



**City of Sutherlin
Regular Council Meeting
Monday, March 9, 2020
Civic Auditorium – 7:00 p.m.**

AGENDA

Mayor Todd McKnight

Council President Boggs

Councilors Hamilton, Stone, Sumner, Tomlinson and Vincent

1. CALL TO ORDER / FLAG SALUTE

2. ROLL CALL

3. INTRODUCTION OF MEDIA

4. PUBLIC COMMENT

[The purpose of citizen comment is to allow citizens to present information regarding agenda items only. A time limit of three minutes per citizen shall apply.]

5. CONSENT AGENDA

- a. February 10, 2020 Minutes – Regular Meeting
- b. February 24, 2020 Minutes – Workshop Meeting

6. PUBLIC HEARING

- a. Plan Amendment & Zone Change – Allison

7. COUNCIL BUSINESS

- a. Budget Committee Appointment
- b. Ordinance – Plan Amendment & Zone Change – Allison Subdivision (first reading, title only)
- c. Resolution 2020.03 – Authorizing LGGP Grant Application, Recreational Trails Grant and Land and Water Conservation Fund for Ford's Pond

8. REPORTS

- a. Ford's Pond Community Park & Trail Improvements – Final Design
- b. Ford's Pond Community Park Sponsorship Plan
- c. Wetlands Consultant Update

9. CITY COUNCIL COMMENT

10. STRATEGIC PLAN UPDATE

- a. Identify & Upgrade ADA Accessibility around Central Park

11. PUBLIC COMMENT

[The purpose of citizen comment is to allow citizens to present information regarding items off the agenda. A time limit of three minutes per citizen shall apply.]

12. ADJOURN

EXECUTIVE SESSION

ORS – 192.660(2)(d) Labor Negotiation Consultations

Members of the audience who wish to address the Council will be invited to do so. Speakers must use the microphone stating their name and address prior to addressing the Council.

If you have a disability that requires special materials, service, or assistance, please call 541.459.2856 at least 48 hours prior to the meeting to arrange for accommodations



Call to Order & Flag Salute





ROLL CALL





Introduction Of Media





PUBLIC COMMENT

Agenda Items only





Consent Agenda



CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, February 10, 2020 – 7:00pm

COUNCIL MEMBERS:

Tom Boggs, Michelle Sumner, Forrest Stone, Travis Tomlinson and Seth Vincent

MAYOR: Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
City Recorder, Diane Harris
Deputy City Recorder, Melanie Masterfield
Finance Director, Dan Wilson
Public Works Director, Aaron Swan
Community Development Director, Brian Elliott
Community Development Supervisor, Kristi Gilbert
Police Chief, Troy Mills
Deputy Fire Chief, Scott McKnight
Battalion Fire Chief, Brandon McGarr
City Attorney, Chad Jacobs (via Skype)

Audience: Tami Trowbridge, Gary Dagel, Debbie Hamilton, Joe Groussman, Brian Burke Sr., Chuck & Peggy Brummel, Tom & Peg Schaub, Ramona Lee

Meeting called to order by Mayor McKnight at 7:00pm.

Flag Salute:

Roll Call: All Present

Introduction of Media: None

COUNCIL BUSINESS

• **Council Appointment & Swearing-In**

Staff Report – City Recorder, Diane Harris read a list of candidates for Council appointment.

Mayor McKnight asked if any of the applicants would like to speak on their behalf.

- *Chuck Brummel* introduced himself and shared his background experience and knowledge.
 - Mayor - Would you consider running once this term is up? **Unknown at this time.**
 - Councilor Sumner – What do you see needs fixed in the city? **No complaints. Moved here before the streets were paved and it looks really good. Haven't investigated anything.**
- *Brian Burke* introduced himself and shared his background experience.
 - Councilor Boggs – What are some things the city should be focusing on since you've lived here a long time? **The city is heading in the right direction but wants to get more businesses moving in town and develop the west side where the old Ray's building is. There's some prime real estate in town and thinks it could really benefit the city to get those in use.**
 - Councilor Tomlinson - How familiar are you with current projects that are happening? **Been following online and reading the packets so I'm up-to-date but unfamiliar.** Is there anything you could do to help with the development of those lands with Urban Renewal? **It's all about finding the right people, long term planning, maintaining roads, continuing to look for grants and work as a team.**
 - Mayor – Would you consider running when this term is up? **Yes.**
 - Councilor Sumner – Is there anything else you see needs to be fixed in the city? **Keep moving forward and definitely need to develop downtown.**
- *Jeremy Cornish* – Was not present.

- Gary Dagel introduced himself and shared some of his background experience and how business friendly city staff is.
 - Mayor – Will you consider running when this term is up? *I'm not sure.*
 - Councilor Boggs – You're not with the Chamber of Commerce as an officer anymore? *No.*
 - Councilor Sumner – What do you see needs fixed in the city? *We're headed in the right direction but, improving downtown would help a lot and getting businesses that can sustain here will draw people into the city.*
- Debbie Hamilton introduced herself and shared some of her background experience and current group involvements.
 - Councilor Boggs – What's your connection with the library? *Appointed to the board.*
 - Mayor – Are you planning on running in the next election when your term is up? *Yes.*
 - Councilor Boggs – Is there any conflict of interest with Debbie being on the Library Board? City Attorney, Chad Jacobs – *Debbie would need to resign her seat on the Library Board and then take her seat on Council.*
 - Councilor Sumner – What do you see needs fixed in the city? *The city needs to keep forward momentum and build downtown. Code enforcement is complaint driven so would like to see more happening with that.*

Mayor thanked everyone for applying and wanting to get involved. Asked Council to choose their top pick on their ballots and give to the City Recorder to be tallied. There was a tie between Chuck Brummel and Debbie Hamilton. Council voted a second time on one of those two. Debbie Hamilton was chosen as the top pick with a vote of 4-2.

MOTION made by Councilor Sumner to appoint Debbie Hamilton to Council and fill the remainder of the term ending December 31, 2022 as presented; second by Councilor Stone.

Discussion: None

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Stone and Mayor McKnight

Opposed: None

Motion carried unanimously.

Harris swore-in Debbie Hamilton to Council and she took her seat with the other Council members.

PUBLIC COMMENT (agenda items only)

- None

CONSENT AGENDA

- **January 13, 2020 Minutes – Regular Meeting**
- **January 27, 2020 Minutes – Workshop Meeting**

MOTION made by Councilor Boggs to approve Consent Agendas as presented; second by Councilor Vincent

Discussion: None

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Stone, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously.

PUBLIC HEARING

- System Development Charge (SDC) Methodology

Mayor McKnight opened the Public Hearing at 7:24p.m.

{THE LEGISLATIVE PUBLIC HEARING PURSUANT TO ORS 223.304 IS HEARBY GIVEN OF THE CITY OF SUTHERLIN'S INTENT TO CHANGE THE METHODOLOGY FOR CALCULATING SYSTEM DEVELOPMENT CHARGES (SDC's) FOR WATER, WASTEWATER, STORMWATER, TRANSPORTATION, AND PARKS SERVICES.}

Staff Report – Community Development Supervisor, Kristi Gilbert requested that this process be postponed until the Transportation System Plan (TSP) is complete in order to use the up-to-date project improvement lists.

Mayor asked members of Council if anyone wished to disclose any conflicts of interest, ex-parte contact or personal bias. None responded.

Questions from Council Members? None

Testimony in favor? None

Testimony in opposition? None

Further questions from Council Members? None

Mayor McKnight called for a motion of continuance until a date certain of May 11, 2020.

MOTION made by Councilor Boggs to continue Public Hearing of SDC Methodology until May 11, 2020; second by Councilor Vincent.

Discussion: None

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Stone, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously

Public Hearing was continued to a date certain of May 11, 2020.

COUNCIL BUSINESS Cont.

- **Ordinance 1075 – Amending SMC 2.32.020 Governing Body of Urban Renewal Agency (second reading & adoption)**

Harris read Ordinance 1075 by title only: *“An Ordinance amending chapter 2.32.020 Sutherlin Urban Renewal Agency of the Sutherlin Municipal Code.”*

Staff Report – Gilbert had nothing further to add to the staff report.

MOTION made by Councilor Vincent to approve Ordinance 1075 – Amending SMC 2.32.020 Governing Body of Urban Renewal Agency second reading & adoption as presented; second by Hamilton.

Discussion: Councilor Stone – What happens if this ordinance is passed but Urban Renewal is not formed? ***Gillham – The ordinance stays in place until another agency is formed.***

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Stone, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Ordinance – 2019 Fire Code – Amending SMC 15.04.010 and 15.04.092 (first reading, title only)**

Harris read Ordinance by title only: *“An Ordinance of the City of Sutherlin amending chapters 15.04.010 and 15.04.092 of the Sutherlin Municipal Code to update the Oregon Fire Code and Fire Systems Records Management.”*

Staff Report – Battalion Fire Chief, Brandan McGarr had nothing further to add to the staff report.

MOTION made by Councilor Sumner to approve Ordinance – 2019 Fire Code – Amending SMC 15.04.010 and 15.04.092 first reading, title only as presented; second by Councilor Tomlinson

Discussion: Councilor Stone – Is there a difference with this in regards to the paid staff and the volunteers? ***McGarr – This is strictly Fire Code in relation to building and development, nothing to do with personnel.***

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Stone, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Resolution No. 2020.02 – Community Center Rates**

Staff Report – Deputy City Recorder, Melanie Masterfield asked Council to approve the Resolution which included updated rental rates. All information was in the staff report.

MOTION made by Councilor Tomlinson to approve Resolution No. 2020.02 – Community Center Rates as presented; second by Councilor Hamilton.

Discussion:

- Gillham - The City will continue to support the historical users while being diligent in collecting rental fees for building maintenance.
- Councilor Vincent – There are some concerns regarding the working condition of the stove. ***Swan – Everything works. Sometimes a pilot light may go out and need re-lit but it's functional. It's a certified kitchen? Swan – Yes. Gillham – He'll check into it.***

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Hamilton and Mayor McKnight

Opposed: Councilor Stone

Motion carried.

- **Budget Calendar**

Finance Director, Dan Wilson gave Council a verbal update on the schedule for FY2020-21. Two important dates were noted – April 13th, Gillham will present the budget message to Council and the proposed budget will be handed out. April 20th, first Budget meeting. The calendar was included in the council packet.

MOTION made by Councilor Hamilton to approve Budget Calendar as presented; second by Councilor Sumner.

Discussion: None

In Favor: Councilors Tomlinson, Boggs, Sumner, Vincent, Stone, Hamilton and Mayor McKnight

Opposed: None

Motion carried unanimously.

REPORTS

- None

CITY COUNCIL COMMENT

Councilor Tomlinson

- What's the steel plate in the road by Comstock? ***Swan – It's covering fresh concrete from a fixed gas valve.***

Councilor Boggs

- None

Councilor Sumner

- None

Councilor Vincent

- Asked about discussing the Council schedule in regards to having one meeting per month. ***Gillham – It will be on the April 13th agenda.***

Councilor Stone

- A Street light is out at the corner of Dakota Street. ***Police Chief, Troy Mills – There's a form to fill out on the City's website.***
- Questioned the Economic Development Plan, studying the inventory of lands and who's doing the report for the wetlands. ***Gillham – Already conducted the land development inventory. We've partnered with the Economic Development Partnership (EDP) and we're transitioning our industrial land inventory into the EDP.*** Discussion ensued between Councilor Stone, Gillham and Gilbert.
- Asked for clarification of funding regarding the Contract Award for the Nonpareil Water Treatment Plant Improvements – Design & Construction Management from last Council meeting. ***Wilson clarified total cost of the project and engineering services.***

Councilor Hamilton

- Thanked Council for appointing her and encouraged the other applicants to apply at the end of the year for Council terms as well as openings on the Budget Committee and Library Board.

