



City of Sutherlin
Planning Commission Meeting
Tuesday, December 20, 2016
7:00 p.m. – Sutherlin Civic Auditorium

Agenda

Pledge of Allegiance

Introduction of Media

Approval of Minutes

October 18, 2016 - Regular Meeting

October 18, 2016 - Workshop

Quasi-Judicial Public Hearing(s)

1. **HOUDE LIVING TRUST**, request for a 21-lot subdivision to be developed in two phases, and a Class C variance to road standards to extend the length of the dead end street on a 5.40 acre parcel, which is located on the west side of N. Comstock Rd, south of W. Sixth Street and across from the intersection with Robinson Street in the City of Sutherlin. The subject property is described as Tax Lot 800 in Section 18, T25S, R5W, W.M.; Property I.D. No(s). R21776. The property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential. A portion of the subject property contains identified wetlands. **PLANNING DEPARTMENT FILE NO. 16-S014.**

Legislative Public Hearing(s)

1. **Legislative Amendments** to the text of the Sutherlin Development Code (SDC) include several general revisions to update and/or streamline the code to make it more effective; add a new mixed use zoning district to address mixed use development in the (C-3) Community Commercial and (M-1) Light Industrial zoning districts; and update the City's sign code language.

Monthly Activity Report(s)

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, OCTOBER 18, 2016**

COMMISSION MEMBERS PRESENT: Mike Flick, Patricia Klassen, William Lee, John Lusby, Adam Sarnoski and Michelle Sumner

COMMISSION MEMBERS EXCUSED: Floyd Van Sickle

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Brian Elliott, Community Development Director and Kristi Gilbert, Community Development Specialist

AUDIENCE: 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 August 16, 2016 Planning Commission meeting and Workshop; second made by Commissioner Klassen.

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

Opposed: None

Motion carried unanimously

MONTHLY ACTIVITY REPORT

Brian Elliott, Community Development Director, provided a report in an effort to keep the Planning Commission apprised of recent land use and other relevant activities. (See Attached).

PUBLIC COMMENT - None

COMMISSION COMMENTS – Commissioner Sumner raised concerns regarding crosswalks, specifically in the vicinity of the Dollar General, located on the east side of Central Avenue. She indicated that the closest crosswalks were a significant distance from the Dollar General and asked if the City could place one there. Discussion ensued regarding who's responsibility it is to install the sidewalks and crosswalks. It was noted that sidewalk improvements are development driven in the commercial areas by new commercial developments; therefore, developers install the sidewalks as part of their development. Commissioner Klassen expressed a concern regarding the blunt ends of the sidewalks. The City should request the developers to taper the sidewalk to eliminate tripping hazards. Brian indicated that the Central Transfer of Authority (TOA) project will address ADA sidewalk compliance and crosswalk concerns. The project will be scheduled in four phases next summer.

ADJOURNMENT - With no further business the meeting was adjourned at 7:17 pm.

Respectfully submitted,

Kristi Gilbert

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

John Lusby, Commission Chair

**CITY OF SUTHERLIN
PLANNING COMMISSION WORKSHOP
CIVIC AUDITORIUM – 7:17 PM
TUESDAY, OCTOBER 18, 2016**

COMMISSION MEMBERS PRESENT: Mike Flick, Patricia Klassen, William Lee, John Lusby, Adam Sarnoski and Michelle Sumner

COMMISSION MEMBERS EXCUSED: Floyd VanSickle

COMMISSION MEMBERS ABSENT:

CITY STAFF: Brian Elliott, Community Development Director, and Kristi Gilbert, Community Development Specialist

AUDIENCE: John Klassen

DEVELOPMENT CODE AMENDMENTS WORKSHOP

Kristi Gilbert, Community Development Specialist, reviewed with the Commission, the draft of proposed legislative amendments to the City's Sutherlin Development Code. The amendments include general revisions to update or streamline the code to make it more effective.

Amendments include general miscellaneous revisions or additions to: Section 1.3 of Chapter 1, Definitions; adding back the Forestry Resource zone, which inadvertently had been removed from the Development Code when legislative amendments were completed previously in the 2007 updates. This will bring it consistent with the Comprehensive Plan; modify and/or clarify the list of permitted uses in the residential districts; modify turnaround requirements for dead-end streets to be consistent with the Uniform Fire Code; clarify that the property owner is one of those persons notified and can appeal an application; remove the requirement for posting notices of public hearings on property, unless required by state law; clarify time limits for phased development; provide for possible additional one-year extensions for tentative approvals of subdivisions and land partitions; lengthen approval period for property line adjustments to one year; modify minor modifications to a land use action are reviewed as a Type I procedure; simplify language for criteria of Section 5.2.110.A for approval of a Class A variance; add text to enable the City Manager to make minor text corrections to the Comprehensive Plan, Zoning and Subdivisions Ordinances and Transportation Plan; plus several other minor text corrections to clarify or update referenced citations, standards, criteria and/or procedures. An addition of a new mixed use zoning district to address mixed use development in the (C-3) Community Commercial and (M-1) Light Industrial zoning districts; and update the City's sign code language.

Discussion ensued regarding whether business license requirements could be added to the Development Code. Staff's understanding was that the City Council was opposed to the idea previously; however, staff would share their recommendation with the City Council. The Planning Commission then requested staff to recommend to the City Council a business license registration for the City, by consensus.

With no further discussion, it was the consensus of the Planning Commission, to move forward with notifications for a public hearing of the proposed amendments to the Sutherlin Development Code.

The public hearing will be scheduled before the Planning Commission at their next regularly meeting on December 20, 2016.

ADJOURNMENT

With no further business the workshop was adjourned at 8:07 pm.

Respectfully submitted,

Kristi Gilbert

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

John Lusby, Commission Vice-Chair



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City of Sutherlin

December 13, 2016

STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Lisa Hawley, Community Services Planner

RE: **HOUDE LIVING TRUST**, request for a 21-lot subdivision to be developed in two phases, and a Class C variance to road standards to extend the length of the dead end street on a 5.40 acre parcel, which is located on the west side of N. Comstock Rd, south of W. Sixth Street and across from the intersection with Robinson Street in the City of Sutherlin. The subject property is described as Tax Lot 800 in Section 18, T25S, R5W, W.M.; Property I.D. No(s). R21776. The property is designated Medium Density Residential by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential. A portion of the subject property contains identified wetlands. **PLANNING DEPARTMENT FILE NO. 16-S014.**

STAFF EXHIBITS

1. Notice of Public Hearing with affidavit of mailing
2. Legal Notice for the News Review
3. Property Owners within 100 Feet
4. Staff Report with Responses Attached and affidavit of mailing
5. Subdivision and Variance applications and attachments
6. Vicinity Map
7. Assessor Maps
8. Sutherlin Comprehensive Plan Map
9. City Zoning Map
10. Aerial Photograph
11. Situs Map

INTRODUCTION

The applicant, Houde Living Trust, is requesting a 21-lot subdivision to be developed in two phases, and a Class C variance to road standards to extend the length of the proposed dead end street on a 5.40 acre parcel.

The subject property is located on the west side of N. Comstock Rd, south of W. Sixth Street and across from the intersection with Robinson Street in the City of Sutherlin. It is described as Tax Lot 800 in Section 18, T25S, R5W, W.M.; Property I.D. No(s). R21776. A portion of the subject property contains identified wetlands. There are no structures located on the property.

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. It is located in an area of mixed residential and commercial properties. Adjacent properties to the north and south are zoned R-2. The property immediately to the north is developed with an existing mobile home park, while the property to the south is developed with a Catholic church. Properties to the east across N. Comstock are zoned RH, R-1 and R-2 and developed with mixed residential uses. The adjacent properties to the west and southwest along Myrtle Street are zoned (C-3) General Commercial. Located about 300± feet to the north is West Intermediate Elementary School.

The application is being processed as a Type III procedure for a subdivision and a Class C variance to road standards. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the applicable provisions of the Sutherlin Comprehensive Plan, Chapter 2, Section 2.2 (R-2 zone), Chapter 3 (Design Standards) and Chapter 4, Section 4.4 (Land Divisions), and Chapter 5, Section 5.2.130 (Class C Variances) of the Sutherlin Development Code.

During the public hearing on December 20, 2016, the Planning Commission will accept public testimony and make a decision on the application after the public hearing. Upon rendering a decision, the Planning Commission must make a written Findings of Fact and Decision document, which justifies its decision.

PROCEDURAL FINDINGS OF FACT

1. The Subdivision and Variance applications were deemed complete by the City on November 16, 2016. All applicable application fees were paid to the City.
2. Pursuant to Section 4.2.140.C of the Sutherlin Development Code, notice of the public hearing was given by publication in the News Review on December 6, 2016, which was at least fourteen (14) days prior to the date of the public hearing.
3. Notice of a Public Hearing for the Subdivision and Variance before the Planning Commission was given in accordance with Section 4.2.140.C. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on November 29, 2016.
 - a. John McDonald, Development Review Planner, ODOT Southwestern Region, stated that ODOT has no comments on the proposed subdivision.

- b. Cody Smith, Douglas County Public Works (DCPW), commented in part as follows:

The subject property is located on the west side of N Comstock Road (County Road #154), south of W Sixth St and across from the intersection with Robinson St. Douglas County will be constructing the N Comstock Rd: W Central Ave to Laurel Ave project ("County Project") in 2017; pursuant to County Agreement #2016-0826, City will accept jurisdiction of N Comstock Rd within County Project limits upon completion of County Project. The proposed subdivision is located within County Project limits.

DCPW requests that the City require applicant to dedicate right of way to City as required for County Project as a condition of application approval. It is our understanding that this condition has already been discussed with the applicant, that the applicant is aware of the boundary of the necessary dedication, and that the applicant is agreeable to this condition provided that DCPW constructs the street connection to N Comstock Rd as shown on applicant's exhibit. DCPW is agreeable to constructing the street connection as part of County Project and may prepare a written agreement with applicant subject to dedication requirement. Additionally, DCPW requests that the City require as a condition of application approval that all underground utility connections and service lateral installations within N Comstock be made prior to completion of County Project.

- Conditions of approval for the proposed development will require the dedication of any additional right-of-way for the pending County project and the requirement that all underground utility connections and service lateral installations within N Comstock be made prior to completion of road project.

- c. At the time of the mailing of this staff report, no other written comments or remonstrances have been received.
4. Present Situation: The subject property is currently vacant and undeveloped.
 5. Plan Designation: Medium Density Residential.
 6. Zone Designation: Medium Density Residential (R-2).
 7. Public Water: The subject property has access to public water from the City of Sutherlin along N. Comstock Rd. Public water will have to be extended to accommodate the development of the site.
 8. Sanitary Sewer: The subject property has access to sanitary sewer from the City of Sutherlin along N. Comstock Rd. Sanitary sewer will have to be extended to accommodate the development of the site.

