the application, a total of 185 parking spaces will be provided for the church facility, which meets the code requirements. In addition five bicycle parking spaces will be provided, which will exceed the minimum two required.

CONDITIONAL USE PERMIT CRITERIA (SECTION 4.5)

4. The requested conditional use permit is subject to the applicable criteria of Section 4.5 of the Sutherlin Development Code. As indicated previously, churches and places of worship, together with their accessory uses, are conditionally permitted uses in the R-2 zone.
 - a. The City’s records are unclear of when the church facility was initially approved on the subject property. In 2006, the City Planning Commission reviewed and approved a conditional use permit to allow expansion of the church parking lot. This previous approval did not specifically address the church use on the property.

The purpose of the current application is ensure compliance with the applicable criteria for the proposed site development.

5. Pursuant to Section 4.5.120, the applicant has provided the following narrative as part of their request, which states, in part:

SFC currently operates in a residential zone (R-2) under a CUP approved in 2006. SFC proposes to demolish four existing older structures (total area = 4,860-sf) and construct a 3,978-sf addition on the existing primary church building for a net decrease of 882-sf. SFC also proposes to develop the parking lot according to current standards (see attached schematic plans for building demolition, addition, and parking lot). There would be no net increase in gross floor area, therefore there would be no impact on the public utilities, transportation system, and neighborhood environment. The proposed site development requires an updated CUP to be approved. This letter documents the compliance of the Sutherlin Family Church CUP application with Sutherlin Development Code section 4.5130 "Use Criteria" as follows:

Use Criteria #1: *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.*

The site characteristics are adequate for the proposed development with regards to neighborhood environmental standards, parking, traffic, and safety. The proposed addition fits well within existing lot setbacks. The proposed parking lot provides adequate space for vehicle movement, improved pedestrian circulation, and ample landscaping for environmental appeal. The driveway approaches comply with access standards found in section 3.2 for width (20-ft minimum width) and spacing (25-ft minimum spacing).

Section 3.4.120 "Vehicle Parking Standards" covers the minimum vehicle parking standards. According to table 3.4.120.A, churches are required to have one off-street parking space per every 100-sf of gross floor area. The total post-development gross floor area is 18,500-sf, which requires 185 off-street parking spaces. According to 3.4.120.B, adjacent on-street parking spaces count at a ratio of 1:1 for off-street parking spaces. There is a total of 16 on-street parking spaces adjacent to the property on West 2nd Avenue, Branton Street, and West 6th Avenue. The development includes 104 parking spaces, and the church offices north of West 6th Avenue include 65 parking spaces. The church office parking spaces may be utilized by the sanctuary because church gatherings are not typically held during office hours. The total number of parking spaces utilized by the church building is 185 after development, which meets the code requirement. Two bicycle parking spaces are required; five are proposed. See attached sheet C-301 for additional parking information.

Use Criteria #2: *The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval.*

The proposed development follows code standards to mitigate negative impacts, such as parking lot landscape buffering and building height restrictions (35' maximum per section 2.2.120). As shown on attached sheet C-501, parking areas are to be landscaped according to section 3.3 standards. The proposed development would direct runoff into existing stormwater mains and ditches in order to minimize impact on neighboring properties, according to section 3.5.140. There will be no change in the traffic impact on the adjacent streets.

Use Criteria #3: Public facilities have adequate capacity to serve the proposal or will be made adequate by the applicant

Because the gross floor area of all buildings on site decrease by 882-sf, the proposed addition does not add demand on utilities. Therefore, there is not increased impact on water, wastewater, power, gas, and transportation facilities.

The existing site is composed of 1.323-acres of impervious area (asphalt, concrete, gravel, and roofs) and 0.093-acres of pervious area (landscaping). The post-development site is composed of 1.246-acres of impervious area and 0.170-acres of pervious area. Because there is no significant change in impervious area, there is a negligible difference in the stormwater runoff rate. The proposed development directs slightly more stormwater to the existing city storm drain main along the east property line. The storm drain main along the east property line is in better condition than the storm drain main to the west in Branton Street. See attached sheet C-401 for additional drainage information.

In summary, the proposed development would provide an improved use of the existing SFC building. The site improvements would bring the parking lot up to current standards for access, pedestrian circulation, and landscaping. Environmental impact would be mitigated by adhering to code standards.

FINDINGS:

6. Section 4.5.130 of the SDC identifies the applicable criteria and standards for a conditional use permit: The planning commission City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following:
7. Conditional Use Criteria (Section 4.5.130.A)
 - a. *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;*
 - i. The applicant has addressed how the proposed site development will be adequately sized and designed for the property. Upon completion of the development, there will be net decrease of 882± sq ft in the overall size of the facility. Parking will be modified to provide for a more efficient flow and bring it up to current standards. Stormwater will also be addressed as part of those improvements.

b. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval; and

i. No negative impacts are anticipated as part of this development, including the adjacent residential neighborhood and the surrounding transportation system. The applicant proposes to demolish four existing older structures on the property (total area of 4,860-sqft) and construct a new 3,978-sqft two-story addition onto the east side of existing primary church building. This will result in a net decrease of 882-sqft. The new addition will be designed to be aesthetically pleasing with the remainder of the structure. The applicant also proposes to develop the parking lot according to current standards, which will help address the flow of traffic onto W. Sixth Avenue and Blanton Street. The application states that necessary landscaping, in accordance with the code provisions, will be added to the parking lot as part of the improvements.

c. Public facilities have adequate capacity to serve the proposal or will be made adequate by the applicant.

i. With this proposal, the size of the overall development will decrease by approximately 828 sqft, which is not expected to negatively impact the level of capacity for the existing public facilities serving the subject property.

ii. As outlined by the applicant, the improvements to the parking lot and maneuvering areas will not result in any significant changes in impervious area; therefore, only a negligible difference in the stormwater runoff rate is anticipated.

8. Site Plan Criteria (Section 4.5.130.B), which states the criteria for site plan review approval (Section 4.3.150) shall be met

a. Based upon the criteria outlined in Section 4.3.150 [Site Plan Review Approval Criteria], the submitted application complies with the applicable provisions of the R-2 zoning district; and the applicable design standards of Chapter 3, including vehicle and bicycle parking and landscaping. The existing church facility is not considered a non-conforming use or development on the property. No conditions of approval from the previous 2006 Conditional Use Permit approval from the City are affected by this CUP proposal. Finally, the proposed Conditional Use Permit is not part of a phased development.

9. Conditions of Approval (Section 4.5.130.C)

a. The city may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized.

b. If approved, the conditions of approval should require the applicant to:

i. Obtain the necessary Planning Clearance approvals from the City to proceed with demolition of the older structures and construction of the new addition.

- ii. Provide final documentation (i.e. final plans) for the proposed development demonstrating continued compliance with the landscaping, vehicle and bicycle parking standards of the Sutherlin Development Code.
- iii. Provide copies of documentation from the Oregon Department of Environmental Quality (DEQ) for approval of any necessary permits to address stormwater runoff from the improvements to the parking area.

ACTION ALTERNATIVES

Based on the applicant's findings, the city staff report and the testimony and evidence provided during the public hearing, the Planning Commission can close the public hearing and move to either:

1. **APPROVE** the requested Conditional Use Permit on the subject 1.42 acre property, based upon the findings of the staff report and/or testimony brought forward through the public hearing process, which recognize the approval criteria can be met at this time, subject to the following conditions:
 - a. Obtain the necessary Planning Clearance approvals from the City to proceed with demolition of the older structures and construction of the new addition.
 - b. Provide final documentation (i.e. final plans) for the proposed development demonstrating continued compliance with the landscaping, vehicle and bicycle parking standards of the Sutherlin Development Code.
 - c. Provide copies of documentation from the Oregon Department of Environmental Quality (DEQ) for approval of any necessary permits to address stormwater runoff from the improvements to the parking area.
2. **APPROVE** the requested Conditional Use Permit on the subject 1.42 acre property, with modifications and/or additional conditions, based on Findings of Fact and/or testimony brought forward through the public hearing, which recognize the approval criteria can be met at this time.
3. **CONTINUE THE PUBLIC HEARING** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal; or
4. **DENY** the requested Conditional Use Permit on the subject 1.42 acre property, based on Findings of Fact and/or testimony brought forward through the public hearing, on the grounds that the proposal does not satisfy the applicable approval criteria.

STAFF RECOMMENDATION

City Staff recommends that the Planning Commission select Action Alternative #1 and **APPROVE** the requested Conditional Use Permit, as outlined in the application, on the subject 1.42-acre property.



City of Sutherlin

August 22, 2017

MEMORANDUM

TO: Sutherlin Planning Commission

FROM: Lisa Hawley, Community Services Planner

RE: COMMENTS RECEIVED ON THE PROPOSED UGB AMENDMENT, ANNEXATION & ZONE CHANGE

The City of Sutherlin has received agency comment from the Oregon Department of Transportation (ODOT). John McDonald, Development Review Planner with ODOT, submitted a letter into the record on August 15, 2017 (via email) which requests a continuance of the August 29, 2017 Planning Commission hearing to allow the City to complete a Traffic Impact Study (TIS). A draft scope of work for the requested TIS was provided by ODOT and has been submitted into the record at their request. The letter and draft scope of work are available for review at the City of Sutherlin Community Development office.

City staff provides the following options for the Planning Commission, in response to ODOT's request. These responses would need to be part of any motion advanced by the Planning Commission following the public hearing.

1. The Planning Commission may grant a continuance of the public hearing per ODOT's request and delay the UGB exchange/zone change until a TIS is completed by the City.
2. The Planning Commission may forward a recommendation to the City Council to approve the UGB exchange, annexations and zone changes, upon the condition that a TIS must be completed as a condition of any future land use action. This would ensure that a TIS would be completed prior to future development of properties subject to the proposed annexation and zone change.
3. The Planning Commission may forward a recommendation to the City Council that the proposed annexations and zone changes be removed from the proposal in order to complete the UGB amendment in a timely fashion. The properties currently proposed for annexation and zone change can then be processed as subsequent land use actions. A TIS may be required before these actions can be approved by the City.

In addition to ODOT's request, the City of Sutherlin has received a request from the owners of property at 1814 and 1818 Trails End Lane that the entirety of their property be included in the UGB amendment and made eligible for zone change and annexation. The Planning Commission may choose to grant this request and forward a recommendation to the City Council that the property be included in the UGB amendment, annexation and zone change. A grant of this request would need to be part of any motion advanced by the Planning Commission following the hearing.

Attachments



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

City of Sutherlin

August 22, 2017

STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Lisa Hawley, Community Services Planner

RE: **City of Sutherlin;** Urban Growth Boundary Amendment involving the exchange of approximately 479± acres. The areas to be removed from the UGB are the City's 202± acre Ford's Pond property located on the west side of Church Road and 100± acres from a property located off S. State Street on Schoon Mountain. The area proposed to be added to the UGB is primarily located at the southwest corner of Exit 136 on the south side of W. Central Ave and Fort McKay Road, and is generally bounded by Schudeiske Road on the west and Parkhill Lane and Trails End Lane on the southeast adjacent to Interstate 5. **PLANNING DEPARTMENT FILE NO. 17-S015.**

INTRODUCTION

A city's urban growth boundary (UGB) is primarily intended to provide land for identified urban development needs and to identify and separate urban and urbanizable land from rural land. Local governments, including cities and counties, rely on UGBs to guide land use and zoning decisions and to plan for the orderly provision of public facilities and services as development occurs.

The City of Sutherlin ("the City") first established a UGB with the adoption and acknowledgment of its original Comprehensive Plan in 1984. It has been amended a number of times since that date, most recently in 2002.

The City is proposing a UGB exchange in accordance with Oregon Administrative Rule (OAR) 660-024. The exchange will involve a total of 479± acres, of which 302± acres will be removed from the UGB and 177± acres to be added to the UGB. As proposed, the exchange will result in approximately 125 fewer acres included in the City of Sutherlin UGB. Concurrent to the UGB

exchange process, the City is proposing to annex 168 acres into City boundaries, involving 41 properties, and to amend the Zoning and Comprehensive Plan maps to accommodate the properties newly added to the UGB and City limits.

Under Sutherlin Development Code (SDC), the UGB exchange is subject to SDC 4.2.150 – Type IV review procedure – and SDC 4.11 – Amendments to the Sutherlin Development Code and Land Use Plans. The annexation and zoning map amendment are subject to SDC 4.2.150, SDC 4.11, and also SDC 4.8 – Zoning District Map Amendments. A Type IV procedure requires that the matter first be reviewed by the City of Sutherlin Planning Commission (“Planning Commission”), which will then make a recommendation to City of Sutherlin City Council (“City Council”) in regards to the adoption, by ordinance, of the proposed UGB expansion. The annexation request is also subject to ORS 222.

In accordance with the procedure described above, a public hearing has been scheduled for August 29, 2017, before the Planning Commission. At this hearing, the Commission will accept public testimony and make a decision on the application following the hearing. As part of the hearing, the Planning Commission will review the proposal for compliance with the Statewide Planning Goals and the general goals and policies of the Sutherlin Comprehensive Plan and the applicable criteria of the Sutherlin Development Code.

After the public hearing, the Planning Commission must make a written recommendation and forward it to the City Council in the form of a Findings of Fact and Decision document, which justifies its decision and recommendation. The Council will consider the Commission's recommendation, hold a public hearing, and make a decision to grant, amend or deny the proposed UGB exchange.

URBAN GROWTH BOUNDARY EXCHANGE

1. PROPOSAL

The City of Sutherlin is proposing an exchange of land inside its urban growth boundary (UGB) for land outside its UGB pursuant to the provisions of Oregon Administrative Rule (OAR) 660-024-0070. This exchange will facilitate more concentrated development within the UGB and allow for the better utilization of existing city services and a more orderly future expansion of those services.