Mayor McKnight

- None

STRATEGIC PLAN UPDATE (Reports in Council Packet)

- **Commercial & Industrial Development Recruitment & Retention**

Gillham added that all information was in the report.

PUBLIC COMMENT (Off Agenda Items)

- Ramona Lee lives on Plat I Rd. and Sutherlin Creek is overflowing and washing away some of her land making it dangerous for her animals. Asked Council for some help. ***Gillham asked her to leave her contact information with staff and they would get her in contact with the Water Control District.***

ADJOURNMENT

With no further business, meeting adjourned at 7:55p.m.

Approved:

Jerry Gillham, City Manager

Respectfully submitted by,

Melanie Masterfield, Deputy City Recorder

Todd McKnight, Mayor

CITY OF SUTHERLIN
City Council Workshop Meeting
Sutherlin Civic Auditorium
Monday, February 24, 2020 – 7:00pm

COUNCIL MEMBERS:

Tom Boggs, Debbie Hamilton, Forrest Stone, Michelle Sumner, Travis Tomlinson, Seth Vincent

MAYOR: Todd McKnight

CITY STAFF: City Manager, Jerry Gillham

Assistant CM/Finance Director, Dan Wilson

City Recorder, Diane Harris

Deputy City Recorder, Melanie Masterfield

Community Development Director, Brian Elliott

Public Works Director, Aaron Swan

Public Utilities Wastewater Supervisor, John Bachman

Police Chief, Troy Mills

Police Officer, Bryce Sanman

Deputy Fire Chief, Scott McKnight

City Attorney, Chad Jacobs (via Skype)

Audience: Jim & Beth Houseman, Tami Trowbridge, Chuck & Peggy Brummel, Joe Groussman, Kelly Jeffries

Meeting called to order by Mayor, Todd McKnight at 7:00pm.

Flag Salute:

Roll Call: All present

Media: None

PRESENTATIONS

- **Officer of the Year**

Staff Report – Police Chief, Troy Mills stated that The Roseburg Optimist Club holds the “Respect for Law Banquet” to honor law enforcement. Sutherlin Police Department honored Officer Bryce Sanman with the Officer of the Year award. He was nominated by his peers for his hard work and accomplishments. Mills presented him with the Department’s newly created Challenge Coin to encourage continuance of working hard and being honorable. Mayor McKnight presented him with the certificate, followed by a round of applause. Officer Sanman thanked everyone for allowing him to be an officer.

COUNCIL BUSINESS

- **Liquor License Approval – Kelly’s Cozy Corner**

Staff Report – Mills asked Council to approve this liquor license. He stated that the police department found no information that would be viewed as disqualifying by the Oregon Liquor Control Commission (OLCC).

MOTION made by Councilor Boggs to approve liquor license to Kelly’s Cozy Corner as presented; second by Councilor Vincent.

Discussion: None

In Favor: Councilors Boggs, Sumner, Vincent, Stone, Hamilton, Boggs and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Ordinance 1076 – 2019 Fire Code – Amending SMC 15.04.010 and 15.04.092 (second reading & adoption)**

City Recorder, Diane Harris read Ordinance by title only: *“An ordinance of the City of Sutherlin amending chapters 15.04.010 and 15.04.092 of the Sutherlin Municipal Code to update to the Oregon Fire Code and fire systems records management.”*

Staff Report – Deputy Fire Chief, Scott McKnight asked for Council’s approval of the 2019 Fire Code amendment. McKnight added that all information was stated in the Staff Report and was available for questions.

MOTION made by Councilor Boggs to approve Ordinance 1076 – 2019 Fire Code – Amending SMC 15.04.010 as presented; second by Councilor Sumner.

Discussion: Councilor Stone – Is this new information for building codes? ***McKnight – This is the Fire Code that goes with the building code (which we don’t do). The Fire Code has to do with fire alarm systems, hazardous materials etc.***

In Favor: Councilors Boggs, Sumner, Vincent, Stone, Hamilton, Tomlinson and Mayor McKnight

Opposed:

Motion carried unanimously.

- **Bid Award – Schoon Mtn Storage Tank and Sixth & Oak Pump Station**

Staff Report – Community Development Director, Brian Elliott asked Council to award the contract to Fackler Construction in the amount of \$705,749.00. On February 19, 2020, bids were reviewed from four companies with Fackler submitting the lowest bid. They have sufficient experience and qualifications to satisfactorily construct the project.

MOTION made by Councilor Hamilton to approve bid award to Fackler Construction in the amount of \$705,749.00 as presented; second by Councilor Boggs

Discussion:

- Councilor Boggs questioned the difference in price (nearly \$100,000) between the two lowest bids. ***Elliott – They are a reputable company.***
- Councilor Stone asked questions regarding loan amounts and rates. ***Finance Director, Dan Wilson clarified.***
- Councilor Sumner asked if she had any conflict of interest since her property will benefit from this. ***City Attorney, Chad Jacobs – It will be serving others as well so there’s no conflict.***

In Favor: Councilors Boggs, Sumner, Vincent, Stone, Hamilton, Tomlinson and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Bid Award – S. Calapooia Low Pressure Force Main Extension**

Staff Report – Elliott asked Council to award the contract to Cradar Enterprises in the amount of \$88,538.00. On February 18, 2020, bids were reviewed from five companies with Cradar submitting the lowest bid. They have sufficient experience and qualifications to satisfactorily construct the project.

MOTION made by Councilor Stone to approve bid award to Cradar Enterprise Inc. in the amount of \$88,538.00 as presented; second by Councilor Vincent.

Discussion:

- Councilor Stone – Is this a private line that the city now owns? ***Public Works Director, Aaron Swan – Yes, it started as a private line.*** How is it being paid for? ***Elliott – Part of the Strategic Plan was to extend the sewer line out to exit 135 in a 2-phase project.*** Discussion continued between Councilor Stone, Elliott, and City Manager, Jerry Gillham.
- Councilor Vincent asked if they are a reputable company that will do a good job. ***Swan – Cradar has done a lot of this type of work. We have full confidence in them.***

In Favor: Councilors Boggs, Sumner, Vincent, Stone Hamilton, Tomlinson and Mayor McKnight

Opposed: None

Motion carried unanimously.

AGENDA CONFIRMATION

- **March 9, 2020 Agenda**

Gillham discussed the Industrial Park Conceptual Layout and Path Plan to Council and presented a map design. Further discussion ensued between Council and Gillham. Gillham also suggested canceling the Council meeting on March 23, as has been done in the past, due to Spring Break. Council was unanimously in agreement.

COUNCIL COMMENTS

Councilor Hamilton

- None

Councilor Tomlinson

- There's a bad pothole at the intersection of Central Ave and State St. *Swan – Working on it.*
- It's nice to see all the police presence in town.

Councilor Boggs

- None

Councilor Sumner

- None

Councilor Vincent

- None

Councilor Stone

- None

Mayor McKnight

- Thanked the Lions Club for putting the flags out through town for President's Day.

REPORTS

- **Ford's Pond Community park Sponsorship Plan**

Staff Report – Elliott informed Council that staff will be requesting to create a Ford's Pond Community Park Sponsorship Plan at the March 9th meeting. The Parks Advisory Committee has recommended that this Sponsorship Plan be created for the purpose of increasing the city's ability to deliver services at the park beyond the core levels funded from the general fund. The city, in partnership with Friends of Ford's Pond, will seek sponsorships for events, services, and facilities.

- **LGGP Grant, Recreational Trails Grant, and Land and Water Conservation Fund Authorization for Ford's Pond.**

Staff Report – Elliott informed Council that staff will be presenting a staff report and resolution requesting authorization to apply for The Land and Water Conservation Fund, Local Government Grant and Recreational Trails Program from the Oregon Parks and Recreational Department in efforts to fulfill the developments of the Ford's Pond Master Plan at the next Council meeting.

- **Airport Industrial Lands Wetland Consultant**

Staff Report – Elliott and Gillham updated Council regarding the wetland consultant search. Staff is still working with various consultants and anticipates presenting council with a contract at the March 9 meeting.

STRATEGIC PLAN UPDATE

- **New In-Flow & Infiltration Prevention Program**

Swan introduced Wastewater Treatment Supervisor, John Bachman. The purpose of the program is to define deficiencies in the system and repair them. Bachman discussed the areas that will be addressed including Umatilla St. to E. Emerald St. and repairing deficiencies found last year during smoke testing.

ADJOURNMENT

With no further business meeting adjourned at 7:33p.m.

Approved:

Jerry Gillham, City Manager

Respectfully submitted by,

Diane Harris, CMC, City Recorder

Todd McKnight, Mayor



PUBLIC HEARING





126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Public Hearing - Plan Amendment, Zone Change & 20-Lot Subdivision (Nick Allison), Planning File No. 19-S016				Meeting Date:	03/9/2020
Purpose:	Action Item <input type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input checked="" type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: Jamie Chartier, City Planner and Brian Elliott, Community Development Director				City Manager Review	<input type="checkbox"/>
Attachments: Planning Commission Staff Report and Findings of Fact, and maps of property					

WHAT IS BEING ASKED OF COUNCIL?

The Council will conduct a public hearing and receive written and oral testimony from parties in favor and/or opposition, as well as neutral comments for the above referenced application.

EXPLANATION

First evidentiary public hearing was held before the Planning Commission on January 21, 2020. Planning Commission declared parties and received written and oral testimony to this action. The public hearing was followed by a unanimous vote of the Commission to recommend that Council approve requested plan amendment (from Medium Density to High Density), zone change (from Medium Density Residential to Multi-Family Residential) and 20-Lot Subdivision, subject to reported findings of fact. Notice of the public hearing before Council was provided at least 20 days prior to the hearing, as required to Section 4.2.150.G of the Sutherlin Development Code. The subject 1.71 acre portion of land is located on S. Comstock Road, and is described as T25S, R5W, S19AC, Tax Lot 5800; Property ID No. R22360, and is addressed as 773 S. Comstock Road.

OPTIONS

1. Close the public hearing, or
2. Make a motion.

SUGGESTED MOTION(S)

Not Applicable.