9. Transportation System: N. Comstock Road (County Road No. 154) is designated a Necessary Local Road under the City's Transportation System Plan, and is currently under County jurisdiction.
10. Transportation Connectivity: The subject 5.40 acre property is currently vacant and undeveloped. Under the City's TSP, a planned collector street was originally proposed through the subject property to help connect Myrtle Rd to W. Sixth Ave. However, the 2009 IAMP for Exit 136 provided an alternate access road that will connect Myrtle Rd to N. Comstock Rd. With this development and the alternate provisions outlined in the IAMP, the proposed dead-end street will no longer provide connectivity to Myrtle Rd.
11. Pedestrian & Bicycle Access: N Comstock Rd is a designated bicycle and pedestrian way under the Transportation System Plan.
12. Overlay: The subject property is not located within the 100 year flood plain.

FINDING: The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested Subdivision and Variance.

FINDINGS OF FACT

RESIDENTIAL DISTRICTS

1. Residential Zone District, Medium Density Residential, R-2 Zone (Section 2.2.100):
 - a. The subject 5.40 acre parcel is vacant of structures, and is zoned (R-2) Medium Density Residential. The minimum lot area is 6,000 sq.ft. for a single family non-attached lot, with a minimum lot width at frontage 50 feet for a standard lot and 20 feet for a flag lot, and a minimum lot depth of 90 feet where there is no alley right-of-way. The maximum lot coverage for development is 60 percent, with a minimum dwelling unit size of 1,000 sq.ft.
2. **FINDINGS:**
 - a. As proposed, the City finds:
 - i. The applicant is proposing a 21-lot, two phased subdivision (Comstock Subdivision). Phase 1 will consist of 9 lots, with an average lot size of 8,758± sq.ft. With the exception of Lot 1, which is larger due to some existing wetlands, the other lots average 7,655± sq.ft. in size with a lot width frontage of at least 70± feet. Phase 2 will consist of 12 lots, with an average lot size of 8,214± sq.ft., with a lot width frontage of at least 70± feet, except in the cul-de-sac where the lot frontage ranges from 30± feet to 63± feet.
 - b. The applicant will be advised that at the time of a new building proposal for each parcel, compliance with the setbacks and lot coverage standards of the R-2 zone will be required.

DESIGN STANDARDS

3. Design Standards

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

- 4. The access to each proposed parcel will be via N. Comstock Rd, an existing necessary local street, thence via the new extension of Robinson Street. Each proposed lot will have direct access onto Robinson Street. No lots are proposed to access onto N. Comstock Rd.

Section 3.2 Vehicle Access and Circulation

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

3.2.110 Vehicular Access and Circulation. This section is intended to manage vehicle access to development through a connected street system with shared driveways, where practicable, and circulation systems that allow multiple transportation modes and technology, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. This section applies to all public roads, streets, and alleys within the city and to all properties abutting them.

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

- 1. *Permits for access to City streets shall be subject to review and approval by city staff based on the standards contained in this section, and the provisions of section 3.5, Infrastructure Standards. Access permit applications are available at Sutherlin City Hall.*
- 2. *Permits for access to state highways shall be subject to review and approval by Oregon Department of Transportation (ODOT) except when ODOT has delegated this responsibility to the city. The city will coordinate with ODOT on such permits as necessary.*
- 3. *Permits for access to county highways shall be subject to review and approval by Douglas County. The city will coordinate with the county on such permits as necessary.*

FINDING: Upon completion of the subdivision, Robinson Street will be a local residential street. Access to the individual lots will need to be coordinated with the City for review and approval to ensure access locations meet access separation and other applicable city standards.

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

FINDING: A traffic study is not required for the subdivision proposal since there will only be minor traffic impacts on area streets with the potential for only 21 single family dwellings.

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

FINDING: The proposed development is not expected to require closing any existing curb cuts along N. Comstock Rd. During the summer of 2017, N. Comstock Rd will be improved from W. Central Ave north to Laurel Avenue. The frontage of the subject property will be improved as part of that project. The applicant will be required to dedicate additional right-of-way to help facilitate those improvements. The proposed subdivision lots will all have frontage onto the new subdivision street (Robinson Street) and will not access directly onto N. Comstock Rd.

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

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

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

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

2. Option 2. *Access is from a private street or driveway developed to city standards and connected to an adjoining property that has direct access to a public street (i.e., “shared driveway”). A joint maintenance agreement and reciprocal access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive. The city may approve a private street under this option by a planned unit development (PUD), provided that*

public funds shall not be used to construct or maintain a private road, street, or drive. The city may require a public access easement as needed for emergency response access or refuse access.

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

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

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

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

FINDING: The proposed 21 lots will each access onto the new City street, as outlined above in Option 3. Upon completion of this development, the proposed street will be dedicated to the City of Sutherlin as a public street and will be incorporated into the City's street maintenance system. The development does not front onto an arterial street and no double-frontage lots are proposed. Future residential development of a single family dwelling on each proposed lot will require off-street parking in accordance with residential standards. Each parcel will have access to a public residential street via an individual driveway. Any shared driveways will require compliance with the applicable driveway standards, including the 25 foot access separation between driveways, and any necessary reciprocal access easement(s), to insure access to the proposed Robinson Street.

H. New Street. *The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when access cannot otherwise be provided from an existing street, in conformance with*

city standards. The city considers the development impact in considering whether a new street is needed. See also Section 3.5 Infrastructure Standards.

FINDING: The City finds the proposed subdivision to create 21 lots, to be developed in two phases, will necessitate the construction of a public street and the dedication of public right-of-way, in conformance with the city's residential street standards (for the new Robinson Street). In addition, the applicant/property owners will also be required to dedicate a portion of right-of-way along the frontage of N. Comstock Rd to the City, in conjunction with the County's concurrent upgrade of N. Comstock in summer 2017. As stated previously in comments provided by Douglas County Public Works (DCPW), DCPW is planning to construct the street connection for Robinson Street as part of the County project. In addition, DCPW also requested that the conditions of approval require all underground utility connections and service lateral installations within N Comstock be made prior to completion of County Project.

FINDING: The City finds that the requirement for the applicant to dedicate right-of-way to the City along the frontage of the subject property on the west of N. Comstock is roughly proportional to the impact of the proposed development. The applicant/property owner is proposing the development of the 21-lot subdivision that will provide an ADT (Average Daily Traffic) of 210 vehicle trips per day onto the public street and onto the City road system. In addition, the City finds that the applicant/property owners will also benefit from the planned County project to improve and upgrade N. Comstock Rd, which includes pedestrian sidewalks and bicycle ways, to County/City standards.

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

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

FINDING: Each parcel will have access to Robinson Street via an individual driveway. Any shared driveways will require compliance with the applicable driveway standards, including the 25 foot access separation between driveways, and any necessary reciprocal access easement(s), to insure access to the proposed Robinson Street.

J. Number of Access Points. *For single-family (detached and attached), two (2) family, and three (3) family housing types, one (1) street access point is permitted per lot; except that two (2) access points may be permitted for two (2) family and three (3) family housing on corner lots (i.e., no more than one (1) access per street), subject to the access spacing standards in subsection I, above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with section K, below, in order to maintain the required access spacing, and minimize the number of access points.*

FINDING: As proposed, the applicant proposes a maximum of 21 individual access points onto the new City residential street. Shared driveways may be required, as necessary, to ensure the required 25 foot driveway separation is maintained between driveways.

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

1. *Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. “Developable” means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).*

2. *Access easements and joint maintenance agreements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including any pathways and landscaping along such driveways, at the time of final plat approval (section 4.4) or as a condition of site development approval (Section 4.3).*

FINDING: A stub of the new City street will not be required with this development. A temporary fire turn around will be installed with Phase 1 of the development. Completion of Phase 2 will result in a circular cul-de-sac at the end of the street. Each parcel will have access to Robinson Street via an individual driveway. Any shared driveways will require compliance with the applicable driveway standards, including the 25 foot access separation between driveways, and any necessary reciprocal access easement(s), to insure access to the proposed Robinson Street.

L. Street Connectivity and Formation of Blocks Required. *In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and large site developments shall produce complete blocks bounded by*

a connecting network of public and/or private streets, in accordance with the following standards:

1. **Block Length and Perimeter.** *The maximum block length and perimeter, measured along the property/right-of-way line, shall not exceed:*

a. **Residential Zoning.** *Six hundred (600) feet length and one thousand eight hundred (1,800) feet perimeter unless the previous adjacent layout or topographical conditions justify a variation;*

b. **C-1 Zoning.** *Four hundred (400) feet length and one thousand four hundred (1,400) feet perimeter;*

c. **C-3 Zoning.** *Six hundred (600) feet length only.*

d. **Industrial Zoning.** *No Standard.*

Figure 3.2.110L Street Connectivity and Formation of Blocks

2. **Exception.** *Exceptions to standards in subsection L1 may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of section 3.2.120.A. Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles.*

FINDING: This standard does not apply to the proposed subdivision since the subject parcel is not large enough to create a new block or area-wide pedestrian circulation. In addition, the residential area to the north and east is already physically developed and does not provide for additional street connectivity to surrounding streets.

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

1. *Single family, two (2) family, and three (3) family uses shall have a minimum driveway width of ten (10) feet, and a maximum width of twenty-four (24) feet, except that one (1) recreational vehicle pad driveway may be provided in addition to the standard driveway for lots containing more than seven thousand (7,000) square feet of area....*

FINDING: As proposed, each proposed lot will access directly onto the new residential street. Shared driveways may be required, as necessary, to ensure the required 25 foot driveway separation is maintained.

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

FINDING: As part of this request, the applicant has coordinated with the City Fire Department and the State Fire Marshall on the proposed dead-end street. The proposed

street will exceed the maximum length allowed under the Oregon Uniform Fire Code and the Sutherlin Development Code. The applicant is requesting a Variance to road standards to permit a longer dead-end street that will comply with fire access codes. The circular turnaround (cul-de-sac) will have a 40' radius, with no on-street side parking permitted in the cul-de-sac. The findings on the requested Class C variance are addressed later in this report.

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

FINDING: For any existing trees within the development that will be located in areas of proposed driveways, aisles or turn-around areas, the minimum vertical clearance will have to be maintained.

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

FINDING: Future residential development will require compliance with the applicable vision clearance standards, in particular for Lots 1 and 6, which will front onto N. Comstock Rd.

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

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

FINDING: No flag lots are proposed with the requested subdivision.

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

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

FINDING: Surface and storm water management will have to be addressed by the applicant as part of the design, engineering and construction of the new residential street. These design for construction of the improvements will have to be coordinated with City Public Works. Future single dwellings on each lot will be required to meet the standards for the surfacing of driveways and parking areas, and surface water management.

5. **INFRASTRUCTURE STANDARDS**

SECTION 3.5.100 Purpose and Applicability.

- A. Purpose.** *This section provides planning and design standards for transportation, sewer, water, and storm drainage infrastructure.*
- B. When Standards Apply.** *All development shall be served with adequate infrastructure including transportation, sewer, water, and storm drainage, in conformance with this section and consistent with the City’s engineering design criteria.*
- C. Standard Specifications.** *The City of Sutherlin general engineering requirements and standard specifications for street, storm drain, sewer, and waterline construction are incorporated in this code by reference.*
- D. Conditions of Development Approval.** *No development may occur unless required public infrastructure is in place or guaranteed, in conformance with the provisions of this code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.*

FINDING: City sanitary sewer and water service are available to the lots from existing lines in N. Comstock Rd. Utilities will be required to be extended underground from N. Comstock Rd. The design for the installation of the utilities will have to be coordinated with City Public Works.