The areas proposed to be removed and those proposed to be added to the UGB provide the City with a substantially equivalent supply of buildable land before and after the exchange, as prescribed in OAR 660-024-0070(3). As such, the City will rely on the land needs analysis contained in the current City of Sutherlin comprehensive plan, which satisfied the land need factors of Goal 14 and provides a basis for the current UGB. A new need analysis is therefore unnecessary and there is technically no need deficiency to address.

The City has identified two properties whose owners are willing to remove their lands from the existing UGB in order to facilitate this exchange. Upon execution of the proposed amendment, these two properties will be added back to unincorporated Douglas County as resource lands. The areas to be removed from the UGB are the City's 202± acre Ford's Pond property located on the west side of Church Road and a 100± acre property located off S. State Street on Schoon Mountain.

In its place, 177± acres will be added to the UGB. This area is primarily located at the southwest corner of Exit 136 on the south side of W. Central Avenue and Fort McKay Road, and is generally bounded by Schudeiske Road on the west and Parkhill Lane and Trails End Lane on the southeast adjacent to Interstate 5.

The following proposal reviews the lands proposed for removal from the UGB and those lands that will be exchanged and added in their place.

A. LAND PROPOSED TO BE EXCLUDED FROM UGB

The two properties identified below are proposed for removal from the City of Sutherlin UGB. Both properties are identified in Exhibit 8.

AREA #1 TO BE EXCLUDED (known as Ford's Pond)

Owner: City of Sutherlin

This property is 204.83± acres in size and is located on the west edge of the Sutherlin UGB at the intersection of Church Road and State Highway 138. The property is commonly known as Ford's Pond and is owned by the City of Sutherlin. It is used as part of its affluent discharge for the city's wastewater treatment facility located across State Highway 138.

This property was added to the UGB in June 2000, and redesignated from Heavy Industrial to its current plan/zone designations in January 2008, in anticipation of a future planned residential development. The City purchased the property in 2014 for the storage of its Class A recycled water from its nearby wastewater treatment facility. It is also used for a community recreational area and park. The City is in the process of drafting a Ford's Pond Community Park Master Plan for the site, which is expected to be completed by the end of 2017. No structural development is currently on the property.

The City proposes to remove nearly all of this property from the UGB, with the exception of a 5± acre site in the southeast portion of the property, which is adjacent to the existing pond and Church Road. The retention of this portion inside the UGB/city limits is for future restrooms and a parking area serving the park and will allow for connection to city water and sanitary sewer at that location.

Table 1.1. Current City Zoning for Area #1 to be Excluded from UGB.

CITY ZONE	ACRES	DU/ACRE
FR-20 [Forestry-Resource, 20 acres]*	130±	NA
RH [Residential Hillside, 0-3 DU/acre]	16.5±	0-3
R-1 [Low Density Residential, 3-6 DU/acre]	56.5±	3-6

* Note: Based on recent legislative amendments to the City's Development Code, adopted April 10, 2017, this zoning designation was added back into the Development Code and was changed from FR-75 to FR-20 to be consistent with the City's Comp Plan designation and state law.

Upon completion of the UGB exchange, approximately 198± acres of this property will be removed from the UGB/city limits and designated with Douglas County rural zoning (PR) Public Reserve, based on the existing park and planned uses for the park/recreation area owned by the City.

Table 1.2. County Zoning Proposed for Area #1 to be Excluded from UGB.

COUNTY ZONE	ACRES	DU/ACRE
PR [Public Reserve]	198±*	NA

Note: A 5.00± acre portion of the original 203 acre property along the southeast corner adjacent to Church Road will remain inside the UGB/city limits and rezoned to FR-20.

AREA #2 TO BE EXCLUDED (known as Schoon Mountain site)

Owner: Timothy and Leoni Rogers

This property is 128± acres in size and is located on the south edge of the UGB off S. State Street at the end of Mountain View Road. The property is privately owned, and the property owners are willing to withdraw the southerly 100± acres of the property from the UGB and city limits in order to facilitate the UGB exchange, leaving 28± acres adjacent to the south end of Mountain View Road within the UGB and city limits to allow for future urban development. No structural development is currently on the property.

This property has been part of the existing UGB for many years. Table 1.3 details the current zoning, acreage and development potential of Area #2.

Table 1.3. Current Zoning of Area #2 to be Excluded from UGB.

CITY ZONE	ACRES	DU/ACRE
RH [Residential Hillside]	100±*	0-3

* Note: 28± acres of the subject property will remain inside the UGB/city limits and remain zoned RH.

Upon completion of the UGB exchange, the most southerly 100± acres of this property will be removed from the UGB/city limits and redesignated through Douglas County with rural zoning (mixed farm forest designation of (AW) Agriculture and Woodlot)), while the northerly 28± acre portion off the end of Mountain View Drive will remain inside the UGB/city limits and remain designated (RH) Residential Hillside. Table 1.4 details the current zoning, acreage and development potential of Area #2 following exclusion from the UGB.

Table 1.4. Proposed Zoning of Area #2 to be Excluded from UGB.

COUNTY ZONE	ACRES	DU/ACRE
AW [Agriculture and Woodlot]	100±*	NA

* Note: 28± acres of the original property will remain inside the UGB/city limits and remain zoned RH.

B. Land to be Included in the UGB:

The City proposes to add the area described below into the UGB as part of the proposed exchange. This area has been identified as the preferred area for expansion through a thorough analysis of alternative sites as prescribed in State statute. The area is located primarily southwest of Exit 136 on the south side of Fort McKay Road and W. Central Avenue, and extends southerly toward Exit 135 along Parkhill Road and Trail's End Lane.

This area is primarily designated committed rural residential (2 acre) land by Douglas County, with two parcels of land designated as mixed farm and forest lands (approximately 48± acres). A portion of the FF zoned parcels will be excluded from the expanded UGB.

Originally, the area proposed by the City for the UGB exchange included some properties located further south toward Exit 135, so as to allow for the future extension of Parkhill Lane/Rathburn Lane to connect into Exit 135, as discussed in the City's 2005 Transportation System Plan and 2009 Interchange Area Management Plan (IAMP) for Exit 136. However, due to the estimated engineering costs associated with the roadway extension (approximately \$14-15 million), the City is investigating alternate means to provide connectivity to Exit 135 from the commercial areas fronting Park Hill Lane.

The City is researching with Oregon Department of Transportation (ODOT) a possible overpass over I-5 near the intersection of Parkhill Lane and Trail's End Lane. This planned roadway would utilize an existing 60' public right-of-way that is perpendicular to I-5 at this location, and would provide a connection to S. Comstock Road on the east side of I-5. S. Comstock Road is an existing frontage road which extends north from the Exit 135 interchange. In June 2017, the City applied to ODOT for a Transportation Growth Management (TGM) Grant to help fund an update to its 2005 Transportation System Plan to address such future projects.

Based upon the existing land use designations and the amount of lands being removed from the UGB, the City calculates the following estimates for dwelling unit capacity for the exchange:

Table 1.5. Current Development Potential of Land to be Excluded from UGB (Based on City Zoning)

ZONE	ACRES	DWELLING UNITS			
		DU/ACRE	POTENTIAL	EXISTING	TOTAL
FR-20 [Forestry-Resource, 20 acres]	130 ¹	NA	NA	0	0
RH [Residential Hillside]	116.5	0-3	385 ²	0	385
R-1 [Low Density Residential]	56.5	6	373 ³	0	373
Totals	303	-	758	0	758

Other considerations:

The majority of the lands being considered for the UGB exchange are residentially zoned lands proposed to be exchanged for like-designated residential lands. However, there are two parcels currently designated with County resource zone (FF) mixed farm forest, which are planned to be added to the UGB/city limits due to their proximity to the other committed residential lands and their viability for the location of future connector roadways within the UGB. The two properties are owned by D & R Robinson, 29.73 acres and J. Rochester Rev Trust, 18.52 acres. As proposed, a portion of both of these two

¹ With the UGB exchange, the City will retain 5± acres of FR-20 for a future restroom and parking area inside the UGB/city limits for the Ford's Pond Community Park. In addition, the remaining 124± acres of the FR-20 zone around Ford's Pond will be converted back to County designated rural zoning.

² 116.50 acres * 3 DU/Acre = 350 DUs + 10% overage = 385 net DUs

³ 56.50 acres * 6 DU/Acre = 339 DUs + 10% overage = 373 net DUs

properties (24.22± acres) will remain designated FF within the County, while the remaining portions will be changed to a comparable residential designation (RH or R-1).

Based upon the existing soils of the two properties, planned transportation routes designated within the City's Transportation System Plan and IAMP for an on ramp associated with Exit 136 to extend through these properties.

As proposed, approximately 300± acres will be removed from the UGB/city limits and converted to County resource lands. In exchange, the City will be adding back approximately 179± acres to the UGB. Based upon the proposed lands considered for inclusion into the UGB, the City estimates the following proposed designations and densities:

Table 1.6. Development Potential of Land to be Included in UGB (Based on County Zoning)

ZONE	ACRES	DWELLING UNITS			
		DU/ACRE	POTENTIAL	EXISTING	TOTAL*
FR-20 [Forestry-Resource, 20 acres]	5.00±	NA	NA	0	0
RH [Residential Hillside]	113.46±	3	304	36	340
R-1 [Low Density Residential]	60.81±	6	363	2	365
Totals	203.5±	—	667	38	705

* Potential dwelling units based on development densities permitted under the applicable zoning.

2. ANALYSIS OF PROPOSAL

To further justify the UGB exchange as described above, the City has established a Study Area in compliance with OAR 660-024-0070 to examine alternative locations for expansion of the UGB. The following describes the process the City used in establishing the study area and the results of analysis of the areas identified as alternate sites for expansion of the UGB.

A. STUDY AREA (OAR 660-024-0065)

The City has identified an appropriate Study Area – see Exhibit 8 – to determine the location of the land to be added to replace the land being removed from the UGB under provisions found in OAR 660-024-0065. The City of Sutherlin has a UGB population of less than 10,000 (the UGB population was 8,298 in 2015 according to the Coordinated Population Forecast produced by Portland State University Population Research Center). As such, the City identified all land within ½ mile of the existing UGB boundary. Two areas on the east side of the boundary required an additional half mile extension for continuations of contiguous exception lands that are within the original distance from the UGB (i.e. County committed rural residential lands).

Any lands that are deemed patently unsuitable for urban development based on various criteria were excluded from the overall Alternative Expansion Area. Generally, these are areas that cannot be reasonably serviced with public facilities, are subject to significant natural hazards, have some high level of environmental or natural resource value, or are federal lands. The City has identified those lands which can be excluded from the overall Alternative Expansion Area. These include lands which meet various criteria to make them patently unsuitable for urban level development.

The City's proposal identifies four major areas which the City wants to exclude from its UGB exchange. These areas are primarily zoned (EFU) Exclusive Farm Use and are located adjacent and within ½ mile of the UGB boundary. The main area is located off Fort McKay Road and State Hwy 138 and surrounds Ford's Pond, which is the primary area being removed from the UGB. The other main EFU area being excluded is located adjacent to the northwestern portion of the UGB off Stearns Lane between State Highway 138 and the west side of Interstate 5. Current City public facilities, including water and sanitary sewer, extend only to Church Road between Fort McKay Road and State Hwy 138. The City wants to focus the extension of its public facilities in the area between Interstate 5 near Exit 136 in order to provide for orderly future urban development.

In accordance with OAR 660-024-0065(4)(a), the City has excluded areas identified as impracticable to provide necessary public facilities or services to the land. This includes the area on the southern end of the UGB boundary, which is primarily zoned EFU and is subject to a significant number of wetlands. There is also an area of EFU and rural residential properties located adjacent to the eastern edge of the UGB, where the cost to extend additional public facilities and services would not be practical or cost effective at this time.

Pursuant to OAR 660-024-0065(4)(b), the City has identified no significant development hazards to development, including lands subject to landslides, flooding or tsunamis. The identified slopes of the preferred expansion area are generally less than 8% slope, and are not subject to landslides. The Study Area includes no area identified as a FEMA Special Flood Hazard Area.

There are also no lands being considered that consist of significant scenic, natural, cultural or recreational resources, as described in OAR 660-024-0065(4)(c), including critical or essential habitat for threatened or endangered species; core habitat for Greater Sage Grouse; big game migration corridors or winter range, except where located on lands designated as exception areas; federal wild and scenic rivers and state scenic waterways; designated natural areas identified on the Oregon State Register of Natural Heritage Resources; wellhead protection areas; aquatic areas subject to SWPG 16 or the other coastal SWPGs; or lands owned by the federal government and managed primarily for rural uses.

B. EVALUATION OF STUDY AREA (OAR 660-024-0067)

Pursuant to direction found in OAR 660-024-0067, the City has divided up the Overall Study Area into five (5) smaller units for analysis ("Study Subareas"). These areas are identified within the larger Study Area in Exhibit 8. The preferred area for expansion is identified on this map as Study Subarea #1 and shown in more detail in Exhibit 9. The remaining Study Subareas are identified as areas #2 through #5 as mapped in Exhibits 10 through 13. Table 2.1 provides general descriptions of the location of the Study Subareas.