City of Sutherlin

Community Development

126 E. Central Avenue

Sutherlin, OR 97479

(541) 459-2856

Fax (541) 459-9363

www.cityofsutherlin.com

NOTICE OF PUBLIC HEARING

PLAN AMENDMENT, ZONE CHANGE & 20-LOT SUBDIVISION – 773 S. Comstock Rd

Date of Notice: February 13, 2020

NOTICE IS HEREBY GIVEN that the Sutherlin City Council will conduct a public hearing on **Monday, March 9, 2020 at 7:00 p.m.** in the Sutherlin Civic Auditorium, 175 E. Everett Street. The purpose of the public hearing is to take public testimony, either written or oral, while considering the following land use application:

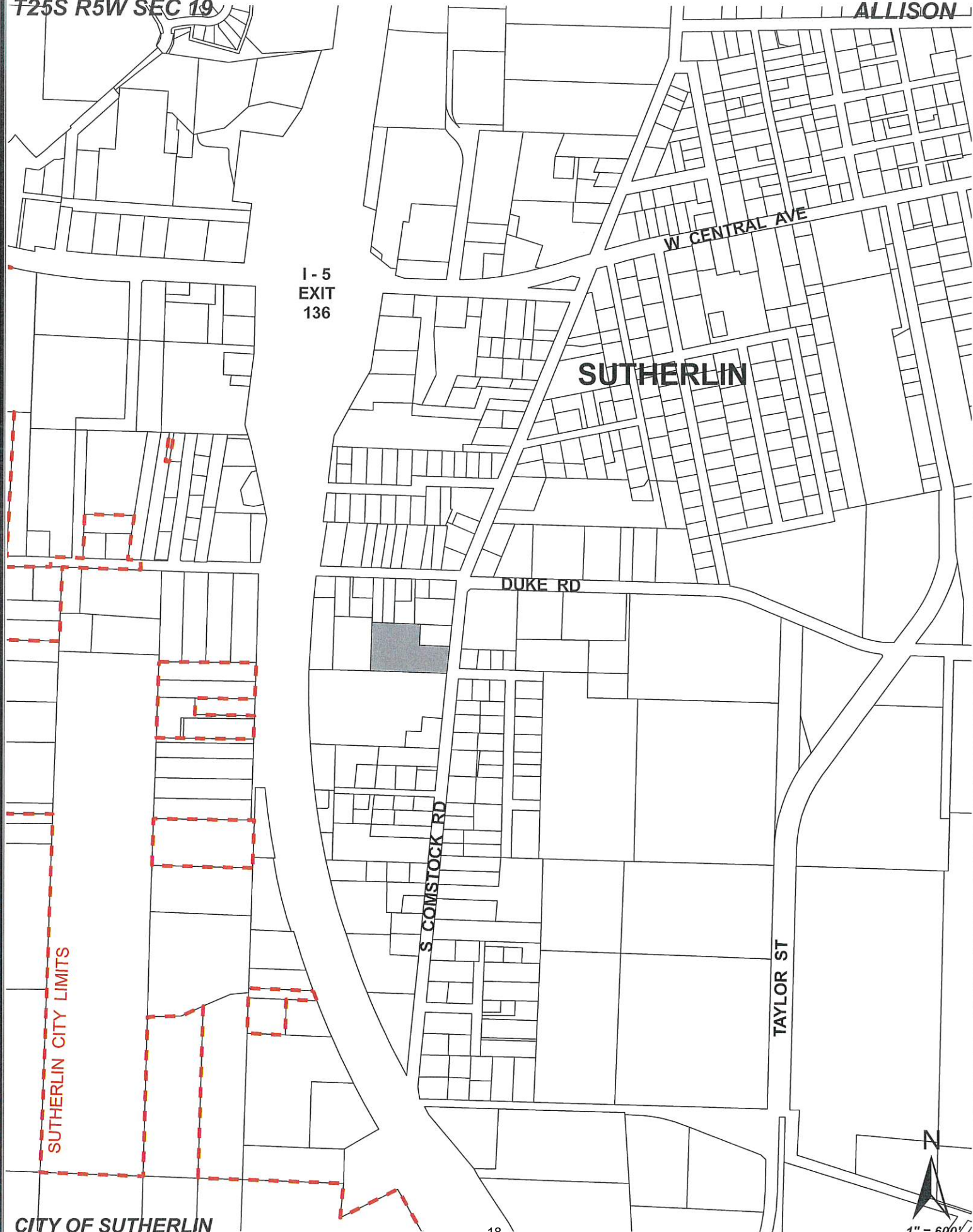
NICK ALLISON, request for a Comprehensive Plan Map Amendment from Medium Density to High Density and Zone Map Change from (R-2) Medium Density Residential to (R-3) Multi-family Residential, along with a 20-Lot Subdivision on a 1.71 acre property located on the west side of S. Comstock Road and inside the City of Sutherlin. The subject property is described as Tax Lot 5800 in Section 19AC, T25S, R5W, W.M., and Property I.D. No. R22360. **PLANNING DEPARTMENT FILE NO. 19-S016.**

The application is being processed as a Type IV procedure, governed by the applicable Statewide Planning Goals and Oregon Administrative Rules, the Sutherlin Comprehensive Plan and Sections 4.4, 4.8 and 4.11 of the Sutherlin Development Code. During the public hearing, the City Council will review the above-referenced application for conformance with the applicable criteria. The Sutherlin Planning Commission conducted a public hearing to review the above-referenced application on January 21, 2020 for conformance with the applicable criteria, and moved to forward a favorable recommendation to City Council to approve the request. On March 9, 2020, the City Council will conduct a public hearing to consider the proposed request and, after the public hearing, will make a decision on the matter.

Pursuant to Sections 4.2.150.G of the Sutherlin Development Code, notice of this Type IV land use action before the City Council has been mailed to the applicant and property owners of the subject property, those persons or agencies who provided testimony during the Planning Commission proceedings, and those persons who requested notice of the Planning Commission recommendation. Written statements must contain the name, address and telephone number of the person filing the statement; how the person qualifies as a party; comments the party wishes to make concerning the application, and whether the person desires to appear and be heard at the hearing. Written statements must be filed with the Community Development Department, 126 E. Central Avenue, Sutherlin, Oregon, 97479, no later than 4:30 p.m. on March 9, 2020.

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

A copy of the application and supporting documents and evidence, and the applicable criteria are available for inspection at no cost and copies can be provided at reasonable cost. The City Council staff report will be available for inspection at no cost at least seven days prior to the hearing and copies can be provided at reasonable cost. For more information on this application, please contact the Community Development Department at (541) 459-2856 during normal business hours.



DUKE RD

S. COMSTOCK RD

AIRWAY AVE

**AREA OF PROPOSED
PLAN AMENDMENT (RM to RA);
ZONE CHANGE (R-2 to R-3) &
20-LOT SUBDIVISION**





City of Sutherlin

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

January 14, 2020

STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Jamie Chartier, City Planner

RE: **NICK ALLISON**, request for a Comprehensive Plan Map Amendment from Medium Density to High Density and Zone Map Change from (R-2) Medium Density Residential to (R-3) High Density Residential together with a 20-Lot Subdivision on a 1.71 acre property located on the west side of S. Comstock Road and inside the City of Sutherlin. The subject property is described as Tax Lot 5800 in Section 19AC, T25S, R5W, W.M.; Property I.D. No. R22360. **PLANNING DEPARTMENT FILE NO. 19-S016.**

INTRODUCTION

The applicant, Nick Allison, is requesting a Comprehensive Plan Map Amendment from Medium Density to High Density, Zone Map Change from (R-2) Medium Density Residential to (R-3) High Density Residential together with a 20-Lot Subdivision on a 1.71 acre property.

The subject property is located on the west side of S. Comstock Road and inside the city limits. The subject property is described as Tax Lot 5800 in Section 19AC, T25S, R5W, W.M., Property I.D. No. R22360. There are no structures currently located on the property.

The subject property is designated Medium Density by the Sutherlin Comprehensive Plan and is zoned (R-2) Medium Density Residential by the Sutherlin Development Code. It is located in an area of residential properties. To the west and south is an existing Mobile Home Park, the remaining adjacent properties are developed with single family residences zoned (R-2) Medium Density Residential.

During the public hearing on January 21, 2020, the Planning Commission will accept public testimony and make a decision on the application after the public hearing. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the Statewide Planning Goals and the general goals and policies of the Sutherlin Comprehensive Plan and the applicable criteria of the Sutherlin Development Code and adopt Findings of Fact.

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

PROCEDURAL FINDINGS OF FACT

1. The Comprehensive Plan Map Amendment and Zone Map Change applications were filed with the City on November 19, 2019, and were deemed complete on December 5, 2019.
2. DLCD Notice of Proposed Amendment was submitted electronically on December 12, 2019, which was at least 35 days prior to the first evidentiary public hearing on January 21, 2020.
3. Pursuant to Sections 4.2.150.D.4 and 4.2.140.C, notice of the public hearing was given by publication in the News Review on January 7, 2020, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on an application for the Comprehensive Plan Map Amendment and Zone Map Change before the Planning Commission was given in accordance with Section Sections 4.2.150.D.4 and 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 December 12, 2019 and a corrected notice mailed on December 31, 2019.
 - a. Micah Horowitz, Senior Transportation Planner, ODOT Region 3, via email dated December 24, 2019, replied that ODOT reviewed the proposal and does not have concerns at this time.
 - b. Aaron Swan, Public Works Director commented on the request as follows:
The City of Sutherlin Public Works Operations and Public Works Utilities have reviewed the proposed request. A water, sanitary sewer, storm water and street plan are needed.

For the application purposes, the subject properties can be served by City Water and Sewer.

Proposed street as follows:

- *Two (2) 11 ft travel lanes*
- *Two (2) 6 ft sidewalks*
- *Two (2) 6" curbs*
- *Minimum of 12" aggregate base*

City water as follows:

- *minimum of an 8" water main line (to city standards)*
- *City standards for required materials and specifications*
- *Fire Hydrant as required*
- *Existing water main line will require the property owner/developer to bore under S. Comstock Road*

City sewer services as follows:

- *8" sewer main line w/laterals (to city standards)*
- *2 manholes*

City Storm Water as follows:

- *Gutters, downspouts routed to underground storm system, drainage plan must be approved by City Staff prior to construction*

- c. Brandan McGarr, Battalion Chief had concerns and questions with the request; the questions are:

1. *What's the overall length of the new street?*
2. *Where is the fire hydrant going to be located? I don't see it on the map now that I know what the emblem is.*
3. *What is the width of the street?*
4. *What is the width and length of the hammerhead?*

Adam Heberly, Engineer and Representative answered these questions as followed:

1. *Approximately 385'*
2. *At the end of road at hammer head. This could be moved mid-way along the road if that is preferred.*
3. *34' (width of street)*
4. *Will comply with Oregon Fire Code appendix D (see attached map)*

Brandan responded that everything looks good with the exception of the hydrant. Although it meets code to have the hydrant at the hammer head, it does not make sense for operations.... Fire would request the hydrant be moved down the road towards Comstock and recommends the installation of the hydrant to be on the divider for phase 1 and phase 2.

- d. Thomas Hammerschmith, adjacent neighbor commented as follows:

My concerns regarding the privacy factor that a 2-story dwellings take away from the owners of property adjacent to subject property. I would like to see tall (10' plus) arborvitae planted in the back of all lots adjacent to all property owners in order to retain our privacy. The other option would be to change the house plans to single story dwelling.

- The neighbors' concerns are duly noted. With regard to the two (2) story dwelling structure, multi-story structures are permitted in the current R-2 and proposed R-3 zone require the same rear setback to property lines, and the City cannot restrict the type of dwelling constructed or placed on the property. Compliance with the Sutherlin Development Code, Section 2.2.110 (permitted uses) and Section 2.2.120 (development standards) is required. The application has further stated that the developer will keep existing landscaping on the property to provide screening.

- e. At the time of the mailing of this staff report, no other written comments or remonstrances have been received.

5. Present Situation: The subject property is currently vacant and undeveloped.
6. Plan Designation: Medium Density. The applicant is requesting a plan map amendment to High Density plan designation.
7. Zone Designation: Medium Density Residential (R-2). The applicant is requesting a zone map amendment to the High Density Residential (R-3) zoning designation.
8. Public Water: The subject property has access to public water from the City of Sutherlin within the right-of-way of S. Comstock Road. Development of the proposed Subdivision will require a minimum 8" main line extension on the subject property to accommodate future development of the site.
9. Sanitary Sewer: The subject property has access to sanitary sewer from the City of Sutherlin within the right-of-way of S. Comstock Road; new service connections are proposed with this request. Sanitary sewer will require an 8" main line with laterals, along with two (2) manholes

to be constructed within the subject property to city standards to accommodate the development of the site.

10. Transportation System: S. Comstock Road is a designated Collector street under the City's Transportation System Plan. A new street is proposed with this application on the subject property.
11. Pedestrian & Bicycle Access: S. Comstock Road is a designated bicycle and pedestrian way under the Transportation System Plan. Bicycle parking is required for every residential use of four (4) or more dwelling units provide at least one (1) sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar uses. Each dwelling must have a garage, satisfying this requirement.
12. Overlay: The subject property is not located within the 100 year flood plain and does not contain identified wetlands.