SECTION 3.5.110: Transportation Standards.

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

B. Development Standards. *No development shall occur unless the development has frontage onto or approved access from a public street, in conformance with the provisions of section 3.2, Access and Circulation, and the applicable standards of Section 3.5.110.B are met.*

FINDING: The proposed subdivision will create 21-lots that will each access directly onto a newly created public street (Robinson Street), which will be constructed as part of the development to meet or exceed City standards. As proposed, the residential street will be constructed within 58' of right-of-way and be comprised of two 13' travel lanes, two 7' parking lanes, two 6' sidewalks, plus curbs and cut/fill slopes. The preliminary plan, typical street section, shows two 5' sidewalks. Aaron Swan, City Public Works Superintendent, commented that the residential sidewalks will need to be increased to 6'. No additional right-of-way will be necessary to modify the sidewalk width. As part of this request, the applicant is requesting a variance to road standards to extend the length of the dead-end street. Findings for the variance request are addressed later in this report

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

FINDING: The City finds that one new street will be created as part of this development, which will be completed in two phases. Dedication of the street as public right-of-way will occur in conjunction with the recording of the final subdivision plat. The dedication of additional right-of-way is also being required in conjunction with the concurrent County road project improve and upgrade N. Comstock Rd, which is expected to occur in summer 2017.

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

with the uniform fire code, section 10.207, and shall be shown and described on any final subdivision or partition plat that requires them.

FINDING: The City finds that each parcel will have access to Robinson Street via an individual driveway. If any shared driveways are proposed, they will require reciprocal access easement(s) and driveway maintenance agreement(s) between the affected parcels and be identified on the face of the final plat, in accordance with the above requirements.

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

1. Street grades shall be approved by the city, in accordance with the design standards in subsection N, below; and

2. Where the location of a street is not shown in an existing street plan (see subsection H), the location of streets in a development shall either:

a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this section; or

b. Conform to a street plan adopted by the city council, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.

FINDING: N. Comstock Rd is planned for improvement and upgrading in summer 2017 to bring the street up to County/City standards. As part of that project, the applicant/property owner(s) will be required to dedicate additional right-of-way along the frontage of N. Comstock Rd to help facilitate the project. The improvement of the proposed residential street (Robinson Street) will be required to meet City standards for street widths and improvement. Based upon comments provided by County Public Works, conditions of approval for the proposed development will require that all underground utility connections and service lateral installations within N Comstock be made prior to completion of County road project.

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

FINDING: N Comstock Rd has an existing 60 foot right-of-way where it fronts the subject property. As indicated by Douglas County Public Works, additional right-of-way will be required by the applicant/property owner(s) to facilitate the improvement and

upgrade of N Comstock Rd. The new residential street (Robinson Street) will have a 58 foot right-of-way width with parking on both sides, except within the cul-de-sac where no on-street side parking will be permitted. The right-of-way is within the range for a local residential street width of 52 feet to 60 feet.

H. *Future Street Plan and Extension of Streets.*

1. *The City shall require the submittal of a future street plan in conjunction with an application for a subdivision or partition when the subject request could affect development of the city's future street system. The purpose of the future street plan is to facilitate orderly development of an interconnected street system, provide greater certainty to the city and neighboring property owners, and allow for future growth in conformance with the comprehensive plan and transportation system plan. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within six hundred (600) feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions with future development*

2. *Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the city determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. Developers are encouraged to also install conduits for other utilities in coordination with those utilities. The point where the streets temporarily end shall conform to a-c, below:*

a. *These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.*

b. *A reflective barricade (e.g., fence, bollards, or similar vehicle barrier) shall be constructed at the end of the street by the partitioner or subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.*

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

FINDING: Under the City's TSP, a planned collector street was originally proposed through the subject property to help connect Myrtle Rd to W. Sixth Ave. However, the 2009 IAMP (Interchange Area Management Plan) for Exit 136 provided an alternate access road that will connect Myrtle Rd to N. Comstock Rd. With this development and the alternate provisions outlined in the IAMP, the proposed dead-end street will no longer provide connectivity to Myrtle Rd.

I. *Street Alignment and Connections.*

1. *Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than three hundred*

(300) feet on such streets are created, as measured from the centerline of the intersecting streets.

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

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

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

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

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

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

FINDING: The subject property is relatively level with gentle slopes to the east and southeast. The City finds that the new proposed street will be designed to align with the existing intersection with Robinson Street to the east. The applicant/property owners have applied for a variance to road standards to extend the length of the dead-end street to serve the proposed development.

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

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

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

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

FINDING: As designed, the intersection of the proposed street will not be at a right angle with N. Comstock Rd, but has been designed to be more directly align with the existing intersection of Robinson Street.

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

FINDING: As indicated previously, the applicant/property owners will be required to dedicate additional right-of-way to facilitate the pending improvement and upgrade of N Comstock Rd. The exact amount of right-of-way to dedicated will vary, depending on the final alignment of the engineered project and the location of the street connection (for Robinson Street) that will be constructed as part of the County project. The right-of-way for the proposed residential street is within the required street width (52' to 60').

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

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

FINDING: The length of the proposed dead-end street will exceed 400 feet. The applicant/property owner(s) have requested a variance to road standards to extend the length of the street and comply with fire department requirements. As proposed, the street will be approximately 705 feet in length from its intersection with N. Comstock Rd to the west end of the cul-de-sac. The proposed turnaround will have a radius of forty (40) feet, which complies with the above standard, but does not comply with the Uniform Fire Code. As part of the requested variance, the applicant is widening the required pavement from 34 feet to 40 feet for the main portion (650 foot) of the street to provide

two 13 foot travel lanes and two 7 foot parking lanes. The applicant can provide an 80 foot wide cul-de-sac so long as there is no on-street side parking, rolled or mountable curbs are provided, and no parking signs are posted as required by the Uniform Fire Code within the cul-de-sac itself. Two fire hydrants are also required to be provided per the Fire Code. Findings on the proposed variance are discussed later in this report.

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

1. Curb radii shall not be less than seven hundred (700) feet on arterials, five hundred (500) feet on major collectors, three hundred fifty (350) feet on minor collectors, or one hundred (100) feet on other streets; and

2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization shall provide a landing averaging five percent or less. Landings are that portion of the street within twenty (20) feet of the edge of the intersecting street at full improvement.

FINDING: As designed for the request subdivision, the proposed street will have a maximum grade of approximately nine (9) percent, which will not exceed the grade and curve limitations outlined above.

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

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

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

FINDING: The applicant/property owner(s) proposes “Robinson Street” as the street name for the subdivision. This street would appear to serve as an extension of the existing Robinson Street. However, the City’s addressing standards would require this street to be named an “avenue”, since it runs east-west. After consultation with Douglas County Addressing, the City finds that the street name, as proposed, would be too confusing for property owners and emergency services if changed to Robinson Avenue or Robinson Court, and should be given a completely different name. The conditions of approval will require the applicant to propose an alternate street name prior to final approval of the subdivision, which shall be approved by the City.

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

FINDING: The applicant/developer will have to comply with this section upon completion of the street improvements and prior to acceptance by the City.

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

FINDING: Upon completion of the new street and prior to final approval of the subdivision plat, the new street sign(s) will be required as part of this subdivision request.

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

FINDING: Prior to final approval, mail boxes to be used for the development will be required to be approved by the U.S. Postal Service, as outlined above.

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

FINDING: The preliminary subdivision plat indicate street lights will be installed. Any required street lights shall be installed in accordance with City standards.

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

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

FINDING: The final plans and construction of the new residential street will require compliance with the above street cross-sections prior to final city acceptance of the roadway.

6. **SECTION 3.5.120 PUBLIC USE AREAS**

A. Dedication Requirements.

1. Where a proposed park, open space, playground, public facility, or other public use shown in a plan adopted by the city is located in whole or in part in a partition or subdivision, the city may require the dedication or reservation of this area on the final plat for the partition or subdivision.
2. If determined by the planning commission to be in the public interest in accordance with adopted comprehensive plan policies, and where an adopted plan of the city does not indicate proposed public use areas, the city may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.
3. All required dedications of public use areas shall conform to section 3.5.100D regarding conditions of approval and proportionality of exactions.

B. Acquisition by Public Agency. If the developer is required to reserve land area for a park, playground, or other public use, the land shall be conveyed to a public agency or other entity approved by the city for management and maintenance within twelve (12) months of final plat approval, or the reservation shall be released to the property owner.

C. System Development Charge Credit. Dedication of land to the city for public use areas shall be eligible as a credit toward any required system development charge for parks, water, sewer, or storm water, as applicable.

FINDING: As proposed, no public use areas, including parks, open space, playground, public facility or other public use, are proposed to be dedicated as part of this subdivision.

7. **SECTION 3.5.130 SANITARY SEWER AND WATER SERVICE IMPROVEMENTS**

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the city's construction specifications and the applicable comprehensive plan policies.

B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the city engineer has approved all sanitary sewer and water plans in conformance with city standards.

C. Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the comprehensive plan. The developer shall be entitled to system development charge credits for the over-sizing.

D. Permits Denied. Development permits may be restricted by the city through moratoria, in conformance with ORS 197.505, where a deficiency exists in the existing water or sewer system that cannot be rectified by the development, and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of county or federal standards pertaining to operation of domestic water and sewerage treatment systems.

FINDING: The conditions of approval will require the applicant/property owner(s) to coordinate with Sutherlin Public Works for the design and installation of the required sanitary sewer and water service improvements.

8. **SECTION 3.5.140 STORM DRAINAGE**

- A. **General Provisions.** The city shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made.
- B. **Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the development, in conformance with the city's storm drainage master plan. Such facilities shall be subject to review and approval by the city engineer.
- C. **Effect on Downstream Drainage.** The effect on downstream drainage shall be evaluated in all project proposals, and all projects shall conform to the storm drainage master plan. Where it is anticipated by the city that the additional runoff resulting from the development will overload an existing drainage facility, the city shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with city standards.
- D. **Easements.** Where a development is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way provided for conveyance of storm water. The easement shall be subject to review and approval by the city engineer and shall include at a minimum the watercourse and such further width as will be adequate for conveyance and maintenance.
- E. **Certification of No Impact to Neighboring Property.** Developers shall submit a stamped certification by a licensed engineer stating that the rate of storm water drainage during and after development will not increase as a result of the proposed development. The certification shall further state that the developer will adhere to all applicable storm drainage, grading, erosion, and sediment control requirements. The city may impose conditions of approval and/or require submittal of engineered plans that demonstrate there will be no impact to neighboring properties

FINDINGS: Storm drainage must be evaluated as part of this development, including the effect on downstream drainage and the need for drainage easements/right-of-way for the conveyance of storm water. The conditions of approval require the developer to submit a stamped certification by a licensed engineer stating that the rate storm water drainage during and after development will not increase as a result of the proposed development, as outlined above.