Table 2.1. Summary of Study Subareas

Study Subarea	Location Description (see Exhibits 8 through 13)	Size (acres)
#1	Generally southwest of existing UGB and City boundaries.	180±
#2	Generally north of existing UGB and City boundaries. Bounded on the west by Interstate 5.	155±
#3	Generally north of existing UGB and City boundaries. Adjacent to the UGB near Union Gap on the west side of the railroad tracks.	50±
#4	Generally northeast of existing UGB and City boundaries. Bounded on the south by Nonpareil Road and on the west by Plat A Street.	295±
#5	Generally southeast of existing UGB and City boundaries. Dissected by Southside Road and also bounded by Southside Road where it turns North.	203±

The Study Area map (Exhibit 8) identifies the area (Study Subarea #1) the City has proposed to add to the City of Sutherlin UGB. These properties, including a small, singular property for inclusion in the UGB, are identified in Exhibit 8. See Exhibit 7 for a table listing identified owners within the areas to be removed from the UGB and the preferred expansion area. The majority of the properties being added to the UGB will also be added to the city limits. As proposed, these properties will be re-designated with equivalent city plan and zoning designations at the same land capacity/density of those lands being removed from the UGB. For those properties that will be added to the UGB, but do not wish to be annexed into the city limits at this time, the City proposes to redesignate them with equivalent city plan designations, and retain their existing County zoning designation (i.e. RR, Rural Residential or FF, Farm Forest). For these properties, future annexation into the city limits will require a zone change from County zoning to City zoning for the affected property.

As noted above, the City is including portions of two County resource designated parcels (i.e. FF, Farm Forest) in the preferred expansion area. The slopes and soil, as well as air photos of the two sites indicate these parcels are not important to commercial agricultural enterprise or commercial forestry management. A more detailed analysis of these conditions is found below in the analysis of the preferred area for expansion.

These parcels are being including in the same unit of analysis as the committed rural residential lands in order to provide for future planned connector roads in the modified UGB. With the exception of these two resource parcels, nearly all of the lands being added to the UGB through this exchange consist of first priority lands (committed exception areas under Douglas County).

C. ANALYSIS OF STUDY SUBAREAS

Statewide Planning Goal 14 (OAR 660-015-0000(14)) requires that the location of an urban growth boundary be determined by evaluating alternative boundary locations in consideration of four locational factors. These factors include 1) Efficient accommodation of identified land needs; 2) Orderly and economic provision of public

facilities and services; 3) Comparative environmental, energy, economic and social consequences (more commonly known as an ESEE (Economic, Social, Environmental, and Energy) consequences); and 4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB. The following analysis applies these locational factors to each Study Subarea.

Study Subarea #1

Study Subarea #1 is located to the south of the existing UGB and west of Interstate 5. The City supports the inclusion of Subarea #1 in the City UGB as the preferred alternative, as it provides the most efficient accommodation of the land needs identified in the Comprehensive Plan. This preference is further supported by the ready availability of existing public facilities (e.g., water, sanitary sewer, and storm water), the nature of the area (e.g., few development constraints) and proximity to major transportation facilities (Interstate 5 and W. Central Avenue/OR 138).

The following narrative provides an analysis of Study Subarea #1, applying the locational factors from Goal 14 and ORS 197.298.

Efficient accommodation of identified land needs. The City of Sutherlin Comprehensive Plan identifies future residential land use needs to include an additional 2,875 housing units by 2010. Adding Subarea #1 to the UGB would maintain a substantially equivalent buildable residential land supply within the UGB, with a difference of 51 fewer potential dwelling units following the exchange.

Orderly and economic provision of public facilities and services. Of the alternatives analyzed, Subarea #1 provides the most orderly and economic provision of public facilities and services. The City Public Facilities Plan, incorporated into the Comprehensive Plan, identifies Duke Road as a future project for roadway improvements. The latest City Water Management and Conservation Plan indicates that an 18" waterline is available at Central Avenue/OR 138 to serve the adjacent area. The site has easy access to all necessary public facilities and services.

Comparative environmental, social, economic and energy (ESEE) Consequences. For Study Subarea #1:

Economic Consequences

Increasing residential densities in Subarea #1 would highly benefit businesses serving that general area, particularly those located along W. Central Avenue and west of I-5. These properties are zoned commercial and industrial and should see positive economic consequences from nearby residential development.

Social Consequences

Study Subarea #1 is located adjacent to existing residential lands and businesses serving the area. Easy access to W. Central Ave/OR 138 avails residents access to amenities within Sutherlin and in either direction along Interstate 5. Traffic

impacts identified in the City of Sutherlin IAMP for Exit 36 will need to be fully addressed for these conveniences to be fully realized and accessible.

Environmental Consequences

The National Wetland Inventory (NWI) indicates that one area subject to wetlands located adjacent or within Subarea #1, primarily associated with Cook Creek and other local drainages, as can be seen in Exhibit 25). More precise wetland information may be required prior to future development in the area. However, the NWI appears not to correlate with vegetation and topography information available to the City. Wetland delineations would define these areas with more granularity and provide the City and developers with better data with which to work. Regardless, the City sees no reason that the extension or intensification of existing land use patterns is not compatible with these identified wetland areas, such that they exist.

Energy Consequences

The inclusion of Subarea #1 into the City of Sutherlin UGB would ultimately increase traffic on W. Central Avenue/OR 138 and local streets in the adjacent residential area already incorporated into the City. However, the proximity to major transportation facilities means the area is better able to accommodate this traffic than other potential expansion areas. Future development will necessitate a number of improvements to local streets, to facilitate better access to nearby transportation routes. A more complete network of improved surface streets will reduce congestion and mitigate otherwise negative energy consequences.

The UGB exchange will replace residentially zoned lands on the Ford's Pond property with those in Subarea #1, which is closer to the City.

Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB. The expansion of the City of Sutherlin UGB in the location of Subarea #1 will have minimal impact on nearby farm or forest activities. While Douglas County Comprehensive Plan maps designate the area as Farm/Forest Transitional, steep slopes immediately to the south of Subarea #1 severely limit the area available for farm use. Many of the properties closest to this adjacent hilly, forested area are developed with residences already. Future residential development will be less impacted by any forestry activity that may occur in this area, and vice versa. The properties currently zoned FF by Douglas County are primarily classified as Class III soils and are therefore not considered high-value farmland as defined in ORS 195.300.

Study Subarea #2 (North Comstock Area)

The following narrative provides an analysis of Study Subarea #2, applying the locational factors from Goal 14 and ORS 197.298.

Efficient accommodation of identified land needs. Study Subarea #2 is designated committed rural residential area (2 acre) and is located along the northern boundary of the UGB. This area is approximately 149 acres in size and is located

adjacent to Interstate 5 near Exit 136 at the end of North Comstock Road. It is identified in the Douglas County Committed Lands Inventory as Committed Lands Site No. 16 within Calapooya Planning Advisory Committee (PAC) area boundaries. PAC boundaries have been used by Douglas County for numerous planning purposes over the years. Future needs within the UGB could be efficiently accommodated at this location.

Orderly and economic provision of public facilities and services. Of the alternatives analyzed, Study Subarea #1 provides the most orderly and economical extension of public facilities and services at this time, as part of the proposed UGB adjustment. Area #2 is similarly located adjacent to Interstate 5, off the north side of W. Central Ave at the end of North Comstock. It is comprised of approximately 149± acres. The primary access to the site is via North Comstock Road, which extends north from W. Central Ave. The City has the capacity to service the area with the extension of public water and sanitary sewer along North Comstock Road; existing services for sewer end 300 feet past Laurel Avenue, while public water extends to Jones-Buckley Road, an existing private road.

Comparative environmental, social, economic and energy (ESEE) consequences. For Alternative Expansion Site #2:

Economic Consequences

Alternative Area #2 is adjacent to Interstate 5 along the northern boundary of the current UGB. The site is primarily accessed via North Comstock Road, which extends north from W. Central Avenue. The City has the existing capacity to serve the area with the extension of public water and sanitary sewer along North Comstock Road, north to Laurel Avenue. Existing services for sewer end 300 feet past Laurel Avenue, while public water extends farther north to Jones-Buckley Road. Services beyond this point will require upgrade and extension to serve the properties in this Study Subarea .

In addition, North Comstock is the main the transportation route to access the area at this time. Investigation of future possible transportation routes will be needed to ascertain what alternate routes are available to service the area and provide greater connectivity, including any possibility of an extension to serve the properties in the north end of this study area.

Social Consequences

Study Subarea #2 is located adjacent to residential lands and public reserve zoning (elementary school), and is within ½ mile of commercial zoning near Exit 136 along W. Central Avenue. Traffic impacts (i.e. finding alternative traffic routes) could create possible negative social consequences on the residential development in the area. However, adding this area which is adjacent to the UGB and lands already designated for urban residential development would not be a negative social consequence.

Environmental Consequences

Immediately to the north and east of Subarea #2, there is a large area of mixed farm and forest resource zoning. Future development of this adjacent natural area may be negatively impacted by residential development, especially for necessary alternate transportation routes to service this area.

Energy Consequences

Expansion of the UGB into Study Subarea #2 would increase traffic on North Comstock Road, without providing an alternate transportation route. This would increase congestion and decrease transportation efficiency, which would be a negative energy consequence.

Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB. The expansion of the City of Sutherlin UGB in the location of Subarea #2 is not inherently incompatible with nearby farm or forest activities (located immediately north and east), particularly if alternative transportation routes are development that would limit urban uses and their impacts on the adjacent farm forest uses. No farm or agricultural uses exist near the subject site.

Study Subarea #3. (Union Gap, west side of railroad tracks).

The following narrative provides an analysis of Study Subarea #3, applying the locational factors from Goal 14 and ORS 197.298.

Efficient accommodation of identified land needs. Study Subarea #3 is designated committed rural residential area (5 acre) and is located adjacent to the UGB near Union Gap on the west side of the railroad tracks. It is identified in the Douglas County Committed Lands Inventory as part of Committed Lands Site No. 15 within the Calapooya PAC area boundaries. This 41± acre site was removed from Sutherlin UGB on December 26, 2001, by City Ordinance #935. Limitations in access and the requirement for the underground installation of public facilities under the railroad right-of-way hinder the availability of public water and sewer, and make this site less desirable for addition into the UGB.

Orderly and economic provision of public facilities and services. Of the alternatives analyzed, Subarea #3 is not ideally situated to provide for the orderly and economic provision of public facilities and services. The main portion of the Union Gap area (both east and west of the railroad tracks and Old Highway 99 North) is located within the Sutherlin UGB. The Union Gap Sanitary District and Water District service the properties in this area, and contract with the City of Sutherlin to connect into the City's water and sanitary sewer systems. The City has the capacity to service up to 100 connections; there are currently 76 connections provided.

Comparative environmental, social, economic and energy (ESEE) consequences. For Study Subarea #3:

Economic Consequences

The location of Alternative Study Subarea #3 on the west side of the railroad tracks and Old Highway 99 North make it difficult for the City to extend public

services to this area. As stated above, limitations in access to this area and the requirement for the underground installation of public facilities under the railroad right-of-way hinder the availability of public water and sewer, and make this site less desirable for addition into the UGB. The cost for such extension of public services would have negative economic consequences.

Social Consequences

Alternative Subarea #3 is located adjacent to residential lands located within the existing UGB boundary, so it would not be a negative social consequence to add this area to the UGB.

Environmental Consequences

Alternative Subarea #3 is located adjacent to lands zoned residential. No immediate wetlands or floodplain constraints are identified for the area to cause any negative environmental consequences if the area was added to the UGB.

Energy Consequences

Expansion of the UGB to include Subarea #3 would increase the cost of extending public facilities to the area. As stated above, limitations in access and the requirement for the underground installation of public facilities under the railroad right-of-way hinder the ability to readily extend public water and sewer to this area. This makes Subarea #3 less desirable for addition into the UGB, as the cost for such extension of public services would have negative energy consequences.

Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB. The expansion of the City of Sutherlin UGB in the location of Alternative Subarea #3 is not inherently incompatible with nearby farm or forest activities (located immediately west), particularly if alternative transportation routes are developed that would limit urban uses and their impacts on the adjacent mixed farm forest uses. No farm or agricultural uses exist near the subject site.

Study Subarea #4.

The following narrative provides an analysis of Study Subarea #4, applying the locational factors from Goal 14 and ORS 197.298.

Efficient accommodation of identified land needs. Alternative Study Subarea #4 is designated committed rural residential area and is located along the east boundary of the existing UGB, generally between E. Central Avenue/Nonpareil Road and E. Sixth Avenue. This adjacent area of committed residential properties extends over 5± miles east toward the community of Fair Oaks, and contains over 1000+ acres. It is identified in the Douglas County Committed Lands Inventory as a portion of Committed Lands Site No. 24 within Calapooya PAC area boundaries. Future land needs within the UGB could be efficiently accommodated at this location.

Orderly and economic provision of public facilities and services. Of the alternatives analyzed, Alternative Study Subarea #1 provides the most orderly and economic extension of public facilities and services at this time, as part of the proposed UGB adjustment. However, Alternate Study Subarea #4 is located immediately adjacent to the eastern boundary of the UGB, which makes it suited for the orderly provision of public facilities and utilities to service the area. The existing main line for sanitary sewer ends at the eastern boundary (near Quail Court). The main transmission line for the City's public water system extends easterly approximately 8 miles to the City's existing water treatment plant. This transmission line is an older system, which was not designed for direct connections. Significant upgrades to the water system would be required to provide for the efficient extension of water service to this area.

Comparative environmental, social, economic and energy (ESEE) consequences.
For Study Subarea #4:

Economic Consequences

As noted above, Alternative Subarea #4 is located immediately adjacent to the eastern boundary of the UGB, which makes it somewhat suited for the orderly provision of public facilities and utilities to service the area. Both sanitary sewer and public water would have to be extended to the area. Also, due to the older water transmission lines connecting to the city's water treatment plant, significant upgrades to the public water system would be required to provide for the efficient extension of water service to this area at this time. This is a limiting negative economic consequence on the provisions for the extension of public facilities to Subarea #4, and makes it relatively less desirable for residential expansion.