Finding: The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested Comprehensive Plan Map Amendment, Zone Map Change and 20-Lot Subdivision.

APPLICABLE CRITERIA & FINDINGS

Pursuant to Section 4.11.110.C of the Sutherlin Development Code, the proposed amendment to the land use plan text or map must be (1) consistent to the applicable statewide planning goals as adopted by the Land Conservation and Development Commission (LCDC), and (2) consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.

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

CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

1. Goal 1- Citizen Involvement: To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Finding: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City's Comprehensive Plan, the Sutherlin Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. The City of Sutherlin is required to mail letters to surrounding property owners informing them of the zone change and other pertinent information.

2. Goal 2- Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Sutherlin's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base.

The City's Comprehensive Plan and implementing ordinances provide the local criteria by which the applicant's request will be reviewed. The subject property is within the Sutherlin Urban Growth Boundary, no exception to statewide planning goals is necessary.

3. Goal 3- Agricultural Lands: To preserve and maintain agricultural lands.

Finding: No agricultural lands are affected by this proposal.

4. Goal 4- Forest Lands: To conserve forest lands for forest uses.

Finding: No designated commercial or productive timber lands are affected by this proposal.

5. Goal 5- Open Spaces, Scenic and Historic Area, and Natural Resources: To conserve open space and protect natural and scenic resources.

Finding: This proposal will have no significant impact on any of the items of issue in Goal 5.

6. Goal 6- Air, Water and Land Resource Quality: To maintain and improve the quality of air, water and land resources of the state.

Finding: Construction of the additional homes on this property is not expected to have a drastic impact on air, water or land quality. The subdivision will be covered by 10% or more of grass and additional landscaping. A storm drain will be added to the new street as well. The properties are currently undeveloped with no areas of steep slopes. It has available water and sanitary service from the City of Sutherlin.

7. Goal 7- Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Finding: The property is currently undeveloped and not in an area of any known natural hazards. They are not located in a flood hazard zone, wetland area or in an area of steep slopes. There will be no impact to natural hazards if the plan designation and rezoning are granted.

8. Goal 8- Recreational Needs: To satisfy the recreational needs of the citizens of the State and visitors and, where appropriate, to provide for the siting of necessary recreation facilities including destination resorts.

Finding: The subject property is currently zoned for residential use and has no special geographic or natural advantages for recreational use. The proposed amendment does not conflict with Goal 8.

9. Goal 9- Economic Development: To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The subject property is currently inside the city limits and planned and zone for residential development. The conversion of this property to a higher density plan will have a positive impact on the current need for multi-family housing, therefore is consistent with Goal 9.

10. Goal 10- Housing: To provide for the housing needs of citizens of the State.

Finding: Since the initial adoption of the City's Comprehensive Plan in the early 1980s and the adoption of the current Comprehensive Plan in 1991, the subject property has been planned and zoned for residential

uses. The rezoning proposed by applicant will result in an increase in residential housing in the city and will have a positive effect on the housing needs of the existing residential areas in the City. The zone change will also help fulfill a need for homeownership of multi-family, townhouse style housing. Converting the subject property to a high-density plan will have a positive impact on the current inventory of land needed for multi-family housing and is therefore consistent with Goal 10.

Finding: The proposed Zone Change will convert 1.71 acres from R-2 zoning to R-3 zoning in accordance with the requested High Density plan designation which essentially imposes the anticipated high density zoning. The recent Development Code Audit and 2005 Buildable Lands Inventory have both concluded that Sutherlin is deficient in multi-family housing. The Buildable Lands Analysis in 2005 and is located on the City's website (www.cityofsutherlin.com). Converting the properties from medium density to high density will allow an opportunity for multi-family housing on the subject property. Applicant's proposal therefore conforms to housing needs of Goal 10.

11. Goal 11- Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The subject property is located within an area that has public water and sanitary sewer services available from the City of Sutherlin. Existing fire and police protection are also provided by the City. The proposed amendment affecting the subject property is not in conflict with Goal 11.

12. Goal 12- Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding: As previously noted, the subject 1.71 acre site is situated with direct access onto S. Comstock Road. The proposed improvement will include an internal street constructed to city standards.

Finding: The proposed street will allow easy access for automobiles, motorized vehicles and bicycles that will enter onto S. Comstock Road.

Finding: Sidewalks will provide safe access for pedestrians, separate from the street. The sidewalk and street will be developed in compliance with Sutherlin Development Code standards.

Finding: The intersection of Allison Way (proposed street) and S. Comstock Road is less than ¼ mile from the nearest public transportation (U-trans) bus stop.

13. Goal 13- Energy Conservation: To conserve energy.

Finding: Statewide Planning Goal 13 requires that land uses shall be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. The utilization of and the rezoning of this existing property allows 20 new attached townhomes to be built on re-buildable land that falls within the Urban Growth Boundary. The 1.71 acre property will also be subject to development standards and building codes that provide for a minimum level of energy efficiency. The proposed change will not impact energy conservation.

14. Goal 14- Urbanization: To provide for an orderly and efficient transition from rural to urban land use.

Finding: There will not be a negative impact or change in the density as a result of the proposed amendment, and the proposed change will not adversely affect the existing land use pattern of the area. The

subject 1.71 acres are located within the city limits and the Sutherlin Urban Growth Boundary (UGB) and is located in an area of residential properties. The state has previously acknowledged the lands within Sutherlin as following Goal 14.

CONSISTENCY WITH SUTHERLIN COMPREHENSIVE PLAN POLICIES & FINDINGS

Sections 2.2.100 through 2.2.120 of the Sutherlin Development Code (Residential Districts) provide the development criteria for residential uses and structures within the City of Sutherlin. The proposed residential development of the subject property will comply with all development standards set out in the requested R-3 zone. The purposed of the proposed amendment is to allow for a higher density of multi-family housing which is not currently allowed under the R-2 zoning.

Finding: The proposed structural development on the subject property will be in substantial compliance with the Sutherlin Development Code for the City of Sutherlin. The Plan Amendment and Zone Change is in satisfactory compliance with the City of Sutherlin Comprehensive Plan and Development Code.

Section 4.11.110 C of the Sutherlin Development Code (*Zone Changes and Annexations*) provides the following criteria for approving a Zone Change:

“The planning commission’s recommendation and the city council’s decision shall be based on the following approval criteria”:

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

City Zone Change Criteria #1: *The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission*

Finding: Findings for the statewide planning goals adopted by Department of Land and Conservation and Development (DLCD) are addressed on an individual basis in previous section of this document. Each of the applicable goals contains findings of compliance, and no exceptions to those goals are proposed. The Plan Amendment and Zone Change satisfy the statewide planning goals.

City Zone Change Criteria #2: *The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

PUBLIC FACILITIES ELEMENT

The public facilities required for the City to function properly include such systems as water, sewer, storm water, transportation, solid waste, emergency services, parks and recreation, as well as other public facilities. The goal of the public facilities element is to provide efficient public facilities and services in an orderly, planned manner so as to meet the needs of Sutherlin’s residents and businesses.

With regard to the public facilities goal to provide efficient public facilities and services in an orderly, planned manner so as to meet the needs of City's residents and businesses, the following policies are applicable to the requested amendment:

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

Finding: City water, sewer, storm water, transportation and fire hydrant will need to be install on the subject property, the construction to city standards are the responsibility of the property owner/developer.

Policy 2 states *"all large construction projects shall be planned to meet ISO recommended fire flow requirements."*

Finding: ISO requirements will be reviewed for compliance when future construction plans are being considered.

Policy 9 states *"the city shall maintain its capacity of its water, drainage, sewerage, and transportation systems to ensure that a proper infrastructure attractive to industry is in place."*

Finding: There are existing water and sanitary sewer located within the existing right-of-way of S. Comstock Road. Upon future development of the property, public utilities will have to be extended to service the property. In addition, drainage and surface water will have to be addressed as part of any future development and/or site plan review of the property as a means to minimize any adverse drainage impacts.

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

Finding: As noted previously, the subject property has city water and sewer available. Existing water and sanitary sewer are located within the right-of-way of S. Comstock Road. These improvements, meeting city standards will need to be extended within the property.

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

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

Policy 14 states *"ensure that as new development occurs, public facilities and services to support the development are available or will be available in a reasonable time."*

Finding: Water, sanitary sewer, and fire hydrant will be constructed within the subject property for the development. Electricity, internet/cable are available for future development.

HOUSING ELEMENT

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

Policy 1 states to “*encourage infilling of the existing residential areas by incentives for new construction in already-serviced areas.*”

Finding: The requested plan amendment, zone change and 20-lot Subdivision is from medium density to high density and will increase the housing opportunity that is provided with the difference of the R-2 and R-3 zones. The up zoning will allow more houses, helping with the housing need within the City.

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

Finding: The property is currently zoned residential and is surrounded by existing residential uses and an existing Mobile Home Park. The new zoning will also make the property more desirable to the residential zones and uses in the area now and in the future.

Finding: The proposal is consistent with the Housing Element and Goal 10, providing housing needs to the citizens.

TRANSPORTATION ELEMENT & PEDESTRIAN & BICYCLE TRANSPORTATION

The subject 1.71 acre property is located on S. Comstock Road. S. Comstock Road is a collector under the City jurisdiction as listed in the Transportation System Plan. With this application a new street (60’ right-of-way) constructed to city standards is proposed to serve the 20-Lot Subdivision.

Finding: The proposed zone change from R-2 to R-3 will not have a significant effect on transportation facilities.

Finding: S. Comstock Road was improved in 2015 to include pedestrian and bicycle path improvements. Future development of the subject properties will require access to come directly onto S. Comstock Road, an existing City road.

Finding: The traffic impacts from the proposed plan amendment and zone change will be consistent with the traffic impacts in the City’s Transportation Plan (TSP).

Finding: Proposed internal street must be constructed to city standards.

ZONING MAP AMENDMENT STANDARDS

Pursuant to Section 4.8.110.C of the Sutherlin Development Code, the proposed quasi-judicial map amendment is subject to 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;

Finding: The proposed zone map amendment is being reviewed in conjunction with a Comprehensive Plan amendment to change the subject 1.71 acres from medium density to high density. As noted in previous findings, the applicant’s proposal will be consistent with all the applicable comprehensive plan policies and implementing ordinances.

2. Demonstration that the most intense uses and density that would be allowed, outright in the proposed zone, considering the sites characteristics, can be served through the orderly extension of urban facilities and services, including a demonstration of consistency with OAR 660-012-0060; and

Finding: The application explains how the requested proposal to high density residential, the most intense uses and density that would be allowed under the R-3 zoning, can be served through the orderly extension of urban services. Future development of the site will require the extension of public utilities (i.e. water and sanitary sewer) from S. Comstock Road.

3. Evidence of change in the neighborhood or community, or a mistake or inconsistency between the comprehensive plan or zoning district map regarding the subject property which warrants the amendment.

Finding: The requested application is not the result of a mistake or inconsistency between the comprehensive plan or zoning district map. This property was originally designated medium density in the 1980's.

Finding: The applicant states the following, in part, to address the impact of the proposal:

"The proposed Plan Amendment and Zone Change, along with 20-Lot Subdivision will increase the potential usability of the property. Plus, it will fill a gap of multi-family housing needs in the area. This development should have minimal impacts on public facilities and services. It will be a new subdivision with new services connecting to a recently improved road (S. Comstock) which will be accessible via the street, bicycling or walking along the sidewalk.

The property consisted of a single-family home with outbuildings (all have been removed). By re-zoning this property to multi-family, several new homes will become available to future homeowners who are interested in smaller lot sizes with less outdoor property space to maintain. This will allow an additional type of homeownership opportunity in the City of Sutherlin."