9. **SECTION 3.5.150 UTILITIES**

- A. **Underground Utilities.** Except where above-ground utility lines already exist, all new or relocated utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground. This requirement does not apply to surface mounted connection boxes and meter cabinets, temporary utility service facilities

during construction, and high capacity electric lines operating at fifty thousand (50,000) volts or above. In order to facilitate underground placement of utilities as required by this section, the following additional standards apply to all new subdivisions:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (section 3.2);
2. The city reserves the right to approve the location of all surface mounted facilities;
3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Under-Grounding Requirement. Pursuant to a Type II process, an exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands (section 3.6), or existing development conditions.

FINDING: The conditions of approval require the developer to provide and/or install underground utilities to serve the proposed lots, as outlined above, including any necessary utility easements.

10. **SECTION 3.5.160 EASEMENTS**

Easements. Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. See also, section 4.3 Development Review and Site Plan Review, and chapter 4.4 Land Divisions and Lot Line Adjustments. The developer or applicant shall make arrangements with the city, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The city's standard minimum width for public main line utility easements shall be fifteen (15) feet unless otherwise specified by the utility company, applicable district, or city engineer.

FINDING: The conditions of approval require that any necessary easements for public utilities, as outlined above, be dedicated on the final plat or provided for in the deed restrictions.

11. **SECTION 3.5.170 CONSTRUCTION PLAN APPROVAL AND ASSURANCES**

Construction Plan Approval and Assurances. No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the city, permit fee paid, and permit issued. The permit fee shall be set by city council. The city may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements. See also, section 4.3

Development Review and Site Plan Review, and section 4.4 Land Divisions and Lot Line Adjustments.

FINDING: The conditions of approval require that construction plan approval for the public improvements be undertaken as outlined above.

12. SECTION 3.5.180 INSTALLATION

- A. Conformance Required.** Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the city.
- B. Adopted Installation Standards.** The city's general engineering requirements and standard specifications and the Oregon Chapter A.P.W.A. standard specifications shall be a part of the city's adopted installation standard(s). Where conflict occurs, the A.P.W.A standards shall prevail. Other standards may also be required upon recommendation of the city engineer.
- C. Commencement.** Work shall not begin until the city has been notified in advance.
- D. Resumption.** If work is discontinued for more than one (1) month, it shall not be resumed until the city is notified.
- E. Engineer's Certification and As-Built Plans.** A registered civil engineer (or as appropriate) licensed in Oregon shall provide written certification in a form required by the city that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to city acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide two (2) set(s) of "as-built" plans, in conformance with the city engineer's specifications, for permanent filing with the city.
- F. City Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the city. The city may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to review and approval under section 4.7, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

FINDING: The conditions of approval require that improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of Chapter 3 of the SDC, approved construction plans, and to improvement standards and specifications adopted by the city, as specified above.

13. APPROVAL CRITERIA – TENTATIVE PLAN

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

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

FINDING: The City finds, according to the County Surveyor, that the proposed plat name (Comstock Subdivision) is not already recorded for another subdivision within the County, and satisfies the provisions of ORS Chapter 92.

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

FINDING: The City finds the proposed street and its associated improvements are laid out so as to uniformly transition to adjoining property and the surrounding properties. As proposed, the 21-lot subdivision will be developed in two phases. The applicant/property owners will be required to improve the proposed street to City standards prior to final acceptance by the City.

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

FINDING: The City finds the R-2 residential lot size standards have been or will be met, as discussed earlier in this report. The applicant is proposing the development of 21 lots to be developed in two phases.

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

FINDING: As proposed, the subdivision will create 21 lots to be developed in two phases. Upon completion of the development, there will not be sufficient area to permit further redevelopment of the parcels. No redevelopment plan is required for this project.

E. Block and lot standards. All proposed blocks (i.e., one (1) or more lots bound by public streets), lots and parcels conform to the specific requirements below:

- 1. All lots and blocks shall comply with the lot area, setback, and dimensional requirements of the applicable zoning district (chapter 2), and the standards of section 3.2 Access and Circulation, and the flag lot standards of section 3.2.110 (Q), if applicable.*
- 2. Setbacks shall be as required by the applicable zoning district (chapter 2).*
- 3. Every lot shall conform to the standards of section 3.2, Access and Circulation.*
- 4. The applicant may be required to install landscaping, walls, fences, or other screening as a condition of subdivision approval. See also, chapter 2 Zoning Districts, and section 3.3, Landscaping, Street Trees, Fences and Walls.*

5. *In conformance with the uniform fire code, a twenty (20) foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than one hundred fifty (150) feet from a public right-of-way or approved access drive. See also, section 3.2 Access and Circulation.*
6. *Where a common private drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat and the county clerk's reference number shown on the face of the plat.*

FINDING: The City finds the proposal complies with the R-2 zoning development standards as described earlier in this report. The applicant/property owners are requesting approval of a concurrent variance to road standards to extend the length of the dead-end street and still comply with Uniform Fire Code and City standards for the proposed street.

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

FINDING: The City finds the subject property is not located in a designated flood plain, as indicated on the FEMA maps dated February 17, 2010.

F. Determination of Base Flood Elevation. *Where a development site consists of ten (10) or more lots, or is located in or near areas prone to inundation, and the base flood elevation has not been provided or is not available from another authoritative source, it shall be prepared by a qualified professional, as determined by the Director.*

FINDING: Although more than ten (10) lots are proposed, the City finds that the subject property is not located within a designated floodplain, as indicated on the FEMA maps dated February 17, 2010.

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

FINDING: The City finds public and private utilities can be made available to the proposed lots. The subject property is not located in a designated floodplain.

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

FINDING: The City finds that surface drainage and storm water will have to be addressed as part of the development of this subdivision, and the grading and construction of the proposed street. The subject property is not located in a designated floodplain.

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

FINDING: The City finds the Sutherlin Comprehensive Plan does not designate the property as floodplain, or as a future park or open space development. The proposed lots are planned for single family residential development.

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

- 1. Public facilities shall be constructed in conjunction with or prior to each phase;*
- 2. The development and occupancy of any phase dependent on the use of temporary public facilities shall require city receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 4.4.180. A temporary public facility is any facility not constructed to the applicable city standard;*
- 3. The phased development shall not result in requiring the city or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal.*

FINDING: As proposed, the applicant plans to develop the proposed 21-lot subdivision in two phase: Phase 1 will be 9 lots with a temporary fire turn-around, and Phase 2 will be 12 lots with the remainder of the street, including the 40 foot radius circular cul-de-sac. The City finds that the proposed public facilities, including public water and sanitary sewer will be constructed in conjunction with or prior to each phase. The City further finds that the development and occupancy of any phase dependent on the use of temporary public facilities shall require city bonding or other assurances to cover the cost of the required permanent public improvements, as outlined above, and shall comply with the bonding mechanisms provided in the SDC. The City also finds that the phased

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

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

1. The average area for all residential lots or parcels shall not be less than that allowed by the underlying zone; and

2. No lot or parcel created under this provision shall be less than eighty (80) percent of the minimum lot size allowed in the underlying zone.

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

FINDING: The City finds this criterion for lot averaging is not applicable because the subdivision will not create any lots less than the 6,000 sq.ft. minimum parcel size of the R-2 zone.

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

FINDING: The applicant/property owners have not requested a temporary sales office as part of their request. The City finds this criterion is not applicable.

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

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

Additional Criteria

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

FINDING: Mapping from the City of Sutherlin shows that a portion of the subject property contains identified wetlands. The wetlands appear to impact primarily Lot 6 and a portion of Lot 1. Conditions of approval will require the development of the interior street (Robinson Street) and the installation of necessary utilities to be coordinated with

the Oregon Department of State Lands to address any necessary mitigation of wetlands on the subject property. The applicant will be advised that prior to any structural development on either of the proposed lots, the applicant shall coordinate with the Oregon Department of State Lands to address any necessary mitigation of wetlands on the subject lots.

4.4.160 Final Plat Submission Requirements and Approval Criteria.

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

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

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

indicating the initial point of the survey, and giving the dimensions and kind of such monument, and its reference to some corner established by the U.S. Geological Survey or giving two or more permanent objects for identifying its location.

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

VARIANCE CRITERIA

The proposed Variance to road standards is considered a Type III procedure for a Class C Variance, subject to the applicable criteria of Sutherlin Development Code, including Sections 3.5.110.M [Cul-de-sacs standards] and 5.2.130 [Class C Variances].

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:

CUL-DE-SAC (DEAD-END STREETS) STANDARDS (SECTION 3.5.110.M)

1. Section 3.5.110.M of the Sutherlin Development Code outlines standards for development of a cul-de-sac for dead-end streets in the City and states as follows:

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

1. *The city may require a dead-end or cul-de-sac street to stub to the outer property line of the development when future street extension may be possible through redevelopment of an adjacent property (e.g., existing development on adjacent property could redevelop and allow extension in foreseeable future).*
 2. *All cul-de-sacs exceeding one hundred fifty (150) feet shall terminate with a circular or hammer-head turnaround. Circular turnarounds shall have a radius of no less forty (40) feet (i.e., from center to edge of pavement); except that turnarounds may be larger when they contain a landscaped island or parking bay in their center. When an island or parking bay is provided, there shall be a fire apparatus lane of twenty (20) feet in width; and*
 3. *The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.*
2. The proposed residential street for the requested subdivision will be approximately 705 feet in length, from its intersection with N. Comstock Rd to the west end of the cul-de-

sac. It will exceed the maximum length of the dead-end street by 305± feet. In addition, the circular turnaround (cul-de-sac) at the end of the street will have a radius of no less than 40 feet, which meets item 2 above, but does not conform to the Uniform Fire Code (UFC), which currently requires a radius of 48 feet.

FINDING: The applicant/property owner(s) have requested a variance to road standards to extend the length of the cul-de-sac. As part of the requested variance, the applicant/property owner(s) are proposing to comply with the applicable UFC standards for the new residential street to serve the development, except for the proposed 40' radius cul-de-sac.

VARIANCE CRITERIA (CLASS C VARIANCE)

3. The requested variance is subject to the applicable criteria of Section 5.2.130 of the Sutherlin Development Code for a Class C Variance. The purpose of Section 5.2 (Variances) is to provide flexibility to development standards, in recognition of the complexity and wide variation of site development opportunities and constraints. The variance procedures are intended to provide flexibility while ensuring that the purpose of each development standard is met.
4. Class C Variances (Section 5.2.130) may be granted if the applicant shows that, owing to special and unusual circumstances related to a specific property, the literal application of the standards of the applicable land use district would create hardship to development which is peculiar to the lot size or shape, topography, wetland and floodplain, or other similar circumstances related to the property over which the applicant has no control, and which is not applicable to other properties in the vicinity (e.g., the same land use district); except that no variances to “permitted uses” shall be granted.
5. Section 5.2.130.B states the following for applicability:
 1. The variance standards are intended to apply to individual platted and recorded lots only.
 2. An applicant who proposes to vary a specification standard for lots yet to be created through a subdivision process may not utilize the Class C variance procedure.
 3. A variance shall not be approved which would vary the “permitted uses” of a zoning district (chapter 2).