Social Consequences

Alternative Subarea #4 is located adjacent to residential lands located within the existing UGB boundary, so it would not be a negative social consequence to add this area to the UGB.

Environmental Consequences

Alternative Subarea #4 is located adjacent to lands zoned residential. Although this Subarea is not located within an identified floodplain, the National Wetland Inventory maps indicate the possible presence of wetlands on a portion of the properties. Although further analysis would be required if this site was added to the UGB, the presence of potential wetlands creates a limitation for immediate residential development, which would be a negative environmental consequence.

Energy Consequences

Expansion of the UGB to include Subarea #4 would increase the cost of extending public facilities to the area. As stated above, significant upgrades to the public water system would be required to provide for the efficient extension of water service to this area. This makes Subarea #4 less desirable

for addition into the UGB, as the cost for such extension of public services would have negative energy consequences.

Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB. The expansion of the City of Sutherlin UGB in the location of Alternative Subarea #4 is not inherently incompatible with nearby farm or forest activities. Properties to the north of this area are zoned for mixed farm and forest uses, while properties to the south are zoned for farm & agricultural uses (Exclusive Farm Use). Due to the extensive development of committed residential lands in the area, it is not anticipated that addition of this site to the UGB would have significant negative consequences on the existing farm uses in the area.

Study Subarea #5.

The following narrative provides an analysis of Alternative Study Subarea #5, applying the locational factors from Goal 14 and ORS 197.298.

Efficient accommodation of identified land needs. Alternative Study Subarea #5 is designated committed rural residential area and is located along the east boundary of the existing UGB, and extends generally east off South Side Road toward the Ridgewater Estates development. It is identified in the Douglas County Committed Lands Inventory as a portion of Committed Lands Site No. 26 within Calapooya PAC area boundaries, and contains 200± acres. Future land needs within the UGB could be efficiently accommodated at this location.

Orderly and economic provision of public facilities and services. Of the alternatives analyzed, Alternative Study Subarea #1 provides the most orderly and economic extension of public facilities and services at this time, as part of the proposed UGB adjustment. However, Alternate Study Subarea #5 is located immediately adjacent to the eastern boundary of the UGB, which makes it suited for the orderly provision of public facilities and utilities to service the area. Limitations on the service capacity of the water and sanitary sewer systems exist in this area. Major upgrades in the sanitary sewer and public water systems would be required to extend services to this area if added to the UGB.

Comparative environmental, social, economic and energy (ESEE) consequences. For Study Subarea #5:

Economic Consequences

As noted above, Alternative Subarea #5 is located immediately adjacent to the eastern boundary of the UGB, which makes it somewhat suited for the orderly provision of public facilities and utilities to service the area. Both sanitary sewer and public water would have to be extended to the area due to capacity limitations. This is a limiting negative economic consequence on the provisions for extending public facilities to Subarea #4, and makes it relatively less desirable for residential expansion. The lack of established traffic facilities with adequate capacity to serve this area and increased travel time and distance from existing amenities and services for future residents also makes Subarea

#5 a less desirable site for expansion of the UGB and eventual urban level development.

Social Consequences

Alternative Subarea #5 is located adjacent to residential lands located within the existing UGB boundary, so it would not be a negative social consequence to add this area to the UGB.

Environmental Consequences

Alternative Subarea #5 is located adjacent to lands zoned residential. Although this Subarea is not located within an identified floodplain, the National Wetland Inventory maps indicate the minor presence of wetlands on a portion of the properties. Although further analysis would be required if this site was added to the UGB, the presence of possible wetlands creates a limiting factor for immediate residential development, which would be a negative environmental consequence.

Energy Consequences

Expansion of the UGB to include Subarea #5 would increase the cost of extending public facilities to the area and development of alternate transportation routes off Southside Road. As stated above, significant upgrades to the public water and sanitary sewer systems would be required to increase capacity and provide for the efficient extension of public facilities to this area at this time. This makes Subarea #5 less desirable for addition into the UGB, as the cost for such extension of public services would have negative energy consequences.

Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB. The expansion of the City of Sutherlin UGB in the location of Alternative Subarea #5 is not inherently incompatible with nearby farm or forest activities. Properties to the north of this area are zoned for farm & agricultural uses (Exclusive Farm Use), and lie south of Alternative Study Subarea #4. There is also a large area zoned for mixed farm and forest uses, which lies between the eastern boundary of the UGB and the Ridgewater Estates development. Due to the extensive development of committed residential lands in the area, it is not anticipated that addition of this site to the UGB would have significant negative consequences on the existing farm uses and forest uses in the area. Future development of alternative transportation routes would need to limit urban uses and their impacts on these adjacent farm and forest uses.

3. PREFERRED AREA FOR EXPANSION

The City of Sutherlin has identified Subarea #1 as the preferred location for expansion of the UGB in conjunction with the proposed UGB exchange. This preference is based on the

preceding evaluation and by applying the four priorities defined OAR 660-024-0067(2) which a City must apply when justifying inclusion of new lands into its UGB. These priorities will be addressed in detail below. The following considerations constitute findings based on the requirements of OAR 660-024 for expansion of a UGB.

The five subareas of the overall study area, or alternative boundary locations, subject to the analysis above are ranked in Table 3.1 in consideration of their suitability for future urban level development and in accordance with OAR 660-24-0070).

Table 3.1. Alternative Expansion Areas Ranked

Rank	Subarea	Rationale
#1	#1	See findings below.
#2	#2	Appropriate for future expansion of UGB, however, issues surrounding transportation/circulation and provision of other public facilities will have to be fully explored and addressed.
#3	#5	Potential conflicts with wetlands and the expense and feasibility of extending services to accommodate future development make this area less reasonable for inclusion in the UGB.
#4	#3	Limitations in access and the requirement for the underground installation of public facilities under the railroad right-of-way hinder the availability of public water and sewer.
#5	#4	Generally unsuitable for expansion of UGB in this location due to numerous constraints.

PRIORITIES FOR UGB EXPANSION AREAS (OAR 660-024-0067(2))

OAR 660-024-0067(2) describes 4 priorities that cities are compelled to apply to any expansion of an urban growth boundary. In sum, the priorities are: 1) Lands that are urban reserve, exception land, or nonresource lands; 2) Marginal land (so designated under ORS 195.300); 3) Forest or farm land that is not predominantly high-value farm land (as defined in ORS 195.300); and 4) Agricultural land that is predominantly high-value farmland. Cities must apply these priorities, with very limited exception, when considering alternative expansion sites.

Finding: The preferred expansion area primarily consists of first priority lands that have been identified as committed rural lands by Douglas County on County Comprehensive Plan Maps. These maps designate the area as “Committed – 2 acre”. These properties have also been inventoried as rural committed lots of record by the 2006 County Rural Residential Lands Inventory and Analysis. Approximately 153.24± acres of the preferred expansion area is considered first priority under statute.

In addition to these first priority lands, Subarea #1 includes 24.03± acres of land zoned FF, which would be considered third priority land. OAR 660-024-067(3)(a) allows for some third and fourth priority land to be included in a UGB expansion provided that the land “is not important to the commercial agricultural enterprise in the area” and is necessary to “connect a nearby and significantly larger area of land of higher priority for inclusion within the UGB.” These properties are not engaged for agricultural enterprise currently nor have

they been historically. The inclusion of third priority land is justified by the critical need for alternate access to commercial development along Park Hill Road following the interchange modernization project proposed in the City IAMP. Linking Trail's End Road to Fir Grove Lane will provide a crucial connection between committed residential lands currently separated by these resource lands.

For the proposed UGB exchange to work, the area to be added to the UGB must be substantially equivalent to the area to be removed from the UGB. According to the United States Department of Agriculture Natural Resources Conservation Service (NRCS) soil survey, 46.4 acres of the 50 acre parcel are predominantly classified as Class III, which is not considered high-value farmland as defined in ORS 195.300. See Exhibits 16 and 17 for soils maps of Fords Pond and the Trails End area of the preferred expansion area. The properties zoned FF Farm Forest that are proposed for inclusion in the UGB are not important to the "commercial agricultural enterprise in the area" and are further necessary to connect the rural residential land at the end of Park Hill Lane with "higher priority land" to the north west. Thus, the City of Sutherlin finds that the exception to the prioritization criteria found in OAR 660-024-067(3)(a) applies.

For the reasons detailed above the City of Sutherlin finds that Study Area #1 best accommodates the identified needs of the City.

4. CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

A. GOAL 1: CITIZEN INVOLVEMENT

To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Finding: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City's Comprehensive Plan, the Sutherlin Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. The City of Sutherlin notifies nearby property owners, publishes a public hearing notice and contact information in the newspaper, and facilitates public participation during public hearings.

B. GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Sutherlin's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan and implementing ordinances provide the local criteria by which the applicant's request will be reviewed. The subject properties being added to the Sutherlin Urban Growth Boundary will require review and compliance with the applicable statewide planning goals include Goals 13 and 14. No exception to statewide planning goals is necessary.

C. GOAL 3: AGRICULTURAL LANDS

Not applicable pursuant to OAR 660-024-0020(1)(b).

D. GOAL 4: FOREST LANDS

Not applicable pursuant to OAR 660-024-0020(1)(b).

E. GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES.

To conserve open space and protect natural and scenic resources.

Finding: This proposal will have little significant impact on any of the items of issue in Goal 5. Aside from a small area identified as Freshwater Emergent Wetland on the National Wetlands Inventory (NWI) issued by U.S. Fish and Wildlife Service (See Exhibit 25) there are no inventoried resources within the area to be added to the UGB that are subject to Goal 5. Future residential development can easily avoid impacting inventoried wetlands.

The City is currently completing a park master plan for the 200± acres Ford's Pond property, which will provide valuable open space for the general area. Removing the property from the UGB will better facilitate the development of this park, which will largely preserve the property for open space and natural and scenic resource value.

F. GOAL 6: AIR, WATER, AND LAND RESOURCE QUALITY

To maintain and improve the quality of air, water and land resources of the state.

Finding: The proposed UGB exchange will have little, if any effect on the quality of air, water and land resources of the area. Future development will be required to mitigate any work which will impact the small amount of wetland mapped on the preferred area for expansion.

G. GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect life and property from natural disasters and hazards.

Finding: The properties included in the UGB exchange are not subject to any known natural hazards. The area is not mapped as a special flood hazard area identified on FEMA flood insurance rate maps. Slopes of preferred expansion area are generally less than 8%.

H. GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the State and visitors and, where appropriate, to provide for the siting of necessary recreation facilities including destination resorts.

Finding: There are no master plans, identified parks, or recreational areas specifically planned for the area to be brought into the UGB. The City Park and Open Space Plan identifies Ford's Pond, proposed to be removed from the UGB, as a future community park. The City of Sutherlin is currently completing a parks master plan for the Ford's Pond property. The park will serve a wider geographic area, including the residentially zoned area proposed to be brought into the UGB and provide passive and active

recreational opportunities and open space for residents. The proposed UGB amendment proposes to reserve 5 acres of the Ford's Pond property in the UGB under current zoning for restroom and other park-related support facilities. The removal of the Ford's Pond property from the UGB will better facilitate the development of these recreational facilities.

I. GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

There are no commercial or industrial zoned lands involved in the proposed UGB exchange.

Finding: The proposed UGB amendment would have a minimal effect on economic development except that development of alternate transportation access necessary with future development of the area would support the continued viability of existing businesses currently fronting Park Hill Lane.

J. GOAL 10: HOUSING

To provide for the housing needs of citizens of the State.

Finding: The UGB amendment will result in substantially the same number of housing units, with a potential for 705 units under County zoning following the exchange, which replacing 758 potential dwelling units under current zoning (see Tables 1.5 and 1.6). As such, there will be little impact on housing needs.

K. GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The area to be added to the UGB is adjacent to public water and sanitary sewer services available from the City of Sutherlin. Extension of these services in this area will be less costly and burdensome than other alternative area considered for expansion of the UGB. Existing fire and police protection will be extended by the City to serve the area.

L. GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

The City of Sutherlin IAMP identifies a preferred interchange design concept as part of a long term modernization project for Interstate 5 Exit 136. The preferred design includes utilizing the current alignment of Park Hill Lane for an expanded southbound access ramp from Central Avenue (Highway 138) onto Interstate 5. This requires that Park Hill Lane be disconnected between OR 138 and W. Duke Road. The UGB exchange provides for alternative access for businesses and residences south of Duke Road whose access will be impacted by the reconfiguration of Exit 136.

The IAMP also identifies Crestview Street and the extension of Fairway Drive or Dakota Street south of OR 138 for potential future access off of W. Central Avenue/OR 138. Either option would tie OR 138 into Duke Road and allow traffic to bypass Fort McKay Road and Plat M Road. This would be beneficial for access to businesses currently fronting on Park Hill Lane whose access will be impacted by the aforementioned project to modernize Exit 136.

Finding: Per ongoing discussions with Southwestern Region 3 representatives with ODOT, and in consultation with the City of Sutherlin Transportation Systems Plan (TSP) and IAMP, the proposed UGB amendment will open a number of options to accommodate future development and increase connectivity in the subject area.

M. GOAL 13: ENERGY CONSERVATION

To conserve energy.

Finding: The area to be added to the UGB is relatively close in proximity to existing high capacity transportation corridor, which will positively affect energy efficiency. This proximity should also reduce consumption of non-renewable sources of energy. The proposed change will otherwise have little impact on energy conservation.

N. GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

Finding: The proposed UGB amendment will have a net positive impact on the urban density in the areas subject to the exchange, and the proposed change will not adversely affect the existing land use pattern of the area.