SUBDIVISION APPROVAL

CONTINGENT UPON APPROVAL OF PLAN AMENDMENT AND ZONE CHANGE

RESIDENTIAL DISTRICTS

1. Residential Zone District, High Density Residential, R-3 Zone (Section 2.2.100):
 - a. The subject 1.71 acre parcel is vacant of structures, and is zoned (R-3) High Density Residential (with approval of this application). The minimum lot area is 2,000 sq.ft. for a single family attached lot, with a minimum lot width at frontage 24 feet for a townhouse lot, and a minimum lot depth of 80 feet where there is no alley right-of-way. The maximum lot coverage for development is 60 percent, with no minimum dwelling unit size.
2. **FINDINGS:**
 - a. As proposed, the City finds:

- i. The applicant is proposing a 20-lot, two phased subdivision (Milus Meadows). Phase 1 will consist of construction of a 4-plex, infrastructure (street, water, sewer and storm drains) and mailbox station(s). Phase 2 will consist of construction of the additional townhomes (16). Each lot will be an average of 2,119± sq.ft, to 2,793± sq.ft.
- 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-3 zone will be required.

DESIGN STANDARDS

3. Design Standards

- a. 3.2.100 Vehicular Access and Circulation
- b. 3.4.100 Vehicle and Bicycle Parking
- c. 3.5.100 Infrastructure Standards

4. The access to each proposed parcel will be via the proposed street, “Allison Avenue”, a new street constructed to city standards. Each proposed lot will have direct access onto this Street. No lots are proposed to access onto S. Comstock Road.

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: 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. An access permit will be a condition of approval.

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 20 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 S. Comstock Road. During 2015, S. Comstock Road was improved from W. Central Ave south to Page Avenue. The frontage of the subject property will be improved as part of that project. The proposed subdivision lots will all have frontage onto the new subdivision street (Allison Avenue) and will not access directly onto S. Comstock Road.

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 attached townhome houses; therefore, the back-up access restrictions, as described in the above standard are 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 20 lots will each access onto the new City street, as outlined above. 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 attached townhome dwellings 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 driveway 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 Allison Avenue.

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 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 proposed street Allison Avenue). In addition, the City finds that the applicant/property owners will also benefit from improved and upgraded S. Comstock Road, which includes pedestrian sidewalks and bicycle ways, to 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 lot will have access to Allison Avenue 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 Allison Avenue.

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 20 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: Development of Phase 1 is to install and construct all infrastructure, this is to include but not limited to water, sanitary sewer, storm drains and the proposed road (with fire turnaround) improvements. Each lot will have access to Allison Avenue 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 Allison Avenue.

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 property is not large enough to create a new block or area-wide pedestrian circulation. In addition, the residential area adjacent to the subject property 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:*

2. *Multiple family uses with more than eight (8) dwelling units, and off-street parking areas with sixteen (16) or more parking spaces, shall have a minimum driveway width of twenty-four (24) feet, and a maximum width of thirty (30) feet. These dimensions may be increased if the City determines that more than two (2) lanes are required based on the number of trips generated or the need for turning lanes.....*

FINDING: As proposed, each proposed lot will access directly onto the new residential street. Shared driveways are not required, but all driveways shall meet the requirements of Section 3.2.110(M).

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, city staff 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 Fire Code and the Sutherlin Development Code. A fire equipment turnaround area will be required and constructed at the end of the proposed street and must meet the requirements stated above.

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: The proposed development for 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 Lot 1, which will front onto S. Comstock Road.

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 property owner/developer as part of the design, engineering and construction of the new residential street. The design for construction of the improvements will have to be coordinated with City Public Works and plans reviewed by the City’s Engineer of record. Future attached townhome dwellings on each lot will be required to meet the standards for the surfacing of driveways and parking areas, and surface water management.

4. **3.4 VEHICLE AND BICYCLE PARKING**

SECTION 3.4.100 Purpose. *The purpose of this chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities can occupy large amounts of land, they must be planned and designed carefully to use the land efficiently while maintaining the visual character of the community. This chapter recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements (i.e., “minimum” and “performance-based” standards). This chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children, as well as adults, need safe and adequate spaces to park their bicycles throughout the community.*

SECTION 3.4.110 Applicability. *All developments subject to site plan review (section 4.3), including development of parking facilities, shall comply with the provisions of this.*

FINDING: Property owner/developer will be required to meet all vehicle and bicycle parking requirements with Section 3.4 of the Sutherlin Development Code.

SECTION 3.4.120(A) Vehicle Parking – Minimum Standards

Multi-family and single family attached housing. a. Studio units or 1-bedroom units less than 500 sq. ft b. 1-bedroom units 500 sq. ft. or larger c. 2-bedroom units d. 3-bedroom or greater units e. Retirement complexes for seniors 55-years or greater f. Visitor Parking	a. 1space/unit. b. 1.50 spaces/unit. c. 1.75 spaces/unit. d. 2 spaces/unit e. 1 space per unit. f. 1 space for every 10 dwellings; no visitor parking requirement for projects with 1-9 dwellings where on-street parking is present.
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FINDING: The proposed 20-Lot Subdivision must meet the required standards for vehicle parking at time of building. The application states that 14 parallel parking spaces will be added along the new street, along with 4 perpendicular parking spaces at each end of the “T”, each household will have a garage and driveway space (minimum of 2 per dwelling), for a total of 58 proposed parking spaces.

SECTION 3.4.130 Bicycle Parking Requirements. All uses that are subject to site plan review shall provide bicycle parking, in conformance with the following standards, which are evaluated during site plan review:

A. Number of Bicycle Parking Spaces. *A minimum of two (2) bicycle parking spaces per use is required for all uses with greater than ten (10) vehicle parking spaces. The following additional standards apply specific types of development:*

1. **Multi-Family Residences.** *Every residential use of four (4) or more dwelling units provides at least one (1) sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.*

FINDING: Each dwelling unit is required per the Sutherlin Development Code to have a garage, meeting the requirement of Section 3.4.130(A) for bicycle parking.

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 within the right-of-way of S. Comstock Road. Utilities will be required to be extended underground from S. Comstock Road. 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 20-lots that will each access directly onto a newly created public street (Allison Avenue), which will be constructed as part of the development to meet or exceed City standards. As proposed, the residential street will be constructed within a 60' right-of-way and be comprised of two 10' travel lanes, two 7' parking lanes, two 6' sidewalks, plus curbs and cut/fill slopes.

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 within phase 1. Dedication of the street as public right-of-way will occur in conjunction with the recording of the final subdivision plat.

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 lot will have access to Allison Avenue 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 lots 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: The improvement of the proposed residential street (Allison Avenue) will be required to meet City standards for street widths and improvement.

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: S. Comstock Road has an existing 60 foot right-of-way where it fronts the subject property. The new residential street (Allison Avenue) will have a 60 foot right-of-way width with parking on both sides. 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: There are no planned streets under the City's TSP proposed within the subject property.

I. *Street Alignment and Connections.*

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

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

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

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

5. *In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to the*

following standards in chapter 3.2, Access and Circulation. The maximum block length shall not exceed:

- a. *Residential districts – Six hundred (600) feet; . . .
Exceptions to the standards in a-b may be granted when an access way is provided at or near mid-block, in conformance with the provisions of section 3.2.120A.*

FINDING: The subject property is relatively level. The City finds that the new proposed street will be designed to stagger with the existing intersection with Airway Avenue to the east.

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 be at a right angle with S. Comstock Road.

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: No additional right-of-way adjacent to the subject property is required.

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 be approximately 385 feet. A cul-de-sac is not proposed with this development.

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: Development of the subject property must confirm to the above standard and 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 property owner/applicant proposes “Allison Way” as the street name for the subdivision. 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 need to be “Allison Avenue”.

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 property owner/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 and are the responsibility of the property owner/developer.

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 (or mailbox unit) 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 indicates two (2) street lights will be installed. The required street lights shall be installed in accordance with City standards (Resolution No. 2006-03) and are the responsibility of the property owner/developer.

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 property owner/developer to coordinate with City Public Works for the design and installation of the required sanitary sewer and water service improvements. Engineered plans required to be submitted will also be reviewed by the City's Engineer of Record.

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 property owner/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 property owner/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. All engineered plans will also be reviewed by the City's Engineer of Record, the fee for this is the responsibility of the property owner/developer.

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 property owner/developer either as a requirement of these regulations or at his/her own option, shall conform to the

requirements of Chapter 3 of the Sutherlin Development Code, 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 (Milus Meadows) 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 20-lot subdivision will be developed in two phases. The property owner/developer 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-3 residential lot size standards have been or will be met, as discussed earlier in this report. The applicant is proposing the development of 20 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 20 lots to be developed in two phases. Upon completion of the development, there will not be sufficient area to permit further redevelopment of the lots. 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-3 zoning development standards as described earlier in this report.

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 20-lot subdivision in two phases: Phase 1 will be 4 lots (with attached townhome dwellings), along with infrastructure for the entire property, and Phase 2 will be the platting of the remaining 16 lots. 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 Sutherlin Development Code. 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 2,000 sq.ft. minimum parcel size for a single family attached lot within the proposed R-3 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 property owner/developer 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: There are no known wetlands on the site. Any identified wetlands on the property will require coordination with the Oregon Department of State Lands to address any necessary mitigation of wetlands.

4.4.160 Final Plat Submission Requirements and Approval Criteria.

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

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

- 1. The final plat complies with the approved tentative plan, and all conditions of approval have been satisfied;*

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

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

DECISION OPTIONS

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

1. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Comprehensive Plan Map, Zoning Map Amendments and 20-Lot Subdivision on the subject 1.71 acre property, subject to the following conditions:
 1. The property owner/developer 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 Community Development Department.
 2. The property owner/developer 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. The property owner(s) shall improve and dedicate the required right-of-way for the interior subdivision street (60 foot right-of-way). The design of the new street shall be modified to include two 11 ft travel lanes, two 7 ft parking lanes, 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 and
 - i. **Prior to** commencing excavation, site preparation or construction of the road, the applicant shall submit three (3) copies of the design plan for the road, prepared by an Oregon Licensed Professional Engineer, to Community Development for routing to necessary departments for review and consistency with the City's design standards.
 - ii. The City (staff) may require additional information to ensure full compliance with design requirements.
 - iii. The City's Engineer of Record will review the plans submitted, fee is the responsibility of the property owner/developer and they can require additional information/changes to ensure full compliance with city standards.
 - iv. The applicant shall provide a title report showing clear title to the affected strip of land.
4. Prior to final plat approval, property owner/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 water, sewer, storm water, grading, and erosion control and
 - i. **Prior to** commencing the applicant shall submit three (3) copies of the design plan for the infrastructure improvements, prepared by an Oregon Licensed Professional Engineer, to Community Development for routing to necessary departments for review and consistency with the City's design standards.
 - ii. The City (staff) may require additional information to ensure full compliance with design requirements.
 - iii. The City's Engineer of Record will review the plans submitted, fee is the responsibility of the property owner/developer and they can require additional information/changes to ensure full compliance with city standards.
5. Prior to beginning construction, the property 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.
6. Property owner/developer shall install a city standard fire hydrant at the location (at end of Phase 1), as indicated and approved by the City Fire Department to City standards.