FINDING: The City finds that the Class C variance is applicable to the proposed request to allow the length of the proposed dead-end street to be extended and meet Uniform Fire Code standards. Section 5.2.120.C [Variances to Transportation Improvement Requirements (Section 3.5.100) states in part, that “When a variance request [to transportation improvements] cannot be supported by the provision of that Section [Section 3.5.110], then the request shall be reviewed as a Class C variance.”

6. Pursuant to Section 5.2.130.C.1, the applicant has explained that the street is too long and that the variance is required to reasonably develop the subject property.

7. Pursuant to Section 5.2.130.C.2, the City shall approve, approve with conditions, or deny an application for a variance based on finding that all of the following criteria are satisfied:

a. *The proposed variance will not be material detrimental to the purposes of this code, to any other applicable policies and standards, and to other properties in the same land use district or vicinity;*

i. To address this criterion, the applicant states:

This variance is to extend the length of the cul-de-sac on Robinson Street beyond the maximum 400 feet. The street will be constructed to 40 feet wide to City standards with two fire hydrants, one located approximately 250± feet from Comstock Street and the second located 280± feet from the first hydrant. All other policies and standards applicable to this R-2 zoned property were adhered to.

FINDING: The City finds that the proposed variance will not be materially detrimental to the purpose of the development code). The applicant has coordinated the design of the proposed street with the City Public Works and the City Fire Department to ensure compliance with the Uniform Fire Code. As designed, the roadway will consist of wider travel lanes (13 ft instead of 10 ft) to accommodate fire apparatus, and no on-street side parking will be permitted in the cul-de-sac. The street will have 40 feet of pavement to travel lanes and on-street parking. The City finds the variance, as proposed, will be consistent with the purposes of the Sutherlin Comprehensive Plan and its Development Code, and will not be materially detrimental to any property in the zone or vicinity.

b. *A hardship to development exists which is peculiar to the lot size or shape, topography, wetland and floodplain, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district);*

i. To address this criterion, the applicant states:

Alternative access was considered by the City, however none were deemed viable. Extension of the street length is required to accommodate all of the lots and maximize the density of the 5.40 acres. Existing wetlands on the East side of the property have been delineated and will be mitigated on the site where Lot 6 is located within the subdivision.

FINDING: The subject property is approximately 840± feet long by 275± feet wide. The applicant is desiring to make reasonable use of the property to accommodate all the lots, but still address the existing wetlands located near N. Comstock Rd. A dead-end street at the maximum length of 400 feet would not allow the applicant to maximize the density of the R-2 zoning on the property (up to 12 dwelling units per acre). The City finds that a general hardship to development exists related to the property over which the applicant has no control.

- c. *The use proposed will be the same as permitted under this title and city standards will be maintained to the greatest extent possible while permitting reasonable economic use of the land;*

- i. To address this criterion, the applicant states:

The new street will be improved to City standards with curb, gutter, sidewalk and on-street parking lanes. The subject tract is 5.40 acres and approximately 840 feet in length. This variance to extend the length of the cul-de-sac beyond the maximum 400 feet would allow for economic use of the entire tract.

FINDING: The applicant is requesting a variance to allow more economic use of the subject property. He is asking to extend the length of the dead-end street by 305± feet in order to accommodate the development of the lots. The proposed street will be constructed to meet or exceed City standards. The City finds that the proposed variance to road standards will allow the applicant to make reasonable use of the land.

- d. *Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks will not be adversely affected any more than would occur if the development occurred as specified by the subject code standard;*

- i. To address this criterion, the applicant states:

None of the above items will be adversely affected by this variance. Existing wetlands located adjacent and to the West of Comstock Street will be mitigated on site where Lot 6 is located. Mitigation of the wetlands would remain the same regardless of the length of the road. All other development codes and City standards will occur.

FINDING: The City finds the requested variance to lengthen the proposed street will not adversely affect traffic along the N. Comstock Rd, nor adversely impact drainage, natural resources or parks any more than would occur if the proposed street was built a maximum of 400 feet long, as specified in the development code.

- e. The hardship is not self-imposed; and

- i. To address this criterion, the applicant states:

The variance to lengthen the road will allow for reasonable economic use of the tract which is dictated by the shape and dimensions of the tract as well as existing wetlands.

FINDINGS: The subject 5.40 acre property is currently vacant and undeveloped. The applicant is trying to make reasonable use of the property and still construct the new street to meet City standards and the Uniform Fire Code. Under the City's TSP, a planned collector street was originally proposed through the subject property to connect Myrtle Rd to W. Sixth Ave. This street connection would have helped to alleviate traffic congestion from the commercial development along Myrtle Rd. However, the 2009 IAMP for Exit 136 provided an alternate

access road that will connect Myrtle Rd to N. Comstock Rd. With this development and the alternate provisions outlined in the IAMP, the proposed dead-end street will no longer need to provide connectivity to Myrtle Rd. As a result, the commercial activity off Myrtle Rd will have an alternate means to access N. Comstock Rd and not have to travel through a residential subdivision. The City finds the proposed variance is not the result of a self-imposed hardship.

f. The variance requested is the minimum variance, which would alleviate the hardship.

i. To address this criterion, the applicant states:

Yes, the proposed length of road will accommodate all lots appropriately and allow for required fire code implementation and meet City standards.

FINDING: The City finds that the applicant is requesting a variance extend the length of the dead-end street by 305± feet in order to accommodate the development of the lots and make reasonable economic use of the property. The proposed street will be constructed to meet or exceed City standards.

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:

Action Alternative No. 1 **Approve** the requested Subdivision for 21-lots to be developed in two phases (Phase 1, 9 lots and Phase 2, 12 lots) and Variance to Road Standards on the subject 5.40 acre property, subject to the following conditions

1. The applicant shall submit a final Subdivision Plat which substantially conforms to the approved preliminary Plan in all aspects except as specifically conditioned by the Planning Commission, as well as the general standards and survey plat requirements prescribed by the Sutherlin Development Code. Any alterations shall be reviewed by the Planning Department.
2. The applicant shall meet all requirements of final plat submission and approval criteria in Section 4.4.160 of the Sutherlin Development Code. Each phase is approved for a period of two (2) years, for a total of four (4) years for this approval, unless an extension to the applicable phase is granted pursuant to Section 4.4.120 of the SDC.
3. In conjunction with Douglas County's improvement project to upgrade N. Comstock Rd, the property owner(s) shall dedicate a strip of land along the frontage of N. Comstock Rd to the City.
 - a. The final location of the land to be dedicated shall be determined by the City and Douglas County Public Works.
 - b. The applicant/property owner(s) shall provide a title report showing clear title to the affected strip of land.

- c. Prior to completion of the County road project, the developer shall install all underground utility connections and service lateral installations within N Comstock Rd.
4. The property owner(s) shall improve and dedicate the required right-of-way for the interior subdivision street (58 foot right-of-way). The design of the new street shall be modified to include two 13 ft travel lanes, two 7 ft parking lanes (except no parking is permitted within the circular turnaround), two 6 ft sidewalks and two 6 inch curbs. The new street shall be designed, engineered and constructed in accordance with the standards of the Sutherlin Development Code.
 - a. **Prior to** commencing excavation, site preparation or construction of the road, the applicant shall submit the design plan for the road, prepared by an Oregon Licensed Professional Engineer, to City Public Works for review for consistency with the City's design standards.
 - b. Superintendent of City Public Works may require additional information to ensure full compliance with design requirements.
 - c. The applicant shall provide a title report showing clear title to the affected strip of land.
5. For Phase 1 of the subdivision, the Developer shall install a temporary turnaround along the west boundary of Phase 1, as identified on the preliminary plat.
6. For Phase 2 of the subdivision, the Developer shall install the circular turnaround for the dead-end interior street, which shall have a minimum radius of 40 feet and shall comply with the following:
 - a. Rolled or mountable curbs shall be provided within the circular turnaround.
 - b. No on-street side parking shall be permitted within the circular turnaround and "No Parking" signs shall be installed.
 - c. The Developer shall submit documentation from the City Fire Department that the required turnaround improvements have been installed and meet Fire Department standards.
7. Prior to final plat approval developer shall provide detailed engineered construction plans to be approved by the City of Sutherlin prior to construction. These plans include but are not limited to design of streets, water, sewer, storm water, grading, and erosion control.
8. Prior to beginning construction the owner(s) of the subject property shall sign a Development Agreement with the City to complete approved improvements located in city right-of-way to city standards. Prior to final plat approval the developer shall install all required improvements as directed by the City, or submit to the City an acceptable agreement for improvements and Irrevocable Letter of Credit or bond mechanism as specified in Section 4.3.170 of the Sutherlin Development Code.

9. For development of the subdivision, the developer shall obtain CORPS/DSL permit approval to work in the wetland riparian area of the property prior to final plat approval. Developer shall comply with all requirements of the CORPS/DSL permits.
10. Developer shall provide city standard fire hydrants at the locations, as indicated and approved by the City Fire Department to City standards.
11. All utilities shall be designed per standards to be located underground, pursuant to Section 3.5.150 of the Sutherlin Development Code, unless a Type II permit for an exception is filed and approved.
12. An alternate street name shall be proposed for the interior street. The final street name of the subdivision shall be coordinated with and approved by the City of Sutherlin.
13. Developer shall install street signs and mailboxes in accordance with city standards. Developer shall install streetlights in or near the subdivision per city street light policy (Resolution No. 2006-03).
14. Any shared driveways shall be identified on the face of the final plat. Developer shall provide and record on the plat any reciprocal access and maintenance agreements for any affected lots.
15. Prior to submitting a final subdivision plat, the developer shall install an engineered, properly sized, and City approved storm drainage system that captures all street and rooftop runoff in the subdivision and pipes it into the existing storm drainage system. The subdivision's storm sewer system shall be designed and constructed to accommodate the existing runoff volumes from the contributory slopes uphill of the subject property.
16. Developer shall submit a stamped certification by a licensed engineer stating that the rate of storm water drainage during and after development will not increase as a result of the proposed development. The certification shall further state that the developer will adhere to all applicable storm drainage, grading, erosion, and sediment control requirements. The City may impose conditions of approval and/or require submittal of engineered plans that demonstrate there will be no impact to neighboring properties.
17. Developer shall obtain a 1200-C NPDES Storm Water Discharge Permit prior to construction as required by the Oregon Department of Environmental Quality.
18. Developer shall coordinate with the City Public Works for the design and installation of water lines with valves and fire hydrants, and water meters at the property line to city standards.
19. Developer shall coordinate with the City Public Works for the design and installation of sanitary sewer improvements to city standards.
20. All necessary easements shall be shown and referenced on the final subdivision plat. Required recorded easements and agreements, reciprocal easements and maintenance agreements for the shared private drives, storm water drainage easements, public and private utility easements.