5. CONSISTENCY WITH SUTHERLIN COMPREHENSIVE PLAN POLICIES

A. CITIZEN INVOLVEMENT ELEMENT

The Goal of the Citizen Involvement Element of the City of Sutherlin Comprehensive Plan is “To establish a framework for a planning and policy process which involves citizens and is a basis for all decisions and actions related to land use, and which ensures that an adequate factual base is available for such decisions and actions.” The policies implementing this goal task the Planning Commission with Citizen Involvement responsibilities.

Finding: This proposal will be reviewed by the Planning Commission in a public process following procedures laid out in the Sutherlin Development Code. Citizen involvement is a key component of this process. The public will be provided ample notice according to state and city requirements and given opportunity to provide input during a public hearing process.

B. NATURAL & CULTURAL RESOURCES ELEMENT

The properties to be included in the UGB following the exchange have few natural or cultural resources. The area does not contain an identified flood zone. There are no identified geologic hazards or **steep slopes** on the properties. All slopes are generally less than 8%. See Exhibit __. Nor do the properties contain any inventoried historic resources. The UGB amendment will also have no impact on preservation of any identified mineral and aggregate resources. The only resource of note is an area subject

to freshwater emergent wetland is partially within the area proposed to be taken into the UGB. Future development will need to coordinate with the appropriate state agency and address any mitigation or other concerns.

Finding: It is anticipated that the UGB exchange will not adversely burden any natural or cultural resources that have been inventoried or otherwise identified. The extent of any area subject to wetland conditions will need to be delineated by a qualified professional and any necessary mitigation measures will need to be employed prior to any future development of the area.

C. POPULATION & ECONOMIC ELEMENT

The properties subject to the UGB exchange have significant development potential. As part of the City's current comprehensive plan (1991) Population & Economic and Land Use Elements, the properties will be designated as low density residential and residential hillside exclusively following the UGB expansion.

Policy 19 states *"The City shall take an active role in promoting the area as a desirable retirement community through advertisement and enhancement of housing, recreation, health, and transportation opportunities for senior citizens."*

Finding: The zoning map amendment is generally neutral in regard to policies identified in the Population and Economic Element of the Comprehensive Plan, as it does not represent a significant gain or loss of housing or other opportunities identified in the comprehensive plan. The retiree and senior citizen population will be better served by housing located in closer proximity to major transportation routes and amenities, which will provide greater access to "housing, recreation, health, and transportation opportunities." The proximity of the subject properties to the Umpqua Golf Resort will likely make housing in this location extremely desirable for retirees.

D. PUBLIC FACILITIES ELEMENT

The City relies on various public facilities, including those providing water, sewer, transportation, solid waste, emergency services, parks and recreation, and other services, for the proper function. The stated purpose of the City of Sutherlin Public Facilities Plan, as incorporated into the City Comprehensive Plan, is "to help assure that urban development is guided and supported by services and facilities appropriate to the needs of the community and that this infrastructure is provided in a timely, orderly, and efficient arrangement, as required by Oregon's State Planning Goal 11." The following policies are applicable to the requested amendment:

Policy 1 states *"the city shall ensure that appropriate support systems are installed prior to or concurrent with the development of a particular area. Costs of constructing water and sewer ties to new developments shall be borne by the developer."*

Finding: City water, sewer, and fire hydrants are located near the properties proposed to be added to the City UGB and are maintained by City of Sutherlin. The cost of extending and tying into these facilities will be borne by the future developer.

Policy 12 states *"the city shall provide sewer and water service to areas within the Urban Growth Boundary."*

Finding: Existing water and sanitary sewer are located near or along State Hwy 138 or Fort McKay Road. Improvements, meeting City standards, will be required to extend these public services to the UGB expansion area upon future development.

Policy 13 states *“the city shall require utilities to use the public right-of-way for future service ways and require utilities to coordinate activities in order to prevent unnecessary duplication.”*

Finding: Upon future development, the city will require utilities to use the public rights-of-way and/or utility easements over the subject properties, as needed for future service. Permits or submissions will be filed at the appropriate time when development is planned.

Policy 14 states *“ensure that as new development occurs, public facilities and services to support the development are available or will be available in a reasonable time.”* Water/sewer, gas, and fire hydrants are already in place adjacent to the area to be brought into the UGB. Electricity, internet and cable service are also available for future development.

Policy 15 states *“all public facility improvements in the Sutherlin Urban Growth Boundary shall be consistent with this plan.”*

Finding: Upon future development of properties subject to the UGB exchange, all public facility improvements required to service the property shall be consistent with the plan.

E. HOUSING ELEMENT

Under the Housing Element’s goal “to locate future housing so that available land is both used efficiently and developed for a high degree of livability,” the following policies are applicable to the requested amendment:

Policy 2 states to *“provide buffer zones between residential areas and conflicting land uses (i.e., industrial, certain kinds of commercial, residential, etc.) in order to protect the overall livability of these areas.”*

Finding: The proposal satisfies Policy 2. The City decision to exclude unnecessary portions of the two county properties zoned FF from the area to be included in the UGB creates an adequate buffer between future residential uses and resource lands to the south.

F. LAND USE ELEMENT

The stated goal of the Land Use element is “To ensure that the development of Sutherlin is properly phased and orderly so that urban sprawl is avoided, livability is enhanced and enough suitable land is available for future development.” The following policy is applicable to the proposed UGB exchange:

Policy 1 requires that the *“Conversion of urbanizable land to urban uses shall be based on consideration of;*

- A. Orderly, economic provision for public facilities and services;*
- B. Availability of sufficient land of various use designations to ensure choices in the market place;*
- C. Conformance with statewide planning goals;*

D. Encouragement of development within urban areas before conversion of non-urban areas.”

Finding: The proposed amendment satisfies the above policy. The provision of public facilities and services has been addressed in great detail elsewhere in this proposal. The proposal also discusses conformance with statewide planning goals elsewhere.

6. SUTHERLIN DEVELOPMENT CODE STANDARDS

A. SDC 4.11: AMENDMENTS TO THE SUTHERLIN DEVELOPMENT CODE AND LAND USE PLANS

Pursuant to Section 4.11.110.C of the Sutherlin Development Code – Amendments to the Sutherlin Development Code and Land Use Plans – the proposed annexation and zone change exchange is subject to the following criteria:

- A. The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission; and*
- B. The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

Finding: See Section 5 above for an in depth discussion of compatibility of the proposal with City of Sutherlin Comprehensive Plan and supporting documents.

ANNEXATION AND ZONE CHANGE

The City of Sutherlin is proposing a zone change and annexation in conjunction with the UGB expansion subject to the above proposal. These processes will run concurrently and must therefore be addressed as part of this staff report. The following proposal details the proposed annexation and Zoning Map Amendment.

Current law requires Planning Commission and City Council approval of any amendment to the Sutherlin Zoning Map. The proposal shall be evaluated against the procedures and criteria for approving amendment to the Zoning Map and city boundary as provided in state statute and Sutherlin Development Code Sections 4.8 and 4.11. Each applicable criterion is addressed separately, and proposed findings are provided to assist the Planning Commission in making a recommendation on this matter.

The requested changes are specific to properties described in the proposal below. Because a decision must be reached by applying specific criteria in the City's Plan and Zoning ordinances, approval of the zone change and annexation request requires a quasi-judicial map amendment. Before the Sutherlin Planning Commission can make a formal recommendation to the City Council concerning this request, a quasi-judicial public hearing must be held in which the Planning Commission reviews a staff report, takes written and oral testimony, considers the facts, applies the appropriate criteria (in this case, the Statewide Planning Goals, and the City's

Comprehensive Plan and implementing ordinances), and adopts Findings of Fact which justify its decision and recommendation.

The Findings of Fact must demonstrate compliance with Oregon's Statewide Planning Goals and address pertinent criteria from Sutherlin's Comprehensive Plan and implementing ordinances. After relating the facts to the criteria, the Planning Commission must recommend approval, denial, or approval with conditions concerning the request.

If the Planning Commission finds that the zone change and annexation proposed by the City satisfy the applicable approval criteria for these land use actions they may make a written recommendation to approve the requested Zoning Map amendment and concurrent annexation to the City Council. The Council will consider the Commission's recommendation, hold a public hearing, and make a decision to grant, amend or deny the request.

1. PROPOSAL

The Zoning Map Amendment and Annexation proposal under review were initiated by the City as part of the effort to amend the City UGB, as described above. The City has In conjunction with the proposed UGB exchange, the City of Sutherlin is proposing to annex approximately 168 acres, including 41 properties, into City limits. The request also includes a zone change from Douglas County Rural Residential 2 (RR) and Farm Forest (FF) zones to City of Sutherlin Residential Hillside (RH) and Single Family Residential (R-1) zones. Exhibit 19 lists the existing and proposed comprehensive plan and zoning designations on the individual properties involved. This will facilitate the extension of public services to the area and the orderly development of the properties. Sanitary sewer will be required with future residential development in the area and the City may consider requesting the owners sign a waiver not to remonstrate a future service LID.

The properties subject to the proposed annexation and zone change are located along Duke Road, Fir Grove Lane and Plat M Road approximately one quarter mile west of Interstate 5 and are further identified on Douglas County Assessor map T25-R06-S24: Tax lot 1500, Property ID R46083 (Calkins Enterprises LLC); Tax lot 1800, Property ID R46041 (O'Banion); Tax lot 2100, Property ID R46027 (Koch); Douglas County Assessor map as T25-R06-S24A: Tax lot 1400, Property ID R46419 (Heritage Loving Trust); Tax lot 1600, Property ID R46412 (Palomares); Tax lot 1700, Property ID R46405 (Fisher); Tax lots 1800/1900, Property IDs R46153/R46146 (Calkins Enterprises LLC); Tax lot 2000, Property ID R46139 (Robinson & Srikureja, et al); Tax lot 2300/2401, Property ID R46104/R46132 (Ecker); Tax lot 2500, Property ID R46118 (O'Banion); Douglas County Assessor map as T25-R05-S19C: Tax lots 100/200, Property IDs R22752/R22768/R46986 (Robinson); Tax lot 201, Property ID R46993 (Haley); Tax lot 300/400, Property ID R47000/R47007 (Germond); Tax lot 800, Property IDs R141456/R22744 (Stookey LLC); Tax lot 900, Property ID R22672/22688 (J. Rochester Rev Trust); Douglas County Assessor map as T25-R05-S19CD: Tax lots 400/500, Property IDs R22624/R22632 (Baskids LLC); Tax lot 600, Property ID R22832 (Bangs); Tax lot 1000, Property ID R22784 (Bartram); Tax lots 1100/1101, Property IDs R22808/R120911 (Robinson Loving Trust); Tax lot 1102, Property ID R120808 (Haley); Douglas County Assessor map T25-R05-S19B: Tax lot 500, Property ID R45915 (Tucker Rev Liv Trust); Tax lots 700/900, Property IDs R45922/R45950 (Nelson); Tax lot 800, Property ID R45915 (Tucker

First Family LLC); Tax lots 1000/1100, Property IDs R45943/45936 (Oliver); Tax lots 1400/1500, Property IDs R45880/R45887 (Walker); and Douglas County Assessor map T25-R05-S19BC as: Tax lot 1100, Property ID R45985 (Oliver); Tax lot 1300, Property ID R45957 (Haaby); Tax lot 1600, Property ID R22664 (Van Laarhoven); Tax lot 1700, Property ID R22736 (Robinson). See Exhibit 19 for a complete list of properties subject to this annexation proposal.

The majority of the subject properties contain existing residential development. The subject properties will be located within the UGB following the proposed exchange and given Low Density Residential (RLD) or Residential Hillside (RH) designations under the Sutherlin Comprehensive Plan. The proposed zone change and annexation will allow connection to public water service on the 168 area as permitted under the City code.

The proposal also requires amendments to the official City of Sutherlin Zoning Map as the subject properties currently carry County RR and FF zoning designations. The narrative below demonstrates compliance with the Comprehensive Plan and to ensure consistency between the Plan and its implementing ordinances (i.e. zoning).

The surrounding property is comprised of a mix of residential, commercial and industrial zoned properties. Lands to the south of the subject properties are zoned FF by Douglas County. Properties to the north of the area are zoned Low Density Residential (R-1), Community Commercial (C-3) and General Industrial (M-2).

2. APPLICABLE CRITERIA

A. Oregon Revised Statutes (ORS) 222.111(1) & (2) states:

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Finding: The properties proposed to be annexed are wholly and completely within the current City of Sutherlin Urban Growth Boundary. The subject properties are located in the southwest portion of the UGB and are contiguous to the city limits to the north.

Finding: The owners of the real property subject to the proposed annexation have submitted written consent for annexation under ORS 222.125. This annexation request is being reviewed under the provisions of ORS 222.125 below.

B. ORS 222.125 states as follows:

The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

- a. Upon completion of the UGB exchange, the territory proposed to be annexed is or will be wholly and completely within the City of Sutherlin Urban Growth Boundary.
- b. The subject territories are adjacent to the City of Sutherlin city limits on its west, north and east property lines. The properties are considered contiguous to the city limits.
- c. A statement of consent to annexation has been filed with the City of Sutherlin in the form of a “Consent to Annexation to the City of Sutherlin, Oregon”, signed by all of the owners/electors party to the annexation.
- d. The Sutherlin City Council, under the authority of ORS 222.125, need not call or hold an election nor hold the hearing otherwise required by ORS 222.120. The City Council, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

3. CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

A. **GOAL 1: CITIZEN INVOLVEMENT**

To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Finding: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City’s Comprehensive Plan, the Sutherlin Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. The City of Sutherlin notifies nearby property owners, publishes a public hearing notice and contact information in the newspaper, and facilitates public participation during public hearings.