7. 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.
8. Property owner/developer is responsible for and shall install street signs and mailboxes in accordance with city standards.
9. Property owner/developer is responsible for and shall install streetlights within the subdivision, as indicated on preliminary map submitted per city street light policy (Resolution No. 2006-03).
10. Any shared driveways shall be identified on the face of the final plat. Property owner/developer shall provide and record on the plat any reciprocal access and maintenance agreements for any affected lots.
11. Property owner/developer must meet driveway requirements per Sutherlin Development Code Section 3.2.100(M) and 3.2.100(R).
12. Prior to submitting a final subdivision plat, the property owner/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.
13. Property owner/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.
14. Property owner/developer shall obtain a 1200-C NPDES Storm Water Discharge Permit prior to construction as required by the Oregon Department of Environmental Quality.
15. Property owner/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.
16. Property owner/developer shall coordinate with the City Public Works for the design and installation of sanitary sewer improvements to city standards.
17. The property owner/developer shall obtain an access permit from the City Director of Public Works for the existing and/or proposed access locations onto S. Comstock Road.
18. 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.

19. 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, the Planning File Number, along with signature line(s) for the Douglas County Board of Commissioners.
20. 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.
21. The property owner/developer shall pay \$25.00 fee to the City of Sutherlin for each lot for the issuance of an address and to coordinate this with Community Development.
22. 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.
23. 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.
24. 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.
25. 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.

ADVISORY STATEMENTS

1. For the development of the individual lots in each phase, property owner/developer must meet City of Sutherlin private driveway standards of Section 3.2.110.
2. 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-3 building setbacks and lot coverage requirements; and the driveway separation, surface improvement, storm water runoff requirements of Development Code Section 3.2.110 Vehicle Access and Circulation and Section 3.4 Vehicle and Bicycle Parking.
 - 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.
2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Comprehensive Plan Map, Zoning Map amendments and 20-Lot Subdivision subject to **modifications or additional conditions**; or

3. Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal; or
4. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend denial** of the requested Comprehensive Plan Map, Zoning Map amendments and 20-Lot Subdivision on the grounds that the proposal does not satisfy the applicable approval criteria.

CONCLUSION

City Staff recommends that the Commission forward a recommendation for approval to the Sutherlin City Council of the requested Comprehensive Plan Map Amendment from Medium Density to High Density, Zone Map Change from (R-2) Medium Density Residential to (R-3) High Density Residential and a 20-Lot Subdivision on the subject 1.71 acre property as conditioned in option No. 1 listed above.

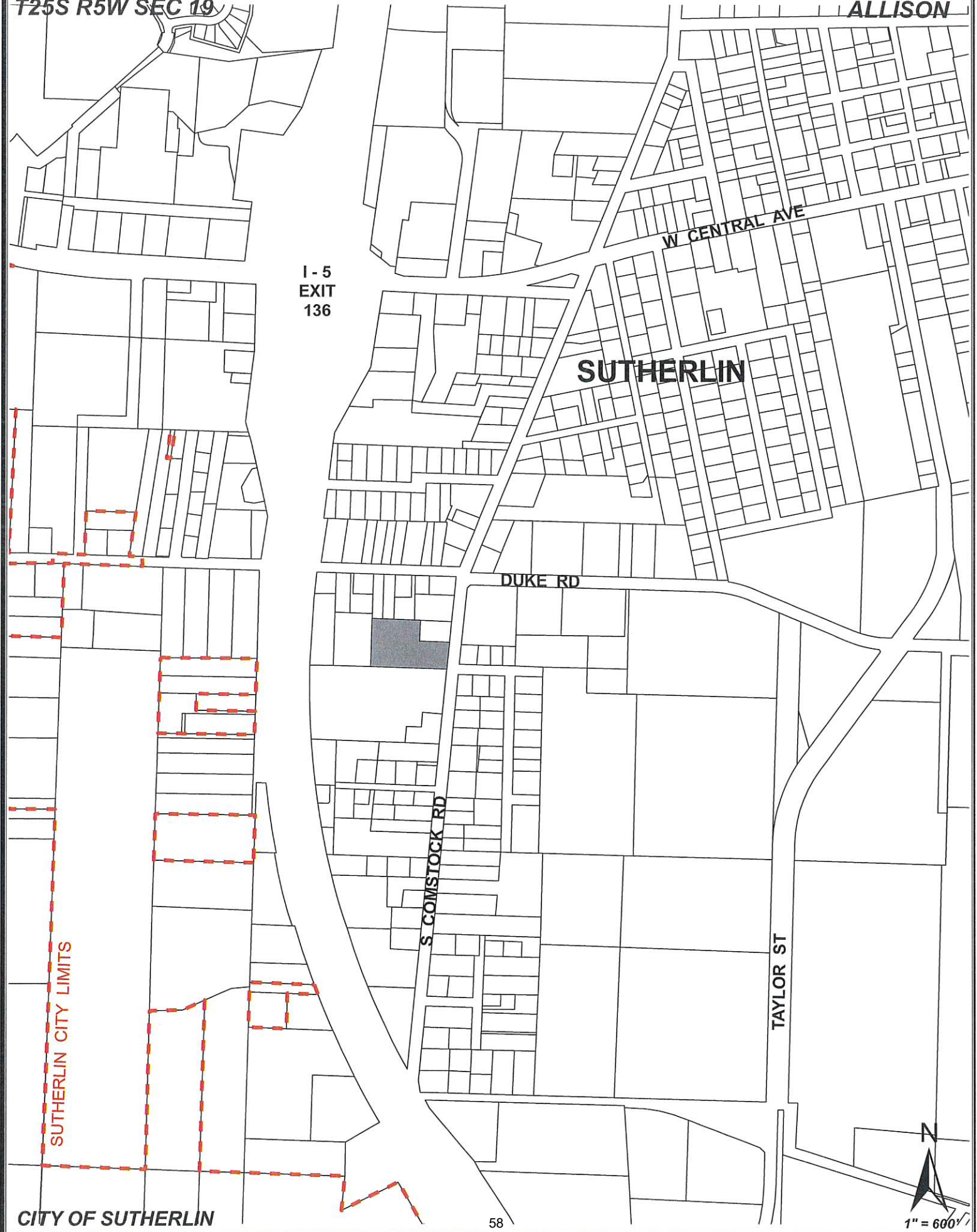
STAFF EXHIBITS

1. Notice of Public Hearing
2. DLCD Notice of Proposed Amendment
3. Copy of legal notice posted in the *News Review*
4. Property Owners within 100 Feet
5. Staff Report with Responses Attached
6. Comprehensive Plan, Zone Change & Subdivision applications and attachments
7. Vicinity Map
8. Assessor Map
9. Sutherlin Comprehensive Plan Map
10. City Zoning Map
11. Aerial Map

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EXHIBIT "A"
Legal Description

Beginning at a point which is 557.3 feet East and 230.0 feet South of the Northwest corner of the Joseph Holman Donation Land Claim No. 37, in Section 19 of Township 25 South of Range 5 West of the Willamette Meridian; thence running East 242.7 feet; thence South 100.0 feet; thence East 168.7 feet to the center of the County Road; thence South 3°45' West 130.3 feet; thence West 403.2 feet; thence North 230.0 feet to the Place of Beginning, in Douglas County, Oregon.



DUKE RD

S. COMSTOCK RD

AIRWAY AVE

AREA OF PROPOSED
PLAN AMENDMENT (RM to RA);
ZONE CHANGE (R-2 to R-3) &
20-LOT SUBDIVISION



COUNCIL BUSINESS





126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Budget Committee Appointment				Meeting Date:	3/9/2020
Purpose:	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: City Recorder, Diane Harris				City Manager Review	<input checked="" type="checkbox"/>
Attachments: Committee Application					

WHAT IS BEING ASKED OF COUNCIL?

There are two open seats on the Budget Committee, both have term ending dates of December 31, 2022. The Mayor is being asked, on behalf of the Council, to consider an application for appointment.

EXPLANATION

The City has received an application for appointment to the Budget Committee from Gary Dagel

OPTIONS

See motions suggested motions below.

SUGGESTED MOTION(S)

Motion to appoint (or not appoint) Gary Dagel to the Budget Committee, term ending date is December 31, 2022.



City of Sutherlin

Application for Citizen Committee/Commission/Board Appointment

Name GARY DAGEL Date 2-19-2020
Address [REDACTED] Phone 541-378-4430
Email GARYDAGEL@GMAIL.COM Bus. Phone SAME
Length of Residency in Sutherlin 8 years Registered Voter? yes
Candidate for position on Budget Board 1771
Relevant background and experience RAN BUSINESSES
FOR A LONG TIME

What are your major interests or concerns in the City's programs?

I Like to Be connected with the
community

Why would you like to be appointed to this position?

See above

RETURN THIS FORM TO: City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

For Office Use Only:

Date received: 2/19/2020

Date considered: _____

Action by Council _____

Term Expires: _____



126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Ordinance -- Plan Amendment, Zone Change and 20-Lot Subdivision (Nick Allison), Planning File No. 19-S016				Meeting Date:	03/09/2020
Purpose:	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: Jamie Chartier, City Planner and Brian Elliott, Community Development Director				City Manager Review	<input type="checkbox"/>
Attachments: Ordinance, Enactment Notice, Exhibit A Maps, and Planning Commission Findings of Fact					

WHAT IS BEING ASKED OF COUNCIL?

Consider approval of first reading, by title only of Ordinance for Nick Allison Plan Amendment, Zone Change and 20-Lot Subdivision (Planning File No. 19-S016).

EXPLANATION

This ordinance formally approves the plan map (from Medium Density to High Density), zoning map (from Medium Density Residential to Multi-Family Residential) amendment and 20-Lot Subdivision requested by the applicant, on behalf of the property owner. The subject 1.71 acre portion of land is located on the west side of S. Comstock Road and is described as T25S, R5W, S19AC, Tax Lot 5800; Property ID No. R22360, and is addressed as 773 S. Comstock Road.

The application received recommendation for approval from the Planning Commission after a public hearing held January 21, 2020. A second public hearing was held before City Council prior to the reading of this ordinance.

OPTIONS

See Suggested Motions

SUGGESTED MOTION(S)

Motion to:

1. Approve the first reading of Ordinance (Nick Allison) as presented;
2. Approve the first reading of Ordinance (Nick Allison) with amendments; or
3. Not approve the first reading of said Ordinance.



City of Sutherlin

Administration
126 E. Central Avenue
Sutherlin, OR 97479
(541) 459-2856
Fax (541) 459-3281
www.cityofsutherlin.com

NOTICE OF ORDINANCE ENACTMENT

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SUTHERLIN COMPREHENSIVE PLAN MAP AND ZONING MAP TO AMEND THE COMPREHENSIVE PLAN MAP FROM MEDIUM DENSITY TO HIGH DENSITY, CONCURRENT WITH A ZONING MAP CHANGE FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO MULTI-FAMILY RESIDENTIAL (R-3) FOR PROPERTY DESCRIBED AS TAX LOT 5800 IN SECTION 19AC OF T25S, R05W. THE SUBJECT 1.71 ACRE PROPERTY IS LOCATED AT 773 S COMSTOCK ROAD AND DESCRIBED HERIN.

THIS ORDINANCE WILL BE CONSIDERED BY COUNCIL AT THE REGULAR COUNCIL MEETING OF

**FIRST READING: MONDAY, MARCH 9, 2020 @ 7PM
SECOND READING (if first reading approved):
MONDAY, APRIL 13, 2020 @ 7PM
CIVIC AUDITORIUM - 175 E. EVERETT AVENUE**

Questions or copies of this Ordinance may be viewed by interested persons at the office of City Recorder, 126 E. Central Avenue, Sutherlin, Oregon, between the hours of 9:00 a.m. and 5:00 p.m., weekdays. A copy of this Ordinance may be purchased by interested persons for a sum determined to cover the City's expense for providing the copy.

Pursuant to Section 30 (b) (c) of the Sutherlin City Charter, this notice has been posted at the following locations: Sutherlin City Hall; Sutherlin Post Office; Sutherlin Visitor's Center and the City's website, www.cityofsutherlin.com.