- a. All easements outside of dedicated rights-of-way must be shown and described as to type and use on the face of the final plat.
21. The approved subdivision shall be surveyed and monumented as required by ORS Chapter 92, and a final submission plat prepared for City signature. The final plat shall comply with all applicable provisions of ORS Chapter 92, including the standards of ORS 92.050, the survey and monumenting provisions of ORS 92.060, and the declaration requirements of ORS 92.075. The final subdivision plat shall bear the stamp and signature of the Professional Land Surveyor, and shall include a signature line for the Sutherlin Community Development Director and the Planning File Number.
22. If any covenants are to be placed on the subdivision, the applicant shall provide a copy, including the volume and page(s) of the recording with Douglas County, to the City. The applicant shall place a reference on the final plat indicating any covenant restrictions governing the development of the proposed subdivision.
23. An electronic copy (pdf) of recorded final subdivision plat, to include as-built drawings, shall be submitted to the Sutherlin Community Development Department within 10 days after recording.
24. Subdivision plan or plat approval does not constitute home construction approval. Development of the site shall be subject to review and approval of the City of Sutherlin prior to commencing any home construction or site development work.
25. Development of the property shall be subject to City of Sutherlin System Development Charges (SDCs), as well as applicable SDC credits, and such other permits and fees as may apply.
26. Development of the subject property shall comply with state and federal environmental rules, regulations, and standards, and shall conform to all requirements of the Sutherlin Municipal Code.

Insert condition re: letter from City Public Works that all required improvements have been installed to city standards...

ADVISORY STATEMENTS

27. For the development of the individual lots in each phase, developer must meet City of Sutherlin private driveway standards of twenty (20) feet improved surface. Driveways must maintain a minimum separation of 25 feet.
28. At the time of a building permit proposal on any of the new parcels, the permit shall indicate compliance with Development Code Section 2.2 R-2 building setbacks and lot coverage requirements; and the driveway separation, surface improvement and storm water runoff requirements of Development Code Section 3.2.110 Vehicle Access and Circulation.

- a. Where a street or driveway is to be paved, the building permit application shall include provisions for on-site storm water collection or infiltration in accordance with city specifications.

Action Alternative No. 2 Approve the requested Subdivision and Variance, subject to modifications or additional conditions of approval;

Action Alternative No. 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

Action Alternative No. 4 Deny the requested Subdivision and Variance on the subject property 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 No. 1 and **APPROVE** the requested application on the subject 5.40 acre property, subject to the conditions of approval.

Kristi Gilbert

From: MCDONALD John <John.MCDONALD@odot.state.or.us>
Sent: Tuesday, December 06, 2016 3:49 PM
To: Kristi Gilbert
Subject: PDF 16-S014 21-lot subdivision
Attachments: 4230_001.pdf

Kristi,

Received the attached notice, PDF 16-S014, Houde Living Trust proposed 21-lot subdivision.

We have no comments.

Thanks,

John McDonald
Development Review Planner
ODOT Southwestern Region
541-957-3688



PUBLIC WORKS DEPARTMENT

Administrative Services
1036 SE Douglas, Room 220 • Roseburg, Oregon 97470 • (541) 440-4208

DIVISIONS

Engineering and Construction
1036 SE Douglas, Room 304
Roseburg, Oregon 97470
(541) 440-4481

Natural Resources
1036 SE Douglas, Room 306
Roseburg, Oregon 97470
(541) 440-4255

Operations and Maintenance
433 Rifle Range Road
Roseburg, Oregon 97470
(541) 440-4268

Work Crew
1036 SE Douglas, Room 213
Roseburg, Oregon 97470
(541) 957-2072



December 9, 2016

City of Sutherlin
Community Development
126 E. Central Ave
Sutherlin, OR 97479

Reference: Application by Houde Living Trust for 21-Lot Subdivision on N Comstock Rd
Planning Department File No. 16-S014

To Whom It May Concern:


In response to the "Notice of Public Hearing" for the above-referenced application, Douglas County Public Works Department ("DCPW") submits this letter to serve as written statement of our agency's comments to be included with the City staff report.

The subject property is located on the west side of N Comstock Rd (County Rd #154), south of W Sixth St and across from the intersection with Robinson St. Douglas County will be constructing the N Comstock Rd: W Central Ave to Laurel Ave project ("County Project") in 2017; pursuant to County Agreement #2016-0826, City will accept jurisdiction of N Comstock Rd within County Project limits upon completion of County Project. The proposed subdivision is located within County Project limits.

DCPW requests that the City require applicant to dedicate right of way to City as required for County Project as a condition of application approval. It is our understanding that this condition has already been discussed with the applicant, that the applicant is aware of the boundary of the necessary dedication, and that the applicant is agreeable to this condition provided that DCPW constructs the street connection to N Comstock Rd as shown on applicant's exhibit. DCPW is agreeable to constructing the street connection as part of County Project and may prepare a written agreement with applicant subject to dedication requirement. Additionally, DCPW requests that the City require as a condition of application approval that all underground utility connections and service lateral installations within N Comstock Rd be made prior to completion of County Project.

Thank you for giving us the opportunity to provide comments on this application. Please contact me at 541-440-4481 or ccsmith@co.douglas.or.us if you have any questions or concerns related to our comments.

Sincerely,


Cody Smith, P.E.
Division Engineer

Cc: K. Mike Luttrell, DCPW
Josh Heacock, DCPW



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

City of Sutherlin

December 13, 2016

MEMORANDUM

TO: Sutherlin Planning Commission
FROM: Lisa Hawley, Community Development Planner
RE: Public Hearing on Proposed 2016 Legislative Amendments

On December 20th, Planning Commission will conduct a public hearing on the proposed legislative amendments to the Sutherlin Comprehensive Plan and Development Ordinance. The Planning Commission will accept public testimony and provide recommendations on the legislative amendments at the public hearing, and will forward those recommendations to the City Council for their consideration. The City Council is scheduled to conduct a public hearing on the proposed amendments at their meeting on Monday, March 13, 2017.

As part of this process, the Planning Commission held three workshops on January 19, 2016, August 16, 2016 and October 18, 2016 to review and discuss various items to be included in the proposed amendments.

Notice of Proposed Amendment was mailed to the Oregon Department of Land Conservation and Development (DLCD) on November 15, 2016, which was at least 35 days prior to the first evidentiary public hearing on December 20, 2016.

Notice of the proposed legislative amendments was sent to interested agencies and utility providers on November 30, 2016.

Notice of the proposed legislative amendments was also posted in *The News Review* on December 6, 2016 for the public hearing on December 20, 2016.

To date, we have received one written comment on the proposed amendments.

1. John McDonald, Development Review Planner, ODOT Southwestern Region, commented on a proposed new policy to the Public Facilities Element of the Comprehensive Plan regarding the City's support of the future improvement of the Interstate 5/Highway 138 interchange. This policy has originally been adopted by the City in 2002 and had never been added to the Comprehensive Plan. Mr. McDonald recommended changing the language to broaden the policy and simplify it. A copy of his comments are attached.

After further review of the proposed amendments, there are two additions since the last draft you received a couple weeks ago. The first revision is to add item #34 at the end of the first section. This revision will add some Development Code amendments that were adopted by the City in 2009 as part of the

December 13, 2016

Interchange Area Management Plan for Exit 136 (IAMP), but were never incorporated in the SDC. Copies of the adopted changes from the IAMP are attached.

The second revision will modify item #25, regarding extensions for a subdivision or land partition, and add the possibility for additional one-year extensions of approval for Planned Unit Developments, which are reviewed and approved under Section 4.6 of the Sutherlin Development Code.

Staff is working to update the draft of the proposed amendments to include the above listed revisions. A new second draft will be emailed to you in the next couple days. **Please bring this revised second draft to the Planning Commission meeting for our discussion.**

PROPOSED ALTERNATIVES to consider:

Alternative No. 1

The Planning Commission approves the proposed legislative amendments to the Sutherlin Comprehensive Plan and Sutherlin Development Code, and forwards their recommendation and findings to the Sutherlin City Council.

Alternative No. 2

The Planning Commission approves the proposed legislative amendments to the Sutherlin Comprehensive Plan and Sutherlin Development Code, with modifications or other changes, based on Findings of Fact and/or testimony brought forward through the public hearing process, and forwards their recommendation and findings to the Sutherlin City Council.

Alternative No. 3

The Planning Commission takes no action at this time on the proposed legislative amendments.

Thank you in advance for all your assistance in helping with these amendments. Periodic legislative amendments are a positive, healthy and proactive action in the administration of the City's code. These proposed amendments will help to improve efficiency and effectiveness, and better serve the citizens processing applications under the code.

If you have any questions or comments, please feel free to call me at 541-440-4289 or email me at lahawley@co.douglas.or.us.

See you next week!

Attachments

Lisa Hawley

From: MCDONALD John <John.MCDONALD@odot.state.or.us>
Sent: Monday, December 05, 2016 11:39 AM
To: Lisa Hawley
Subject: Proposed Legislative Amendments to Sutherlin Development Code

Follow Up Flag: Follow up
Flag Status: Flagged

Lisa,

Thank you for the opportunity to comment on the proposed legislative amendments to the Sutherlin Development Code.

Regarding Page 13, 33.b., it currently reads as:

Update page 41 of the Comprehensive Plan to add a new policy B15 to the Public Facilities Plan Policy as follows:
The City shall support the improvement of the Interstate-5/Highway 138 interchange to include lengthening the freeway overpass, adding a center turn lane on Highway 138 at the interchange, signaling the ramps as necessary, and such other improvements as may be required to ensure an adequate level of service at the interchange. As deemed appropriate by the City Council, the city shall seek to assist in the funding of necessary improvements at the Interstate-5/Highway 138 interchange through appropriate funding mechanisms, such as reasonable developer exactions, system development charges, applicable grant programs, state agency sources, or local improvement districts.

Recommend changing to:

Update page 41 of the comprehensive Plan to add a new policy B15 to the Public Facilities Plan Policy as follows:
The City shall support improvements to Highway 138, and Interstate 5 Interchange 136, as expressed in the "136 Interchange Area Management Plan". As deemed appropriate by the City Council, the City shall identify ways to assist in funding improvements.

+++++

My concern is that the improvements in the policy are very specific, and we want to avoid specificity in what should be a broad policy statement. We avoid specificity because if, in the future, another improvement is identified as superior to the ones outlined in the TSP and IAMP, then it may be necessary to amend the Comprehensive Plan to ensure consistency. Making a general statement of support for the improvements outlined in the IAMP should be enough and, if an amendment is necessary, only the IAMP would need to be amended.

Thanks,

John McDonald
Development Review Planner
ODOT Southwestern Region
541-957-3688

10.6 Amend Sutherlin Municipal Code

The Sutherlin Municipal Code (SMC) includes the Development Code that regulates land use activities in the City and is thus a responsibility of the City of Sutherlin. Amendment of the SMC is also a city responsibility.

Upon adoption of the IAMP, the findings for TPR compliance for future zone changes within the Interchange 136 influence area may be deferred until time of development pursuant to Development Code Section 4.8.110(C)(2). At time of development, compliance with OAR 660-012-0060 (1) (c) may be demonstrated by showing that the most intensive use and density allowed by the development will not exceed the peak hour trips allowed by Table 9 of the IAMP. The City may issue a finding of "no significant affect" when it places a condition of approval that limits uses within the zone to those in Table 9 of the IAMP and identifies funding.