B. **GOAL 2: LAND USE PLANNING**

To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Sutherlin's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan and implementing ordinances provide the local criteria by which the applicant's request will be reviewed. The subject properties being added to the Sutherlin Urban Growth Boundary will require review and compliance with the applicable statewide planning goals include Goals 13 and 14. No exception to statewide planning goals is necessary.

C. GOAL 3: AGRICULTURAL LANDS

D. GOAL 4: FOREST LANDS

Finding: The subject properties are not agricultural or forest land as defined by Statewide Goals 3 and 4. The properties are situated within the urban area and have been designated for urban use by the Sutherlin Comprehensive Plan. The proposed annexation and zone change does not involve the conversion of designated farm or forest land to urban use. Statewide Goals 3 and 4 are not applicable to this requested amendment.

E. GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES.

To conserve open space and protect natural and scenic resources.

Finding: Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory natural resources such as wetlands, riparian corridors, and wildlife habitat. In addition, Goal 5 encourages local governments to maintain current inventories of open spaces, scenic views and sites, and historic resources. Significant sites must be identified and protected according to Goal 5 rules contained in the Oregon Administrative Rules, Chapter 660, Division 23.

Goal 5 resources within Douglas County and the City of Sutherlin have previously been inventoried and evaluated, and the City has completed a Local Wetlands Inventory. According to this inventory, the properties contain no wetlands, riparian corridor or significant wildlife habitat. No known historic or cultural resources exist on the properties, and they contain no open spaces or scenic areas as identified by the City of Sutherlin. The relative elevation of the subject properties places them well outside the flood plain of any area streams.

F. GOAL 6: AIR, WATER, AND LAND RESOURCE QUALITY

To maintain and improve the quality of air, water and land resources of the state.

Finding: Statewide Planning Goal 6 requires that waste and process discharges from future development combined with that of existing development do not violate State or Federal environmental quality regulations. Rezoning the subject properties to RH and R-I is not expected to result in any additional development with the typical associated

waste stream characteristics. The proposed residential zoning is an acknowledgement of the existing development on the subject properties. Any further development of the area will undergo the required City of Sutherlin site development review process which will help assure that future waste streams that occur will be no more adverse to the environment and the City's treatment capacity than would be the case under the current zoning. The City has regulations in place to control the generation and disposal of residential wastes. Although the subject properties are currently served by private water sources, the proposed amendment will allow the ownerships to be served by City water. The area is also served by private sewer service.

Therefore, the proposed rezoning is not expected to have any deleterious effects on the quality of the air, water, or land resources of the State. Existing state, federal, and local land use and environmental standards will be sufficient to ensure that subsequent land use activities at the subject site will be conducted in a manner that is consistent with, and will achieve the purpose of Goal 6.

G. GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect life and property from natural disasters and hazards.

Finding: The properties included in the proposed annexation are not subject to any known natural hazards. The properties have generally flat topography and are not located within any special overlay zones or in an area that is designated as susceptible to flooding or other natural hazards. Any new development on the site will comply with building codes and fire safety requirements. These existing regulations serve to ensure the protection of life and property.

H. GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the State and visitors and, where appropriate, to provide for the siting of necessary recreation facilities including destination resorts.

Finding: The subject properties have not been designated by the City of Sutherlin as land needed to meet the recreational needs of the citizens of, or visitors to, the state of Oregon. The properties are currently zoned for residential use and have no special geographic or natural advantages for recreational use. The requested amendment does not conflict with Goal 8.

I. GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: There are no commercial or industrial zoned lands involved in the proposed annexation.

The subject properties will be inside the UGB and will be planned and zoned and utilized for residential purposes. The Sutherlin Comprehensive Plan contains specific policies for protecting and ensuring future economic development in the area is enhanced. The application for zone change will not impact the current inventory of land needed for economic development and is therefore consistent with Goal 9.

J. GOAL 10: HOUSING

To provide for the housing needs of citizens of the State.

Finding: The properties, consisting of approximately 168 acres, will be zoned RH and RLD under the proposed Zone Change. The properties already in the UGB are currently designated Low Density Residential and Residential Hillside by the Sutherlin Comprehensive Plan, and those to be added to the UGB and annexed are currently designated Committed Land – 2 Acres (RC2) under the Douglas County Comprehensive Plan. The Sutherlin Comprehensive Plan contains specific policies for protecting and ensuring future residential development in the area is enhanced. The properties involved in this request are mostly developed for residential uses already and will remain part of the inventory of residential lands for the City; therefore, there will be no negative impact on housing in the area. The application for zone change will have no negative impact on the current inventory of land needed for residential development and is consistent with Goal 10.

K. GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The area to be annexed into the City will be entirely within the City UGB and is adjacent to public water and sanitary sewer services available from the City of Sutherlin. Existing fire and police protection will be extended by the City. Future development would require that the City review the specific development plans for the site to determine any additional infrastructure requirements. The City has both the capacity and ability to provide the required public facilities, as available, with sufficient infrastructure investment on the part of the owners. It can be expected that the property will be served by city water and private sewer, as well as other necessary public utilities. The proposed amendment is not in conflict with Goal 11.

L. GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Finding: The statewide transportation goal is generally applied on a citywide basis. Specific transportation-related policies and development standards are included within the Sutherlin Comprehensive Plan and land use ordinances to assure that the intent of the statewide transportation goal is implemented through the application of both state and local policies and standards at the time of development. The intent of Goal 12 is also implemented by the State Transportation Planning Rule (OAR 660, Division 12). OAR 660-12-060(1) requires that "amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility".

In order to ensure that a proposed land use change complies with the requirements of the Transportation Planning Rule, the City of Sutherlin has adopted the following standards for Plan amendment applications:

- (1) The applicant shall certify the proposed land use designations, densities and design standards are consistent with the function, capacity and performance standards for roads identified in the County Transportation System Plan.
 - (a) The applicant shall cite the identified Comprehensive Plan function, capacity and performance standard of the road used for direct access and provide findings that the proposed amendment will be consistent with the County Transportation System Plan."
 - (b) The jurisdiction providing direct access (County or ODOT) may require the applicant to submit a Traffic Impact Study certified by a Traffic Engineer that supports the findings used to address §6.500.2.a(1)(a).

Finding: The functional classifications of transportation facilities within the City of Sutherlin Transportation System Plan (TSP) are identified in Table 7-1 of that document. The roads utilized for access are not currently under jurisdiction of the City. However, Duke Road and Plat M Road are each currently classified by the City as a "Local" with a future designation of "Collector". Fir Grove Lane is classified as a "Local Access Road" and is not under public maintenance, but will be brought into the City's maintenance system at such time as the street is improved to an urban standard. As previously noted, the subject area is situated on the west side of Interstate 5. At the present time, the public roads in the area are and have been adequate to accommodate existing traffic volumes generated by the properties. Future development will generate additional traffic volumes on the existing access and will be addressed by the developers at the time of development.

City of Sutherlin Development Code standards will help to insure any future residential development approval of the property and its associated impacts will be in compliance with the TSP and IAMP. Staff finds that the requested annexation and zone change meet the requirements of Goal 12.

M. GOAL 13: ENERGY CONSERVATION

To conserve energy.

Finding: Statewide Planning Goal 13 requires that land uses shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. A number of the properties contain pre-existing residential uses. Any future development on the properties will be completed under City standards for residential use. The proposed map amendment is to change the zoning on the property from RR and FF to RH and R-I in conformance with proposed residential designations under the City of Sutherlin Comprehensive Plan. The 168 acres will also be subject to development standards and building codes that provide for a minimum level of energy efficiency. The proposal is consistent with principles of efficient land use and energy efficiency and Goal 13.

N. GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

Finding: With the concurrent UGB exchange, the state will have acknowledged the lands within Sutherlin as being in compliance with Goal 14.

4. CONSISTENCY WITH SUTHERLIN COMPREHENSIVE PLAN POLICIES

A. CITIZEN INVOLVEMENT ELEMENT

The Goal of the Citizen Involvement Element of the City of Sutherlin Comprehensive Plan is “To establish a framework for a planning and policy process which involves citizens and is a basis for all decisions and actions related to land use, and which ensures that an adequate factual base is available for such decisions and actions.” The policies implementing this goal task the Planning Commission with Citizen Involvement responsibilities.

Finding: This proposal will be reviewed by the Planning Commission in a public process following procedures laid out in the Sutherlin Development Code. Citizen involvement is a key component of this process. The public will be provided ample notice according to state and city requirements and given opportunity to provide input during a public hearing process.

B. NATURAL & CULTURAL RESOURCES ELEMENT

The properties to be included in the UGB following the exchange have few natural or cultural resources. The area does not contain a special flood hazard area as identified on FEMA flood insurance rate maps. There are no identified geologic hazards or steep slopes on the properties. The properties do not contain any inventoried historic resources. The Zoning Map Amendment will also have no impact on preservation of any identified mineral and aggregate resources. The only resource of note is an area subject to freshwater emergent wetland is partially within the area proposed to be taken into the UGB, as identified on National Wetland Inventory maps. Future development will need to coordinate with the appropriate state agency and address any mitigation or other concerns.

Finding: It is anticipated that the UGB expansion will not adversely burden any natural or cultural resources that have been inventoried or otherwise identified.

C. POPULATION & ECONOMIC ELEMENT

The properties subject to the Zone Map Amendment have significant development potential. As part of the City’s current comprehensive plan (1991) Population & Economic Element and Land Use Element, the properties will be designated as low density residential and residential hillside exclusively following the UGB expansion, zone change, and annexation.

Policy 19 states “*The City shall take an active role in promoting the area as a desirable retirement community through advertisement and enhancement of housing, recreation, health, and transportation opportunities for senior citizens.*”

Finding: The zoning map amendment is generally neutral in regard to policies identified in the Population and Economic Element of the Comprehensive Plan, as it does not represent a significant gain or loss of housing or other opportunities identified in the

comprehensive plan. The retiree and senior citizen population will be better served by housing located in closer proximity to major transportation routes and amenities, which will provide greater access to “housing, recreation, health, and transportation opportunities.” The proximity of the subject properties to the Umpqua Golf Resort will likely make housing in this location extremely desirable for retirees.

D. PUBLIC FACILITIES ELEMENT

The City relies on various public facilities, including those providing water, sewer, transportation, solid waste, emergency services, parks and recreation, and other services, for the proper City function. The stated purpose of the City of Sutherlin Public Facilities Plan, as incorporated into the City Comprehensive Plan, is “to help assure that urban development is guided and supported by services and facilities appropriate to the needs of the community and that this infrastructure is provided in a timely, orderly, and efficient arrangement, as required by Oregon's State Planning Goal 11.” The following policies are applicable to the requested amendment:

Policy 1 states *“the city shall ensure that appropriate support systems are installed prior to or concurrent with the development of a particular area. Costs of constructing water and sewer ties to new developments shall be borne by the developer.”*

Finding: City water, sewer, and fire hydrants are located near the properties proposed to be added to the City UGB and are maintained by City of Sutherlin. The cost of extending and tying into these facilities will be borne by the future developer.

Policy 12 states *“the city shall provide sewer and water service to areas within the Urban Growth Boundary.”*

Finding: Existing water and sanitary sewer are located near or along State Hwy 138 or Fort McKay Road. Improvements, meeting City standards, will be required to extend these public services to the UGB expansion area upon future development.

Policy 13 states *“the city shall require utilities to use the public right-of-way for future service ways and require utilities to coordinate activities in order to prevent unnecessary duplication.”*

Finding: Upon future development, the city will require utilities to use the public rights-of-way and/or utility easements over the subject properties, as needed for future service. Permits or submissions will be filed at the appropriate time when development is planned.

Policy 14 states *“ensure that as new development occurs, public facilities and services to support the development are available or will be available in a reasonable time.”* Water/sewer, gas, and fire hydrants are already in place adjacent to the area to be brought into the UGB. Electricity, internet and cable service are also available for future development.

Policy 15 states *“all public facility improvements in the Sutherlin Urban Growth Boundary shall be consistent with this plan.”*

Finding: Policy 15 is satisfied. Upon future development of properties subject to the UGB exchange, all public facility improvements required to service the property shall be consistent with the plan.

E. HOUSING ELEMENT

Under the Housing Element's goal "to locate future housing so that available land is both used efficiently and developed for a high degree of livability," the following policies are applicable to the requested amendment:

Policy 2 states to *"provide buffer zones between residential areas and conflicting land uses (i.e., industrial, certain kinds of commercial, residential, etc.) in order to protect the overall livability of these areas."*

Finding: The proposal satisfies Policy 2. The City decision to exclude unnecessary portions of the two county properties zoned FF from the area to be included in the UGB creates an adequate buffer between future residential uses and resource lands to the south.

F. LAND USE ELEMENT

The stated goal of the Land Use element is "To ensure that the development of Sutherlin is properly phased and orderly so that urban sprawl is avoided, livability is enhanced and enough suitable land is available for future development." The following policy is applicable to the proposed UGB exchange:

Policy 1 requires that the *"Conversion of urbanizable land to urban uses shall be based on consideration of;*

- A. Orderly, economic provision for public facilities and services;*
- B. Availability of sufficient land of various use designations to ensure choices in the market place;*
- C. Conformance with statewide planning goals;*
- D. Encouragement of development within urban areas before conversion of non-urban areas."*

Finding: The proposed zoning map amendment satisfies the above policy. The provision of public facilities and services has been addressed in detail elsewhere in this staff report. The proposal also discusses conformance with statewide planning goals elsewhere.