Posted this day, March 2, 2020
By Diane Harris
City Recorder

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CITY OF SUTHERLIN COMPREHENSIVE PLAN MAP AND ZONING MAP TO AMEND THE COMPREHENSIVE PLAN MAP FROM MEDIUM DENSITY TO HIGH DENSITY, CONCURRENT WITH A ZONING MAP CHANGE FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO MULTI-FAMILY RESIDENTIAL (R-3) FOR PROPERTY DESCRIBED AS TAX LOT 5800 IN SECTION 19AC OF T25S, R05W. THE SUBJECT 1.71 ACRE PROPERTY IS LOCATED AT 773 S. COMSTOCK ROAD AND DESCRIBED HEREIN.

The City Council of the City of Sutherlin finds that:

A. Nick Allison submitted an application for a Comprehensive Plan Map and Zoning Map amendments to amend the existing Comprehensive Plan and Zoning designations for property identified within Douglas County Assessor Records as Tax Lot 5800 in Section 19AC of Township 25 South, Range 5 West. The subject property is further described in Exhibit A attached hereto and incorporated herein.

B. The Sutherlin Planning Commission held a properly noticed public hearing on January 21, 2020 to consider the applicant's request. Following the public hearing, the Planning Commission passed a motion to recommend that the City Council approve the proposed Comprehensive Plan Map and Zoning Map amendments.

C. Pursuant to Section 4.2.150 of the Sutherlin Development Code, notice of a public hearing before the City Council was given, and the public hearing on the requested Comprehensive Plan Map and Zoning Map amendments was conducted on March 9, 2020.

D. The proposed amendments to the Sutherlin Comprehensive Plan Map and the Sutherlin Zoning Map to implement the requested zone changes are found to be consistent with the Statewide Planning Goals and in conformance with the Sutherlin Comprehensive Plan. The City Council also finds that the site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area. The findings supporting these decisions are attached as Exhibit B hereto.

THE CITY OF SUTHERLIN ORDAINS AS FOLLOWS:

Section 1. The Sutherlin Comprehensive Plan Map is hereby amended to change the Comprehensive Plan designation of the real property identified as all or a portion of Tax Lot 5800 in Section 19AC of Township 25 South, Range 5 West, and more particularly described and depicted in Exhibit A.

Section 2. The Sutherlin Zoning Map is hereby amended to reconfigure the zoning designations of the real property identified as all or a portion of Tax Lot 5800 in

Section 19AC of Township 25 South, Range 5 West, more particularly described and depicted in Exhibit A.

Section 3. The City Council adopts the Findings of Fact and Decision Document (Exhibit B) as their own and the Sutherlin Comprehensive Plan Map and the Sutherlin Zoning Map shall be revised to depict the adopted amendments.

PASSED BY THE COUNCIL ON THIS _____ DAY OF _____, 2020.

APPROVED BY THE MAYOR ON THIS _____ DAY OF _____, 2020.

Todd McKnight, Mayor

ATTEST:

Diane Harris, CMC, City Recorder

Ordinance No. _____

EXHIBIT "A"
Legal Description

Beginning at a point which is 557.3 feet East and 230.0 feet South of the Northwest corner of the Joseph Holman Donation Land Claim No. 37, in Section 19 of Township 25 South of Range 5 West of the Willamette Meridian; thence running East 242.7 feet; thence South 100.0 feet; thence East 168.7 feet to the center of the County Road; thence South 3°45' West 130.3 feet; thence West 403.2 feet; thence North 230.0 feet to the Place of Beginning, in Douglas County, Oregon.

I - 5
EXIT
136

W CENTRAL AVE

SUTHERLIN

DUKE RD

S COMSTOCK RD

TAYLOR ST

SUTHERLIN CITY LIMITS

CITY OF SUTHERLIN



DUKE RD

S. COMSTOCK RD

AIRWAY AVE

AREA OF PROPOSED
PLAN AMENDMENT (RM to RA);
ZONE CHANGE (R-2 to R-3) &
20-LOT SUBDIVISION

BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a request for a Plan Map]	FINDINGS OF FACT AND DECISION
Amendment, Zone Map Change and 20-Lot]	Applicant: Nick Allison
Subdivision for a parcel located S. Comstock]	Subject: Plan Amendment, Zone Change
Road and identified by the Douglas County]	and 20-Lot Subdivision
Assessor as T25S, R5W, S19AC, Tax Lot 5800,]	File No.: 19-S018
Property ID No. R22360]	
Property owner: Jade Dunlap]	

PROCEDURAL FINDINGS OF FACT

1. The Comprehensive Plan Map Amendment, Zone Map Change and 20-Lot Subdivision applications were filed with the City on November 19, 2019, and were deemed complete on December 5, 2019.
2. DLCD Notice of Proposed Amendment was submitted electronically to the Department of Land Conservation and Development on December 12, 2019, which was at least 35 days prior to the first evidentiary public hearing on January 21, 2020. DLCD did not provide comments on the application.
3. Pursuant to Sections 4.2.150.D.4 and 4.2.140.C of the Sutherlin Development Code, notice of the public hearing was given by publication in the *News Review* on January 7, 2020, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on an application for the Comprehensive Plan Map Amendment, Zone Map Change and 20-Lot Subdivision before the Planning Commission was given in accordance with Sections 4.2.150.D.4 and 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 December 12, 2019 and a corrected notice mailed on December 31, 2019. Three (3) written comments on the proposal were received.
5. The Planning Commission held a public hearing on this matter on January 21, 2020.
6. At the public hearing on January 21, 2020, there were no declarations of ex parte contact or other conflicts of interest made by the Planning Commission. No objections were raised and the Commission was qualified to hear the matter.
7. The Planning Commission declared the following as parties to the hearing:
 - a. Nick Allison, Applicant
 - b. Oregon Department of Transportation (ODOT), Micah Horowitz
 - c. City of Sutherlin Public Works, Aaron Swan
 - d. Thomas Hammerschmith, adjacent property owner
8. Reference was made to the January 14, 2020 Staff Report, and findings of fact addressing conformance to the applicable criteria of the Statewide Planning Goals, the applicable goals and policies of the Sutherlin Comprehensive Plan, and the applicable criteria of the Sutherlin Development Code.

9. Planning Staff presented the Staff Report dated January 14, 2020 and entered Staff Exhibits 1-11 into the record.
10. The Planning Commission received clarifying testimony about the proposed development from applicant, Nick Allison. He described the type of dwellings they propose on the property, along with the plan to fence the perimeter. He further stated that the applicant concurred with the staff report and the proposed conditions of approval.
11. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from person in favor to the application. No persons were present.
12. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from person in opposition to the application. Dave Thomas spoke on behalf of himself, along with Steven Montpas.
13. The Planning Commission provided opportunity to receive clarifying questions and oral testimony in rebuttal to the application. Kristi Gilbert, Community Development Supervisor responded with answers pertaining to the Sutherlin Development Code requirements.
14. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from the applicant. Nick Allison, applicant, addressed these questions and concerns. He went into more detail about the design of each single family dwelling, the parking will exceed the requirements and the fencing will be around the entire boundary of the subject property.
15. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

FINDINGS OF FACT RELATED TO DECISION

Commissioner Davidson expressed concerns with the proposed location of the fire hydrant, city staff noted that the Fire Department responded to the Staff Report requiring the location to be changed. No further objections or concerns were expressed with the proposed Comprehensive Plan Map, Zoning Map Change and 20-Lot Subdivision.

FINDINGS OF FACT

Finding No. 1. The Planning Commission finds the subject property is designated Medium Density in the Sutherlin Comprehensive Plan and zoned Medium Density Residential (R-1) in the Sutherlin Development Code.

Finding No. 2. The Planning Commission adopts by reference the findings of the Staff Report dated January 14, 2020.

Finding No. 3. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the requested Comprehensive Plan Map amendment from Medium Density to High Density and Zoning Map Amendment from Medium Density Residential (R-1) to High Density Residential (R-3) is consistent with the applicable Statewide Planning Goals, and that no exceptions to the goals were proposed.

Finding No. 4. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the requested plan map and zoning map amendment is consistent with the applicable general goals and policies of the Sutherlin Comprehensive Plan and its implementing ordinances, including those related to Natural Features, Population, Air Water and Land Resource Quality, Natural Hazards, Recreational Needs, Economy, Housing, Public Facilities and Services, Transportation System, including Pedestrian and Bicycle Transportation, Energy Conservation and Land Use and Urbanization.

Finding No. 5. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the proposed amendment is consistent with the applicable criteria of Section 4.11 [Amendments] and Section 4.8 [Zoning Amendments] and Section 4.4 [Land Divisions] of the Sutherlin Development Code. The applicant has demonstrated consistency with the Comprehensive Plan, including inventory documents and facility plans. The subject 1.71 acre property is surrounded on all sides by development with residential use(s). Public facilities and services are available to the subject property.

Finding No. 6. The Planning Commission further finds that the applicant has demonstrated that the most intense uses and density that would be allowed outright in the proposed R-3 zone, considering the existing residential development in the area, can be or are already served by the orderly extension of urban services, and that the proposed amendment is consistent with OAR 660-012-0060.

Finding No. 7. The Planning Commission finds that the proposed amendment from Medium Density to High Density is not the result of a mistake or inconsistency, but will be consistent with the existing residential uses surrounding the subject property.

Finding No. 8. The Planning Commission finds that the requested 20-Lot Subdivision was processed along with a Comprehensive Plan Map Amendment and Zone Map Change as a Type IV procedure, subject to applicable provisions of the Sutherlin Comprehensive Plan, Chapter 2, Section 2.2, Chapter 3 (Design Standards) and Chapter 4, Section 4.4 (Land Divisions) of the Sutherlin Development Code.

Finding No. 9. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided that the proposed development will substantially meet the approval criteria outline in Chapter 4, Section 4.4 (Land Divisions) for the 20-Lot Subdivision proposal and that appropriate criteria and conditions of approval have been imposed to ensure continued compliance.

Finding No. 10. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the proposed 20-Lot Subdivision development will substantially meet the design standards outlined in Chapter 3, Sections 3.2.100 (Vehicle Access and Circulation) and 3.5.100 (Infrastructure Standards) and the appropriate conditions of approval have been imposed to ensure continued compliance. The Commission further finds the proposed Subdivision will necessitate the construction of a new street, that will be in conformance with the city's residential street standards.

Finding No. 11. The Planning Commission finds, based upon the staff report, application materials and oral testimony provided that the applicant/property owner is trying to make reasonable use of the 1.71 acre property and improve the subject property to meet City Standards, Uniform Fire Code and Sutherlin Development Code.

CONCLUSION

1. A motion was made by Commissioner Price to recommend and seconded by Commissioner Davidson to approve the requested Comprehensive Plan Map Amendment from Medium Density to High Density, Zoning Map Amendment from Medium Density Residential (R-2) to High Density Residential (R-3), along with a 20-Lot Subdivision on the 1.71 acre property and forward the recommendation to City Council. The motion passed unanimously.
2. The Commission adopts the findings of the staff report in support of their decision.

NOW, THEREFORE, based upon the foregoing findings of fact and the oral testimony provided, the Sutherlin Planning Commission recommends to City Council the **ADOPTION** of the requested Comprehensive Plan Map Amendment from Medium Density to High Density, Zoning Map Amendment from Medium Density Residential (R-2) to High Density Residential (R-3) and 20-Lot Subdivision on the 1.71 acre property located at 773 S. Comstock Road, subject to the following conditions:

1. The property owner/developer 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 Community Development Department.
2. The property owner/developer 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. The property owner(s) shall improve and dedicate the required right-of-way for the interior subdivision street (60 foot right-of-way). The design of the new street shall be modified to include two 11 ft travel lanes, two 7 ft parking lanes, 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 and
 - i. **Prior to** commencing excavation, site preparation or construction of the road, the applicant shall submit three (3) copies of the design plan for the road, prepared by an Oregon Licensed Professional Engineer, to Community Development for routing to necessary departments for review and consistency with the City's design standards.
 - ii. The City (staff) may require additional information to ensure full compliance with design requirements.
 - iii. The City's Engineer of Record will review the plans submitted, fee is the responsibility of the property owner/developer and they can require additional information/changes to ensure full compliance with city standards.
 - iv. The applicant shall provide a title report showing clear title to the affected strip of land.