Sutherlin Development Code⁷ allows any agency with access jurisdiction to require applicant to prepare a traffic study for the development proposal. The City of Sutherlin will further protect the integrity of the interchange facility by adding a condition of approval that applicant(s) agree to participate in a LID that consists of identified improvements in the IAMP.

To provide clarity and additional guidance on how to implement the provisions of this study, amendments to the SMC are enacted as follows (deletions are indicated by ~~strikeouts~~; additions are in **bold and underlined**):

CHAPTER 3 DESIGN STANDARDS

Section 3.2 Access and Circulation

3.2.100 Purpose. The purpose of this chapter is to ensure that developments provide safe, efficient and functional access and circulation, for pedestrians and vehicles. Section 3.2.110 provides standards for vehicular access and circulation. Section 3.2.120 provides standards for pedestrian access and circulation. Standards for transportation infrastructure improvements within the public right-of-way are provided in section 3.5.

3.2.110 Vehicular Access and Circulation.

A. Intent and Purpose.

1. The intent of this section is to manage vehicle access to development through a connected street system with shared driveways, where practicable, and circulation systems that allow multiple transportation modes and technology, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain an adequate "level of service" and to maintain the "functional classification" of roadways [See Transportation System Plan adopted November 2006 **and amended in April 2009**]. Major roadways, including highways, arterials, and collectors, serve as the primary system for moving people and goods. "Access management" is a primary concern on these roads. Local streets and alleys provide

⁷ Sutherlin Development Code Sections 3.2.110(D)

access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This section balances the right of reasonable access to private property with the right of the public to safe and efficient travel.

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

D. Traffic Study Requirements. The city or other agency with access jurisdiction may require a traffic study prepared by a traffic engineer to determine access, circulation and other transportation requirements **including identification of projects needed to implement the Transportation System Plan or other projects needed to mitigate for traffic impacts resulting from development that exceeds assumptions from the Transportation System Plan.** (See also, section 3.5, Infrastructure.)

3.5.110 Transportation Standards.

A. Purpose. The purpose of this section is to implement the Transportation System Plan **(including the Interchange Area Management Plan, which was incorporated into the TSP in April 2009)** and protect the City's investment **of the City, the County, and ODOT** in the public street system. Upon dedication of streets to the public, the City accepts maintenance responsibility for the street. Failure to meet City standards may place an undue maintenance burden on the public, which may be only marginally benefited by the street improvement. Variances to street standards must be evaluated in this context.

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

1. Private streets shall not be permitted, except as approved by a PUD. In approving a private street as part of a PUD, the city must find that construction of a public street is impracticable, and the street will be constructed to a standard that approximates the city standards for public streets, except as modified to address physical site constraints. The city shall not be responsible for maintaining or improving any private street.
2. Streets within and/or adjacent to a development shall be improved in accordance with the comprehensive plan, transportation system plan and the provisions of this section, as determined by the city.
3. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public streets shall be dedicated to the applicable City, County or ~~County~~ **ODOT** jurisdiction.

CHAPTER 4 DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES

Section 4.8 Zoning District Map Amendments

4.8.100 Purpose. The purpose of this section is to provide standards and procedures for legislative and quasi-judicial amendments to the zoning district map. These will be referred to as “zoning map amendments.” Map amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

4.8.110 Approval Procedures

C. Criteria for Amendment. 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 OAR660-012-0060; and . 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

Section 4.3 Development Review and Site Plan Review

4.3.120 Development Review Approval Criteria. Applications for development review shall be conducted as a Type I procedure, as described in section 4.2.120. Prior to issuance of building permits, the following standards shall be met:

- A. The proposed land use is permitted by the underlying zoning district (chapter 2);
- B. The land use, building/yard setback, lot area, lot dimension, density, lot coverage, building height and other applicable standards of the underlying zoning district and any overlay zone are met (chapter 2);
- C. All applicable building and fire code standards are met; and
- D. Approval shall lapse, and a new application shall be required, if a building permit has not been issued within one (1) year of development review approval; and
- E. Traffic impacts from the proposed development are consistent with the traffic impacts for the subject parcel prescribed in Table 9 of the Interchange Area Management Plan or the development will mitigate for the increased traffic beyond that described in Table 9 of the Interchange Area Management Plan. Those zone changes within the Interchange 136 IAMP area that deferred compliance with OAR 660-012-0060 must demonstrate consistency with OAR 660-012-0060.

FOR YOUR INFORMATION

LAND USE ACTIVITY

WORKSHEETS

2016-60	849 Landing
2016-61	895 Valley Vista
2016-62	204 W Central
2016-64	706 W Sixth
2016-65	479 S State
2016-66	778 Schoon Mountain
2016-67	814 Schoon Mountain
2016-68	240 W First
2016-69	1300 Vantage




Community Development
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CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-60	APPLICANT RUSS & LINDA SHOOK 852 S COMSTOCK ST SUTHERLIN OR 97479 509-318-0273	OWNER RUSS & LINDA SHOOK 852 S COMSTOCK ST SUTHERLIN OR 97479 509-318-0273
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SITE INFORMATION

SITE ADDRESS 849 LANDING ST	PROPERTY ID NO. R143728	M-TL 25-05-19DB-01801	SIZE (ACRES) 0.25
IMPROVEMENT CONSTRUCT 1491 SQ FT SINGLE FAMILY DWELLING WITH ATTACHED GARAGE ON PARCEL 2 OF PP 2014-0007			
EXISTING STRUCTURES (NUMBER AND TYPE) VACANT		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE CENTRAL TO S. COMSTOCK TO AIRWAY TO LANDING TO SUBJECT PROPERTY.			
As, for, or on behalf of, all property owners: Applicant Signature:  Date: <u>10-19-16</u>			

PLANNING DEPARTMENT INFORMATION

ZONING R2		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT-1 STORY 7FT -2STORY	EXT. SIDE 10FT-1STORY 15FT-2STORY
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED 2		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL:		REFER TO: Douglas County		
CONSTRUCT 1491 SQ FT SINGLE FAMILY DWELLING WITH ATTACHED GARAGE ON PARCEL 2 OF PP 2014-0007. MUST MEET ZONE/SETBACK REQS.				
APPROVED BY 	DATE OCTOBER 19, 2016	EXPIRATION DATE OCTOBER 19, 2017		
FEES PUBLIC UTILITES	25.00 CITY WATER YES	RECEIPT # CITY SEWER YES	ACCESS PERMIT YES	




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CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-61	APPLICANT ED BARRETT 895 VALLEY VISTA SUTHERLIN OR 97479 970-209-8455	OWNER ED BARRETT 895 VALLEY VISTA SUTHERLIN OR 97479 970-209-8455
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SITE INFORMATION

SITE ADDRESS 895 VALLEY VISTA	PROPERTY ID NO. R132005	M-TL 25-05-21BA-04200	SIZE (ACRES) 0.39
IMPROVEMENT PLACE OLD HICKORY SHED			
EXISTING STRUCTURES (NUMBER AND TYPE) SFD (APPROVED PER WS 2016-20)		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL, RIGHT ON WAITE, RIGHT ON FOREST HEIGHTS			
As, for, or on behalf of, all property owners:			
Applicant Signature: 		Date: <u>10-21-16</u>	

PLANNING DEPARTMENT INFORMATION

ZONING RH		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT-1 STORY 7FT -2STORY	EXT. SIDE 10FT-1STORY 15FT-2STORY
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL:		REFER TO: Douglas County		
PLACE OLD HICKORY SHED; MUST MEET ZONE/SETBACK REQS. DUE TO THE NATURE OF THE STRUCTURE THE CONDITIONS OF THE ATTACHED GEOTECHNICAL REPORT PROVIDED FOR THE SFD, SOME CONDITIONS MAY OR MAY NOT APPLY.				
APPROVED BY 		DATE OCTOBER 21, 2016	EXPIRATION DATE OCTOBER 21, 2017	
FEES	25.00	RECEIPT #		
PUBLIC UTILITES	CITY WATER NO	CITY SEWER NO	ACCESS PERMIT NO	




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CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
OTHER

WORKSHEET NUMBER 2016-62	APPLICANT DIANE O'DELL PO BOX 284 SUTHERLIN OR 97479 304-644-3477	OWNER PEDRO LIRA 1281 HWY 101 REEDSPORT OR 97467
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SITE INFORMATION

SITE ADDRESS 204 W CENTRAL	TAX ACCOUNT NUMBER R56093	M-TL 25-05-17DC-09900	SIZE (ACRES) 0.57
IMPROVEMENT AUTHORIZE SECOND HAND RETAIL STORE (CHANGE OF USE REQUIRED BY D.C. BUILDING DEPT)			
EXISTING STRUCTURES (NUMBER AND TYPE) VACANT COMMERCIAL BUILDING (FORMER RESTRAUNT)		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL TO PROPERTY LOCATED AT THE CORNER OF CENTRAL & S. CALAPOOIA			
As, for, or on behalf of, all property owners: Applicant Signature:  Date: <u>10-21-14</u>			

PLANNING DEPARTMENT INFORMATION

ZONING C1	OVERLAYS None			
SETBACKS				
FRONT GARAGE N/A	FRONT PROPERTY LINE N/A	REAR N/A	SIDE N/A	EXT. SIDE N/A
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT N/A	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE NA		
CONDITIONS OF APPROVAL: AUTHORIZATION OF SECOND HAND RETAIL STORE. RETAIL SALES ENCLOSED WITHIN A BUILDING IS A PERMITTED USE WITHIN THE C-1 (DOWNTOWN COMMERCIAL) ZONE. OUTDOOR SALES IS PROHIBITED. ALL MERCHANDISE MUST REMAIN WITHIN THE EXISTING STRUCTURE. A CHANGE OF USE PERMIT IS REQUIRED BY THE DOUGLAS COUNTY BUILDING DEPARTMENT (RESTRAUNT TO RETAIL STORE). NO INCREASE IN THE FOOTPRINT OF THE BUILDING IS ALLOWED WITH THIS WORKSHEET. SIGN PERMITS FOR ALL SIGNS MUST BE OBTAINED (A SEPARATE APPROVAL IS REQUIRED). MUST MEET THE REQUIREMENTS OF SUTHERLIN DEVELOPMENT CODE.				
APPROVED BY 	DATE OCTOBER 21, 2016	EXPIRATION DATE OCTOBER 21, 2017		
PUBLIC UTILITES	CITY WATER NO	CITY SEWER NO	ACCESS PERMIT NO	




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

WORKSHEET NUMBER 2016-64	APPLICANT LUZ & EARL VARBEL 706 W SIXTH AVE SUTHERLIN OR 97479 541-670-8363	OWNER LUZ & EARL VARBEL 706 W SIXTH AVE SUTHERLIN OR 97479 541-670-8363
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SITE INFORMATION