5. SUTHERLIN DEVELOPMENT CODE STANDARDS

A. SDC 4.8: ZONING DISTRICT MAP AMENDMENTS

Section 4.8.110.C of the Sutherlin Development Code – Zoning District Map Amendments – the proposed zoning map change is subject to the following criteria:

The planning commission shall approve, approve with conditions or deny an application for a quasi-zoning map amendment based on all of the following criteria:

- 1. Demonstration of compliance with all applicable comprehensive plan policies and map designations. Where this criterion cannot be met, a comprehensive plan amendment shall be a prerequisite to approval;*

2. *Demonstration that the most intense uses and density that would be allowed, outright in the proposed zone, considering the sites characteristics, can be served through the orderly extension of urban facilities and services, including a demonstration of consistency with OAR 660-012-0060. The determination of consistency with OAR 660-012-0060 can be deferred to development review pursuant to 4.3.120 for those zone changes that are located within the approved interchange 136 IAMP area and do not require a comprehensive plan amendment; and*
3. *Evidence of change in the neighborhood or community, or a mistake or inconsistency between the comprehensive plan or zoning district map regarding the subject property which warrants the amendment.*

Finding: Findings found in Sections 3 and 4 above demonstrate compliance with all comprehensive plan policies and map designations.

The change in the area that warrants the zoning map amendment is the inclusion of the area in the City UGB and the annexation of the properties. These actions require that the properties subject to the proposal receive a City zoning and comprehensive plan designations.

B. SDC 4.11: AMENDMENTS TO THE SUTHERLIN DEVELOPMENT CODE AND LAND USE PLANS

Pursuant to Section 4.11.110.C of the Sutherlin Development Code – Amendments to the Sutherlin Development Code and Land Use Plans – the proposed annexation and zoning map change is subject to the following criteria:

- C. *The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission; and*
- D. *The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

Finding: See Section 3 and 4 above for an in depth discussion of compatibility of the proposal with City of Sutherlin Comprehensive Plan and supporting documents.

CONCLUSION

City Staff recommends that the Planning Commission forward a recommendation for approval to the Sutherlin City Council of the requested urban growth boundary exchange, annexation and zone change for properties consenting to be annexed into City limits at this time.

DECISION OPTIONS

Based on the City Staff Report and the testimony and evidence provided during the public hearing, the Planning Commission can move to either:

1. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Urban Growth Boundary exchange; or
2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council approval of the requested Urban Growth Boundary exchange amendments with specified **conditions**; or
3. Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal; or
4. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend denial** of the requested Urban Growth Boundary exchange on the grounds that the proposal does not satisfy the applicable approval criteria.

STAFF EXHIBITS

1. Vicinity Map
2. Douglas County Zoning Map
3. City of Sutherlin Zoning Map
4. City of Sutherlin Comprehensive Plan Map
5. Staff Report with Responses Attached and affidavit of mailing
6. Proposed UGB Exchange
7. Properties Involved in UGB Exchange - Table
8. Study Area
9. Study Subarea #1
10. Study Subarea #2
11. Study Subarea #3
12. Study Subarea #4
13. Study Subarea #5
14. Areas to Be Removed from UGB – Fords Pond Current Zoning
15. Areas to Be Removed from UGB – Schoon Mountain Current Zoning
16. Fords Pond Soil Maps
17. Trails End Soil Maps
18. Properties Subject to Zone Change and Annexation – Map
19. Properties Subject to Zone Change and Annexation – Table
20. DLCD Notice of Proposed Amendment with affidavit of mailing
21. Notice of Public Hearing with affidavit of mailing
22. Copy of legal notice posted in the *News Review*
23. Property Owners within 100 Feet
24. Contour Map of Preferred Expansion Area
25. Wetlands Map



Community Development

126 E. Central Avenue

Sutherlin, OR 97479

(541) 459-2856

Fax (541) 459-9363

www.ci.sutherlin.or.us

City of Sutherlin

August 22, 2017

MEMORANDUM

TO: Sutherlin Planning Commission

FROM: Lisa Hawley, Community Services Planner 

RE: COMMENTS RECEIVED ON THE PROPOSED UGB AMENDMENT, ANNEXATION & ZONE CHANGE

The City of Sutherlin has received agency comment from the Oregon Department of Transportation (ODOT). John McDonald, Development Review Planner with ODOT, submitted a letter into the record on August 15, 2017 (via email) which requests a continuance of the August 29, 2017 Planning Commission hearing to allow the City to complete a Traffic Impact Study (TIS). A draft scope of work for the requested TIS was provided by ODOT and has been submitted into the record at their request. The letter and draft scope of work are available for review at the City of Sutherlin Community Development office.

City staff provides the following options for the Planning Commission, in response to ODOT's request. These responses would need to be part of any motion advanced by the Planning Commission following the public hearing.

1. The Planning Commission may grant a continuance of the public hearing per ODOT's request and delay the UGB exchange/zone change until a TIS is completed by the City.
2. The Planning Commission may forward a recommendation to the City Council to approve the UGB exchange, annexations and zone changes, upon the condition that a TIS must be completed as a condition of any future land use action. This would ensure that a TIS would be completed prior to future development of properties subject to the proposed annexation and zone change.
3. The Planning Commission may forward a recommendation to the City Council that the proposed annexations and zone changes be removed from the proposal in order to complete the UGB amendment in a timely fashion. The properties currently proposed for annexation and zone change can then be processed as subsequent land use actions. A TIS may be required before these actions can be approved by the City.

In addition to ODOT's request, the City of Sutherlin has received a request from the owners of property at 1814 and 1818 Trails End Lane that the entirety of their property be included in the UGB amendment and made eligible for zone change and annexation. The Planning Commission may choose to grant this request and forward a recommendation to the City Council that the property be included in the UGB amendment, annexation and zone change. A grant of this request would need to be part of any motion advanced by the Planning Commission following the hearing.

Attachments

Lisa Hawley

From: David Robinson <drobinson051@gmail.com>
Sent: Monday, August 21, 2017 4:10 PM
To: Lisa Hawley; Brenda Robinson; David Robinson; Ulena Robinson
Subject: 1818 and 1814 Trails End Lane annexation reconsideration

City of Sutherlin Planning UGB, Annexation Committee,

8-21-17

I want to say thank you for all the work you have put into bringing 1814 and 1818 Trails End Lane into the UGB and annexing this to the city. On all the maps to this date our total property was in consideration and I saw our property was in that inclusion in the annexation.

I just received a letter showing that only the property north of Trails End Lane would be included and I thank you for that. The problem lies that we have drilled two wells, looked in the mountain for a spring and there is no water. We now have to pump the water from another property or buy water to supply our homes and this is very costly.

I would like to request that the two houses which are 400-500 feet above Trails End Lane or to the trees above the houses be included in the UGB. We really would appreciate the reconsideration of the addition of this property.

Respectfully submitted,

David and Ulena Robinson
Brenda Robinson

Lisa Hawley

From: drobinson051@gmail.com
Sent: Monday, August 21, 2017 4:55 PM
To: Lisa Hawley
Subject: 1814, 1818 trails end lane robinson'
Attachments: IMG_6598.JPG; ATT00001.txt

This is the property that were are talking about if you notice the two dots that's about where the houses are and the forest begins I do not have exact footage from trails and to the back of the homes. Thanks for your consideration. David Robinson

GENERAL AREA BEING
MOVED FROM UGB &
CITY LIMITS (5+- AC WILL
REMAIN IN UGB & CITY LIMITS)

PORT MCKAY RD

I-5
EXIT
136

GENERAL AREA OF UGB EXCHANGE
(BEING ADDED TO UGB PLUS PORTION
BEING ANNEXED INTO CITY LIMITS)

CITY L
WILL

David + Luana Robinson
Brenda Robinson
1814, 1818
Trails End

To: City of Sutherlin




From:
Allen Peterson
Gale Peterson
1754 Trail's End Lane
Sutherlin


Phone: 541-459-2368

We are in the UGB exchange and would like to receive information on progress or changes to the UGB, city limits, or zoning.

We would also like to know of plans for traffic and city services on Trail's End Lane.

Thanks,


Allen Peterson


Gale Peterson



Oregon

Kate Brown, Governor

Department of Transportation

Region 3 Planning and Programming Unit

3500 NW Stewart Parkway

Roseburg, OR 97470

Phone: (541) 580-6178

Director Brian Elliott
Community Development Department
City of Sutherlin
126 E. Central Avenue
Sutherlin, OR 97479

RE: PDF 17-S015, Proposed Urban Growth Boundary Amendment and Zone Change

Dear Director Elliott,

Please enter this letter into the record. We are requesting a continuance of the public hearing in order to allow the applicant time to complete a traffic impact study.

Having reviewed the Notice of Public Hearing and related staff report, we assert that the proposed zone changes fails to comply with the City of Sutherlin Development Code Section 4.8.110 C.2. Specifically, SDC 4.8.110 C.2 requires a "demonstration of consistency with [Oregon Administrative Rule] 660-012-0060".

Oregon Administrative Rule (OAR) 660-012, also known as the Transportation Planning Rule, requires a showing that "amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map)" will not significantly affect an existing or planned transportation facility. The Rule states the conditions under which a significant effect occurs, and outlines measures that must be undertaken to mitigate a significant effect.

ODOT has completed an initial review of the notice of public hearing and related staff report. We conclude that the proposed zone changes may significantly affect a state transportation facility, and have provided a scope of work for a traffic impact study that will provide the information needed to make a determination.

Please contact me if you have any questions.

Sincerely,


John McDonald
Development Review Planner



Oregon

Kate Brown, Governor

Oregon Department of Transportation
Region 3, District 8
100 Antelope Road
White City, OR 97503
(541) 774-6316
FAX (541) 774-6397

FILE CODE:

Date: August 2, 2017

File:

Address: Kristi Gilbert
City of Sutherlin
126 E. Central Avenue
Sutherlin, OR 97479

Subject: Traffic Impact Analysis Scope of Work:
Sutherlin UGB Exchange

The purpose of this letter is to define the scope of work for a Traffic Impact Analysis (TIA), which evaluates the impact for the proposed Sutherlin UGB Exchange Project. The information identifying the limits of the project shall be defined in the TIA and shall be pre-approved by ODOT before continuing the evaluation.

Scope of Work:

GENERAL

1. Executive Summary

Provide a description of the proposed UGB exchange project, site location and study area (including a site map). Briefly describe the purpose of the analysis, principal findings, recommendations and conclusions.

2. Analysis Study Area

Provide a text description (including tax-lot descriptions) of the proposed UGB exchange project; and a graphic showing the intersections and accesses to be evaluated as part of this analysis.

A. Major Intersections to be evaluated:

- a) OR 138 & I-5 NB On/Off Ramps
- b) OR 138 & Park Hill Lane
- c) I-5 Exit SB On/Off Ramp Terminals

B. Minor Intersections:

- d) OR 138 & Fort McKay Road
- e) OR 138 & Dovetail
- f) OR 138 & Church Road

Some of the intersections could be removed from the study area after the evaluation of the trip generation and distribution.

TRAFFIC DATA

1. Traffic Counts

For all major intersections where significant signal modifications or where signals are being proposed, the counts shall be a minimum of 16-hour long, with 15-minute breakdowns in the A.M. and P.M. peak hours, unless pre-approved for a lesser time. Justification for deviation from these counts will be required. For all other intersections and approaches, the counts must be at least 2-hours long, made during both the morning and afternoon peaks, with 15-minute breakdowns. The morning peak hour occurs during 6:30 AM to 9:30 AM and the afternoon peak occurs during 3:30 PM to 6:30 PM. ODOT are not aware of any "false" peaks for this area. If there are indications of problems during these time frames, the traffic evaluation shall address all concerns.

Raw traffic volumes will not be accepted for use in traffic analysis. All traffic volumes shall be seasonally adjusted to represent 30th Highest Hour Volumes (30HV) for Current Year, each anticipated phase completion, and Future Year "background traffic" conditions, all with and without the project. For guidance, please refer to the *Developing Design Hour Volumes* document at:

<http://www.oregon.gov/ODOT/TD/TP/docs/TAPM/DevDHV.pdf>

2. Site Trip Generation, Distribution and Assignment

Project trip generation shall utilize the most recent edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual to estimate daily and peak hour trip volumes originating from and destined to the proposed project. In the case of an existing approval where specific land uses have not been identified, a reasonable worst-case land use scenario should be assumed based on the allowed uses under the current and requested zone(s). All assumptions and adjustments shall be documented and discussed in the TIA, or in an appendix. Trip generation may be adjusted with additional information and refinement. Pass-by, Diverted and Internal trips should be calculated based on ITE Trip Generation hand book.

This analysis should use available transportation models in conjunction with the Douglas County Transportation System Plan and the Comprehensive Plan to estimate traffic distribution patterns. This TIA could be a significant amendment to the current Comprehensive Plan and the Transportation System Plan. Approved computer models, such as TRAFFIX, or manual calculations may also be used for determining trip assignments for site-generated traffic volumes on roadways within the study area. Pre-approval of trip generation and distribution parameters shall be obtained from ODOT prior to commencing further analysis.

ANALYSIS PROCEDURES

For ODOT's *Analysis Procedures Manual* Refer to:
<http://www.oregon.gov/ODOT/TD/TP/TAPM.shtml>
and for ODOT's *Development Review Guidelines* Refer to:
<http://www.oregon.gov/ODOT/TD/TP/DRG.shtml>

1. Capacity Analysis

Capacity analysis of signalized intersections, unsignalized intersections, and roadway segments shall follow the established methodologies of the current Highway Capacity Manual (HCM2010). For signalized intersections, the overall intersection V/C shall be reported. For unsignalized intersections, the highest approach V/C shall be reported, along with an indication of its corresponding movement.

Please use ODOT default values for signalized intersection analysis. If multiple intersections are analyzed, the traffic volumes shall be balanced between intersection nodes. All intersection capacity analyses shall include heavy vehicles percentages by approach, as determined from manual counts. Planning level mobility results (V/C) from the TIA will be compared against Highway Mobility Standards (Policy 1F) and the Maximum V/C Ratios provided in Table 6 of the 1999 Oregon Highway Plan (OHP).

Application of Computer software shall closely follow ODOT-approved analysis methodologies using ODOT standard parameter values. HCS2010 and Synchro/SimTraffic are examples of accepted analysis software. For further guidance, contact TPAU.

2. Queue Length Analysis

Intersection operation analysis shall include the effects of queuing and blocking. Average queue lengths and 95th Percentile queue lengths shall be reported for all study area intersections. The 95th Percentile queuing shall be used for design purposes, and will be reported to the next highest 25 foot increment. Any methodology used to determine queue length shall be approved in advance by either TPAU or the Region Traffic Section.

ANALYSIS REQUIREMENTS

1. Intersection Sight Distance

Adequate intersection sight distance shall be verified for all proposed intersections and highway approaches as required in ODOT's 2012 Highway Design Manual. Refer to:
http://www.oregon.gov/ODOT/HWY/ENGSERVICES/pages/hwy_manuals.aspx

For guidance, please contact the Region Access Management Engineer.

2. Right & Left Turn Lane Criteria

Proposed right or left turn lanes at unsignalized intersections and private approach roads shall meet installation criteria contained in the current Highway Design Manual (HDM). For turn lane evaluation procedures, refer to:
<http://www.oregon.gov/ODOT/TD/TP/TAPM.shtml>

3. Traffic Signal Installations & Modifications

Analysis and recommendations related to new and/or modified traffic signals shall follow ODOT's Traffic Signal Policy and Guidelines, and all subsequent revisions. These documents can found on the web at:

<http://www.oregon.gov/ODOT/HWY/TRAFFIC/publications.shtml>

Any recommendations for traffic signals to be installed or modified as part of future mitigation should meet preliminary signal warrants (MUTCD Warrant #1, Case A & B). New signal proposals shall show, but are not limited to, the following:

- a) A clear indication for the traffic signal; only after other enhancements to nearby signals or intersections are shown to be insufficient to mitigate the new highway related impacts resulting from the proposed project.
- b) An assessment of the ability of the existing, planned, and proposed public roads to accommodate proposed project traffic at another location.
- c) A detailed description how the proposed project will affect the existing and proposed study area intersections.
- d) Documentation of traffic volumes and signal warrant satisfaction; if a new signal is determined to be the correct solution.

Clearly show how one or more of the eight warrants identified in the Millennium Edition of the Manual on Uniform Traffic Control Devices (MUTCD), Chapter 4C, Sections 1 through 9 are met, consistent with the requirements of OAR 734-020-0490. Traffic signal spacing requirements shall conform to the 1999 Oregon Highway Plan and all amendments.

All proposed signals shall show the need and warrants as described in Oregon Administrative Rule 734-020-0400-0500, the Oregon Traffic Manual section 6.34 and the above mentioned Traffic Signal Policy and Guidelines. For guidance, please contact TPAU or the Region Traffic Section, or refer to the Preliminary Signal Warrant Guidelines at:

http://www.oregon.gov/ODOT/TD/TP/docs/TAPM/Signal_Warrant.pdf

NOTE: It is ultimately up to the State Traffic Engineer to approve all signal installations, modifications and deviations. Just because an intersection may meet the MUTCD Warrants does not insure it will be approved by the State Traffic Engineer.

ANALYSIS OUTPUT

1. Existing Conditions

Identify current year site conditions at the proposed project location. This includes, but is not limited to the following:

- a) A description of the location, zoning, existing use(s), and proposed use(s) of subject property.
- b) A description of surrounding and anticipated land uses.
- c) A graphic identifying existing lane configurations and traffic control devices at the study area intersections
- d) A graphic showing existing 30HV traffic; reported as AM (6:30-9:30 a.m.) and PM (3:30-6:30 p.m.) Peak Hour Volumes (PHV), and also as average

daily traffic (ADT). Also include in this graphic a list of heavy vehicle percentages by approach and growth rates used for future volumes.

- e) Identify all proposed road segments, public intersections, public or private approaches:
 - where the proposed project can be expected to add additional traffic volumes greater than 20 percent of the current traffic volumes,
 - or at a minimum 500 vehicle trips in a single day,
 - or more than 50 additional vehicle trips in any single hour.
- f) An analysis of existing intersection operations, reported in terms of both Volume to Capacity (V/C) and Level of Service (LOS).
- g) An analysis of at least **5-years worth of crash data**; including information on all SPIS sites within or adjacent to the study area.

2. Traffic Volumes & Operations – Year of Opening and Years of Anticipated Phases; with & without Proposed UGB Exchange Project

An analysis shall be made of all study area intersections for the Year of Opening and each anticipated phase, with both "*background traffic*" and "*total traffic*" conditions. "*Total traffic*" conditions are considered "*background traffic*" volumes plus site generated trips and "pipe line" trips. This analysis should provide the following:

- a) A graphic showing Year of phase "*background traffic*" and "*total traffic*" volumes.
- b) A graphic or table showing V/C and LOS analysis results for both "*background traffic*" and "*total traffic*" volumes.
- c) A graphic or table itemizing storage length requirements for all approaches, rounded to the next nearest 25 foot increment.
- d) If applicable, a discussion of progression performance along the analysis corridor.

3. Traffic Volumes & Operations – Future-Year; with & without Proposed UGB Exchange Project

An analysis shall be made of all study area intersections for a **20-year horizon** including each completed phase, anticipated project in the surrounding area, and all anticipated improvements on the transportation system for both "*background traffic*" and "*total traffic*" conditions. This analysis should provide the following:

- a) A graphic showing Year of Opening "*background traffic*" and "*total traffic*" volumes.
- b) A graphic or table showing V/C and LOS analysis results for both "*background traffic*" and "*total traffic*" volumes.
- c) A graphic or table itemizing storage length requirements for all approaches, rounded to the next highest 25 foot increment.
- d) If applicable, a discussion of progression performance along the analysis corridor.

Planned transportation system improvements anticipated within the **20-year horizon** shall be incorporated into the Future Year analysis. Do not incorporate improvements that are proposed as mitigation for the project. For guidance, please refer to the Transportation Planning Rule (TPR) OAR 660-012-0060 at <http://www.oregon.gov/ODOT/TD/TP/docs/TPR/adopt042005.pdf>

4. Capacity & Operation Analysis Inputs

A summary of traffic analysis variable inputs shall be provided in an appendix. In Synchro, the **Int: Lanes, Volumes, Timings** report is the output source for this information. TIA's submitted without an input summary will not be accepted by the Department.

5. Conclusions and Recommendations

Summarize existing and future conditions and discuss the proposed project's impacts. Identify any operational, capacity or safety deficiencies and recommend mitigation along with the effectiveness of the mitigation. Summarize how the proposed project complies with all operational, capacity and safety standards in the applicable approval criteria. Also summarize all proposed mitigations and the "assigned" proportionality to the project for all locations.

Note: Signal timing adjustments will not be considered as mitigation.

Please submit three stamped, final hard copy versions of the TIA for review to ODOT. Also, **please submit all electronic analysis files for review** to ODOT so staff can verify assumptions, default settings, and other values included in the traffic analysis. If the analysis performed used traffic software other than Trafficware's Synchro/Simtraffic software or Highway Capacity Manual 2010 software, please submit the appropriate UTDF files for review. You may contact the Region Traffic Analyst for details. ODOT staff will need a minimum of 30 days for review and comment on the TIA.

Please include this scope of work as an appendix item in the TIA.

We hope this will provide enough information to get started on the analysis. We are pleased to work with you and your staff to answer any questions that arise during the course of your work. Additional coordination of traffic analysis data may be required during the TIA review process.

Please contact me directly at 541-774-6316 or Mr. Ron Hughes at 541-957-3696 if you have comments, questions, or require additional information regarding traffic engineering issues or contact Mr. John McDonald, ODOT Development Review Planner, at 541-957-3688, if you have comments, questions, or require additional information regarding land use issues. Mr. McDonald will serve as the lead ODOT Development Review contact for this project

Sincerely,

A black rectangular redaction box covering the signature of Wei (Michael) Wang.

Wei (Michael) Wang, P.E. & M.S.
Region 3 Development Review Engineer



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

City of Sutherlin

NOTICE OF PUBLIC HEARING

UGB EXCHANGE, PLAN AMENDMENT, ANNEXATION & ZONE CHANGE (as applicable) – southwest portion of Sutherlin UGB, near Fort McKay Road & Exit 136

Date of Notice: August 8, 2017

NOTICE IS HEREBY GIVEN that the Sutherlin Planning Commission will conduct a public hearing on Tuesday, August 29, 2017 at 7:00 p.m. in the Sutherlin Civic Auditorium, 175 E. Everett Street. The purpose of the public hearing is to take public testimony, either written or oral, while considering the following land use application:

CITY OF SUTHERLIN; Urban Growth Boundary (UGB) Amendment involving the exchange of approximately 302± acres. The areas to be removed from the UGB are the City's 202± acre Ford's Pond property located on the west side of Church Road and a 100± acre property located off S. State Street on Schoon Mountain. The area proposed to be added to the UGB is primarily located at the southwest corner of Exit 136 on the south side of W. Central Ave and Fort McKay Road, and is generally bounded by Schudeiske Road on the west and Parkhill Lane and Trails End Lane on the southeast adjacent to Interstate 5.
PLANNING DEPARTMENT FILE NO. 17-S015.

The City is proposing a UGB exchange in accordance with Oregon Administrative Rule (OAR) 660-024. The exchange will involve a total of 479± acres, of which 302± acres will be removed from the UGB and the city limits and converted to County designations, and 177± acres to be added to the UGB in its place. As proposed, the exchange will result in approximately 125 fewer acres included in the City of Sutherlin UGB. Concurrent to the UGB exchange process, the City is proposing to annex 168± acres into City boundaries, involving 41 properties, and to amend the Comprehensive Plan and Zoning maps to accommodate the properties newly added to the UGB and city limits.

The application is being processed as a Type III and IV procedure, governed by the applicable Statewide Planning Goals and provisions of Oregon Administrative Rule 660-024-0070, and the applicable provisions of the Sutherlin Comprehensive Plan and Sections 4.8 [Zoning Map Amendments] and 4.11 [Amendments to Development Code and Land Use Plans] of the Sutherlin Development Code (SDC) for the subsequent comprehensive plan map and zoning map amendments, as well as ORS 222 for concurrent annexation of those properties consenting to annex into the city limits. A zoning text amendment to the SDC is also proposed to update standards for the RH (Residential Hillside) zone that address development in the RH zone and slopes greater than 12%.

Notice of this legislative UGB amendment has been mailed to affected property owners of record within the proposed UGB expansion area, all affected agencies and utility providers, and all property owners of record within 100 feet of the properties subject to proposed UGB exchange proposal. Those affected property owners, agencies and utility providers, property owners within 100 feet of said properties, or any other person who can demonstrate that they are affected by the proposed land use action, may participate in this

August 8, 2017

matter by filing a written statement with the Sutherlin Community Development Department, or by appearing at the hearing and requesting party status.

Written statements must contain the name, address and telephone number of the person filing the statement; how the person qualifies as a party; comments the party wishes to make concerning the proposal, and whether the person desires to appear and be heard at the hearing. Written statements must be filed with the Community Development Department, 126 E. Central Avenue, Sutherlin, Oregon, 97479, no later than 5:00 p.m. on Monday, August 21, 2017, to be included with the mailing of the staff report.

The public hearing will include presentations of the City staff and the applicant. Parties in support, opposition or with neutral comments will then be heard, as well as rebuttal by the applicant. Failure of an issue to be raised at the hearing, whether in writing or by oral testimony, or failure to provide statements or evidence in sufficient specificity to afford the Planning Commission and parties an opportunity to respond to the issue, will preclude an appeal on that issue and may thereafter bar any legal standing in the event of an appeal.

Attached to this notice are maps showing the proposed UGB exchange and affected properties.

A complete copy of the UGB proposal and supporting documents and materials are on file with the Community Development Department and may be examined during regular business hours any time prior to the public hearing at no cost and copies will be provided at reasonable cost. The Planning Commission staff report will be available for inspection at no cost at least seven days prior to the hearing and copies can be provided at reasonable cost.

For more information on this proposal, please contact the Community Development Department at (541) 459-2856 during normal business hours.

C: City Planning Commission

Attachments

UGB EXCHANGE, PLAN AMENDMENT, ANNEXATION & ZONE CHANGE

17-S015
CITY OF SUTHERLIN

HWY 138

GENERAL AREA BEING
REMOVED FROM UGB &
CITY LIMITS (5+- AC WILL
REMAIN IN UGB & CITY LIMITS)

FORTMCKAY RD

I-5
EXIT
136

E CENTRAL AVE

GENERAL AREA OF UGB EXCHANGE
(BEING ADDED TO UGB PLUS PORTION
BEING ANNEXED INTO CITY LIMITS)

GENERAL AREA BEING
REMOVED FROM UGB &
CITY LIMITS (NORTHERLY 18 TO 28+- AC
WILL REMAIN IN UGB & CITY LIMITS)



PROPERTIES BEING ANNEXED INTO CITY LIMITS
THROUGH THIS LEGISLATIVE PROCESS

17-S015
CITY OF SUTHERLIN