SITE ADDRESS 706 W SIXTH AVE	PROPERTY ID NO. R51074	M-TL 25-05-17CC-00700	SIZE (ACRES) 0.18
IMPROVEMENT ACCESSORY DWELLING (CONVERT 600 SQ FT OF EXISTING GARAGE INTO LIVING QTRS)			
EXISTING STRUCTURES (NUMBER AND TYPE) SFD, DETACHED GARAGE		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE CENTRAL TO SHERMAN TO THE CORNER OF SIXTH AND SHERMAN			
As, for, or on behalf of, all property owners:			
Applicant Signature: 		Date: 10-28-16	

PLANNING DEPARTMENT INFORMATION

ZONING R3		OVERLAYS None			
SETBACKS					
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT-1 STORY 7FT-2STORY	EXT. SIDE 10FT-1STORY 15FT-2STORY	
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED ONE 9 X 18 SPACE			
BUILDING HEIGHT 20FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE NA			
CONDITIONS OF APPROVAL: REFER TO: Douglas County ACCESSORY DWELLING – AUTHORIZED TO CONVERT 600 SQ FT OF EXISTING DETACHED GARAGE INTO LIVING QUARTERS. ONLY ONE ACCESSORY DWELLING IS PERMITTED, MUST COMPLY WITH BUILDING CODES & STRUCTURAL SPECIALTY CODES. FLOOR AREA OF ACCESSORY DWELLING NOT TO EXCEED 600 SQ FT. ONE OFF STREET PARKING SPACE REQUIRED FOR ACCESSORY DWELLING. MUST HAVE SEWER, WATER AND UTILITY SERVICES PROVIDED. MUST MEET ZONE AND SETBACK REQS.					
APPROVED BY 		DATE OCTOBER 27, 2016		EXPIRATION DATE OCTOBER 27, 2017	
FEES PUBLIC UTILITES		CITY WATER YES		RECEIPT # CITY SEWER YES	ACCESS PERMIT NO




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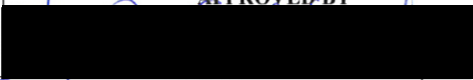
CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-65	APPLICANT MICHAEL BROWN 922 OLD TOWN LOOP OAKLAND OR 97462 541-968-5639	OWNER JANET WARNER TRUST 554 S STATE STREET SUTHERLIN OR 97479
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SITE INFORMATION

SITE ADDRESS 479 S. STATE ST	PROPERTY ID NO. R144546	M-TL 25-05-20AB-03904	SIZE (ACRES) 0.17
IMPROVEMENT CONSTRUCT 1209 SQ FT SFD W/ ATTACHED GARAGE ON PARCEL 3 OF PP 2014-0021			
EXISTING STRUCTURES (NUMBER AND TYPE) VACANT		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL, RIGHT ON STATE, TO SUBJECT PROPERTY ON THE RIGHT.			
As, for, or on behalf of, all property owners: Applicant Signature:  Date: <u>11-15-16</u>			

PLANNING DEPARTMENT INFORMATION

ZONING R1		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT-1 STORY 10FT -2STORY	EXT. SIDE 10FT-1STORY 15FT-2STORY
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED 2		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL: CONSTRUCT 1209 SQ FT SFD W/ ATTACHED GARAGE ON PARCEL 3 OF PP 2014-0021; MUST MEET ZONE/SETBACK REQS, INCLUDING PAVED DRIVEWAY.		REFER TO: Douglas County		
APPROVED BY 	DATE NOVEMBER 10, 2016	EXPIRATION DATE NOVEMBER 10, 2017		
FEE PUBLIC UTILITIES	25.00 CITY WATER YES	RECEIPT # CITY SEWER YES	ACCESS PERMIT NO	




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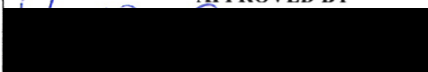
CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-66	APPLICANT KENNADAY BUILDERS LLC PO BOX 69 GLIDE OR 97443 541-496-0053	OWNER BAHR, LARRY D & SUMNER, MICHELLE A 778 SCHOON MOUNTAIN SUTHERLIN OR 97479
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SITE INFORMATION

SITE ADDRESS 778 SCHOON MOUNTAIN	PROPERTY ID NO. R57227	M-TL 25-05-20DA-02700	SIZE (ACRES) 0.80
IMPROVEMENT CONSTRUCT ADDITION ONTO EXISTING 1950 SFD			
EXISTING STRUCTURES (NUMBER AND TYPE) 1950 SFD		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL, RIGHT ON STATE, RIGHT ON MOUNTAIN VIEW, RIGHT ON SCHOON MOUNTAIN.			
As, for, or on behalf of, all property owners:			
Applicant Signature: 		Date: 10 NOV 2016	

PLANNING DEPARTMENT INFORMATION

ZONING RH		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT-1 STORY 10FT -2STORY	EXT. SIDE 20FT-1STORY 20FT-2STORY
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL:		REFER TO: Douglas County		
CONSTRUCT ADDITION ONTO EXISTING 1950 SFD MUST MEET ZONE/SETBACK REQS.				
APPROVED BY 	DATE NOVEMBER 10, 2016	EXPIRATION DATE NOVEMBER 10, 2017		
FEEES PUBLIC UTILITES	CITY WATER NO	RECEIPT # CITY SEWER NO	ACCESS PERMIT NO	

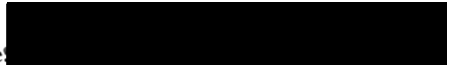


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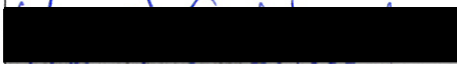
CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-67	APPLICANT JEFF & JAYELYN WHITED 1064 E SECOND SUTHERLIN OR 97479 541-430-7290	OWNER JEFF & JAYELYN WHITED 1064 E SECOND SUTHERLIN OR 97479 541-430-7290
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SITE INFORMATION

SITE ADDRESS 814 SCHOON MOUNTAIN	TAX ACCOUNT NUMBER R57199	M-TL 25-05-20DA-100	SIZE (ACRES) 3.86
IMPROVEMENT CONSTRUCT 2270 SQ FT SFD W/ ATTACHED GARAGE			
EXISTING STRUCTURES (NUMBER AND TYPE) VACANT		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL, RIGHT ON S. STATE, RIGHT ON MOUNTAIN VIEW, LEFT ON SCHOON MOUNTAIN (PAST ACTUAL ROAD SIGN)			
As, for, or on behalf of, all property owners: Applicant Signature:  Date: 11-16-16			

PLANNING DEPARTMENT INFORMATION

ZONING RH		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT - 1 STORY 10FT - 2 STORY	EXT. SIDE 20FT
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED 2 SPACES		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE NA		
CONDITIONS OF APPROVAL: CONSTRUCT 2,270 SQ FT SFD W/ ATTACHED GARAGE. MUST MEET CONDITIONS OF ATTACHED GEOTECH REPORT. MUST MEET ZONE/SETBACK REQS.				
APPROVED BY 		DATE NOVEMBER 16, 2016	EXPIRATION DATE NOVEMBER 16, 2017	
PUBLIC UTILITIES	CITY WATER YES	CITY SEWER YES	ACCESS PERMIT NO	




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


CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-68	APPLICANT SCOTT'S VALLEY LLC 1789 CULVER LOOP SUTHERLIN OR 97479 541-459-7532 541-953-4741	OWNER SCOTT'S VALLEY LLC 1789 CULVER LOOP SUTHERLIN OR 97479 541-459-7532 541-953-4741
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SITE INFORMATION

SITE ADDRESS 240 FIRST AVE	TAX ACCOUNT NUMBER R56009	M-TL 25-05-17DC-06200	SIZE (ACRES) 0.26
IMPROVEMENT CONSTRUCT GROUND SIGN			
EXISTING STRUCTURES (NUMBER AND TYPE) STORAGE UNITS		DISTANCE OF BUILDING SITE FROM SURFACE WATER ➤ 50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL, LEFT ON N. CALAPOOIA, LEFT ON W. FIRST AVE TO SITE WITH MINI STORAGE UNITS			
As, for, or on behalf of, all property owners: Applicant Signature:  Date: <u>11/22/16</u>			

PLANNING DEPARTMENT INFORMATION

ZONING M-1	OVERLAYS None			
SETBACKS				
FRONT GARAGE N/A	FRONT PROPERTY LINE 20 FT	REAR 0 FT	SIDE 0 FT	EXT. SIDE N/A
SIGN CODE SEE CONDITIONS	SPECIAL SETBACK NA	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT N/A	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL: CONSTRUCT GROUND SIGN. SIGN NOT TO EXCEED 24 FEET IN HEIGHT, SIGN NOT TO EXCEED 200 SQ FT AND SHALL NOT PROJECT INTO THE PUBLIC RIGHT OF WAY. MUST MEET ZONE AND SETBACK REQS.				
APPROVED BY 	DATE NOVEMBER 22, 2016	EXPIRATION DATE NOVEMBER 22, 2017		
PUBLIC UTILITIES	CITY WATER NO	CITY SEWER NO	ACCESS PERMIT NO	




Community Development
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CITY OF SUTHERLIN
PRE-APPLICATION WORKSHEET
CONSTRUCTION

WORKSHEET NUMBER 2016-69	APPLICANT NICHOLAS A BERRIMAN 1300 VANTAGE CT SUTHERLIN OR 97479 503-507-5556	OWNER NICHOLAS A BERRIMAN 1300 VANTAGE CT SUTHERLIN OR 97479 503-507-5556
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SITE INFORMATION

SITE ADDRESS 1300 VANTAGE CT	PROPERTY ID NO. R48505	M-TL 25-05-16AC-02200	SIZE (ACRES) 0.33
IMPROVEMENT ³² CONSTRUCT 14 X 26 HICKORY SHED (ACCESSORY STRUCTURE)			
EXISTING STRUCTURES (NUMBER AND TYPE) SFD		DISTANCE OF BUILDING SITE FROM SURFACE WATER >50 FEET	
DIRECTIONS FROM CENTRAL AVENUE EAST ON CENTRAL, LEFT ON PEAR, RIGHT ON E. FIRST AVE, LEFT ON CASA DE LOMA, LEFT ON VANTAGE			
As, for, or on behalf of, all property owners:			
Applicant Signature: 		Date: 12-7-16	

PLANNING DEPARTMENT INFORMATION

ZONING R1		OVERLAYS None		
SETBACKS				
FRONT GARAGE 20FT	FRONT PROPERTY LINE 15FT	REAR 10FT	SIDE 5FT-1 STORY 10FT -2STORY	EXT. SIDE 10FT-1STORY 15FT-2STORY
SIGN CODE N/A	SPECIAL SETBACK N/A	PARKING SPACES REQUIRED N/A		
BUILDING HEIGHT 35FT	FLOOD PLAIN NO	FLOOR HEIGHT ABOVE GRADE N/A		
CONDITIONS OF APPROVAL:		REFER TO: Douglas County		
CONSTRUCT ³² 14 X 26 HICKORY SHED (ACCESSORY STRUCTURE); MUST MEET ZONE/SETBACK REQS.				
APPROVED BY 		DATE DECEMBER 8, 2016		EXPIRATION DATE DECEMBER 8, 2017
FEES	25.00	RECEIPT #		
PUBLIC UTILITIES	CITY WATER NO	CITY SEWER NO	ACCESS PERMIT NO	