4. Prior to final plat approval, property owner/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 water, sewer, storm water, grading, and erosion control and
 - i. **Prior to** commencing the applicant shall submit three (3) copies of the design plan for the infrastructure improvements, prepared by an Oregon Licensed Professional Engineer, to Community Development for routing to necessary departments for review and consistency with the City's design standards.
 - ii. The City (staff) may require additional information to ensure full compliance with design requirements.
 - iii. The City's Engineer of Record will review the plans submitted, fee is the responsibility of the property owner/developer and they can require additional information/changes to ensure full compliance with city standards.
5. Prior to beginning construction, the property 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.
6. Property owner/developer shall install a city standard fire hydrant at the location (at end of Phase 1), as indicated and approved by the City Fire Department to City standards.
7. 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.
8. Property owner/developer is responsible for and shall install street signs and mailboxes in accordance with city standards.
9. Property owner/developer is responsible for and shall install streetlights within the subdivision, as indicated on preliminary map submitted per city street light policy (Resolution No. 2006-03).
10. Any shared driveways shall be identified on the face of the final plat. Property owner/developer shall provide and record on the plat any reciprocal access and maintenance agreements for any affected lots.
11. Property owner/developer must meet driveway requirements per Sutherlin Development Code Section 3.2.100(M) and 3.2.100(R).
12. Prior to submitting a final subdivision plat, the property owner/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.

13. Property owner/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.
14. Property owner/developer shall obtain a 1200-C NPDES Storm Water Discharge Permit prior to construction as required by the Oregon Department of Environmental Quality.
15. Property owner/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.
16. Property owner/developer shall coordinate with the City Public Works for the design and installation of sanitary sewer improvements to city standards.
17. The property owner/developer shall obtain an access permit from the City Director of Public Works for the existing and/or proposed access locations onto S. Comstock Road.
18. 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.
19. 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, the Planning File Number, along with signature line(s) for the Douglas County Board of Commissioners.
20. 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.
21. The property owner/developer shall pay \$25.00 fee to the City of Sutherlin for each lot for the issuance of an address and to coordinate this with Community Development.
22. 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.

23. 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.
24. 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.
25. 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.

ADVISORY STATEMENTS:

1. For the development of the individual lots in each phase, property owner/developer must meet City of Sutherlin private driveway standards of Section 3.2.110.
2. 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-3 building setbacks and lot coverage requirements; and the driveway separation, surface improvement, storm water runoff requirements of Development Code Section 3.2.110 Vehicle Access and Circulation and Section 3.4 Vehicle and Bicycle Parking.
 - 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.

DATED THE 18th DAY OF FEBRUARY, 2020.


WILLIAM LEE, CHAIR

N:\Planning\2019 Land Use\19-S016 Allison PZ, ZC & SUBD\19-S016_Allison_PAZCSUBD_PC FFO.docx



City of Sutherlin

STAFF REPORT					
Re: Resolution 2020.03 Authorizing the City of Sutherlin to Apply for the Land and Water Conservation Fund, Local Government Grant and Recreational Trails Programs from the Oregon Parks and Recreation Department and delegating authority to the City Manager to sign the application.				Meeting Date:	03-09-2020
Purpose:	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: Brian Elliott, Community Development Director				City Manager Review	<input checked="" type="checkbox"/>
Attachments: Resolution 2020.03					

WHAT IS BEING ASKED OF COUNCIL?

City Council is being asked to approve Resolution 2020.03 authorizing City of Sutherlin to apply for The Land and Water Conservation Fund, Local Government Grant Program (LGGP) and Recreational Trails Program (RTP) from the Oregon Parks and Recreation Department and delegating authority to the City Manager to sign the applications.

EXPLANATION

In efforts to fulfill the developments of the Ford's Pond Master Plan, Staff and Friends of Ford's Pond continue their partnership to pursue funding opportunities. If successful, Funds will be used to develop projects 1 & 2B. Project 1 (Phase 2) involves the construction and mitigation for the completion of the 1.7-mile ADA-accessible pathway encircling the pond, which will be constructed of asphalt and/or crushed rock. Project 2B is located in the southeast corner of the park, abutting Church Road and residential neighborhoods to the east. The project involves the engineering and construction of a new parking area for larger vehicles and/or bus parking spaces, a turnaround, restrooms, site furnishings, lighting, natural playground, landscaping, and bioswales.

Project 1 (Phase 2) - Funded by the RTP (~\$400,000) for the construction and mitigation to complete the 1.7-mile ADA-accessible pathway encircling the pond, which will be constructed of asphalt and/or crushed rock.

Project 2B - Funded by LGGP (~\$400,000) and LWCF (~\$100,000) for engineering and construction of a new parking area for larger vehicles and/or bus parking spaces, a turnaround, restrooms, site furnishings, lighting, natural playground, landscaping, and bioswales.

The Parks Advisory Committee supports applying for additional funding for Ford's Pond Community Park and Trail Improvements.

OPTIONS

City Council to approve Resolution 2020.03 authorizing the City of Sutherlin to apply for the Land and Water Conservation Fund, Local Government Grant and Recreational Trails Program from the Oregon Parks and Recreational Department and delegating authority to the City Manager to sign the applications.

City Council to not approve Resolution 2020.03 authorizing the City of Sutherlin to apply for the Land and Water Conservation Fund, Local Government Grant and Recreational trails Program from the Oregon Parks and Recreational Department and delegating authority to the City Manager to sign the applications.

SUGGESTED MOTION(S)

City Council to approve Resolution 2020.03 authorizing the City of Sutherlin to apply for the Land and Water Conservation Fund, Local Government Grant and Recreational Trails Program from the Oregon Parks and Recreational Department and delegating authority to the City Manager to sign the applications.

RESOLUTION NO. 2020.03

**A RESOLUTION AUTHORIZING THE CITY OF SUTHERLIN TO
APPLY FOR THE LAND AND WATER CONSERVATION FUND,
LOCAL GOVERNMENT GRANT AND RECREATIONAL TRAILS
PROGRAMS FROM THE OREGON PARKS AND RECREATION
DEPARTMENT TO DEVELOP PROJECTS 1 & 2B (PATH
COMPLETION, RESTROOMS, NATURAL PLAYGROUND,
PAVILIONS) AND DELEGATING AUTHORITY TO THE CITY
MANAGER TO SIGN THE APPLICATION**

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Land and Water Conservation Fund, Local Government Grant and Recreational Trails Programs; and

WHEREAS, the City of Sutherlin desires to participate in these grant programs to the greatest extent possible as a means of providing needed park and recreation improvements and enhancements; and

WHEREAS, the Sutherlin City Council has identified improvements at Ford's Pond Community Park as a high priority need in Sutherlin; and

WHEREAS, Project 1 (Phase 2) involves the construction and mitigation for the completion of the 1.7-mile ADA-accessible pathway encircling the pond, which will be constructed of asphalt and/or crushed rock. The primary users will be walkers, bicyclists, and joggers. Project 2B is located in the southeast corner of the park, abutting Church Road and residential neighborhoods to the east. The project involves the engineering and construction of a new parking area for larger vehicles and/or bus parking spaces, a turnaround, restrooms, site furnishings, lighting, natural playground, landscaping, and bioswales; and

WHEREAS, The City of Sutherlin recognizes the unique value of the Ford's Pond site, both as a natural and community asset. The pond perimeter path will meet community assessed needs and protect the natural environment. Program elements include protecting and restoring natural resources; providing improved public access; appropriate infrastructure such as restrooms and parking; trails, signage, education, and Universal Access to recreation in the park. Ford's Pond has a rich natural history that is highly visible

on-site and from the stunning views from around the pond. The position of the property and connections into the community provide unique opportunities for public access and outdoor recreation. This project establishes the shared vision for developing Ford's Pond as a place where residents and visitors can enjoy healthy, outdoor activities and serve as a demonstration of what citizens and small cities can achieve by working in partnership.

WHEREAS, the City of Sutherlin, in partnership with the Friends of Ford's Pond has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and in accordance to the Matching Requirement definition in Section 1.7 D of the OPRD LGGP Manual: The Project Sponsor match may include local budgeted funds, local agency labor or equipment, federal revenue sharing, other eligible grants, donated funds, the value of private donated property, equipment, materials, labor, the value of land acquired (\$256,750) within the past six year period, cost of appraisals and pre-agreement planning costs, or any combination thereof.

WHEREAS, the City of Sutherlin has estimated that annual maintenance costs will be \$15,100 and will dedicate adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded;

NOW, THEREFORE, BE IT RESOLVED by the Sutherlin City Council as follows:

Section 1: The Sutherlin City Council demonstrates its support for the submittal of a grant application to the Oregon Parks and Recreation Department for development of Projects 1 (Phase 2) and 2B at Ford's Pond Community Park.

Section 2: This Resolution shall be effective following its adoption by the Sutherlin City Council.

PASSED BY THE CITY COUNCIL, ON THIS 9th DAY OF MARCH, 2020

APPROVED BY THE MAYOR, ON THIS 9th DAY OF MARCH, 2020

Mayor, Todd McKnight

ATTEST:

City Recorder, Diane Harris, CMC



REPORTS





126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Final Design Project 1 and Project 2A (Phase 1) Ford's Pond Community Park and Trail Improvements				Meeting Date:	03-09-2020
Purpose:	Action Item <input type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input checked="" type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: Brian Elliott, Community Development Director				City Manager Review	<input checked="" type="checkbox"/>
Attachments: Power point will be presented					
WHAT IS BEING ASKED OF COUNCIL?					

This staff report is to present to City Council the Final Design for Project 1 and Project 2A (Phase 1) for Ford's Pond Community Park and Trail Improvements.

EXPLANATION

In Partnership with Friends of Ford's Pond the City of Sutherlin received two grants from Oregon Parks and Recreation Department for the Ford's Pond Community Park and Trail Improvements. The Local Government Grant \$ 388,531 and the RTP \$243,555. These funds, along with other donation and in kind match funds, will finance the Design and Construction Management of Project 1 and Project 2A (Phase 1).

On November 12, 2019 City Council approved the contract for Engineering and Landscape Architect Services for Design, Bidding and Construction Management for Ford's Pond Community Park and Trail Improvements to The Dyer Partnership Engineers and Planners Inc. Working in partnership with the Friends of Ford's Pond, The Dyer Partnership Engineers & Planners and DLA Architects, we have finalized the plan for Project 1 and Project 2A (Phase 1). The Dyer Partnership Engineers and Planners Inc. and DLA Architects will be presenting a power point with the Final Design.

OPTIONS

N/A

SUGGESTED MOTION(S)

N/A



126 E. Central Avenue
Sutherlin, OR 97479
541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Ford's Pond Community Park Sponsorship Plan				Meeting Date:	03-09-2020
Purpose:	Action Item <input type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input checked="" type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: Brian Elliott, Community Development Director				City Manager Review	<input checked="" type="checkbox"/>
Attachments: N/A					

WHAT IS BEING ASKED OF COUNCIL?

This staff report is to advise City Council that staff in partnership with the Friends of Ford's Pond will move forward with the Sponsorship plan.

EXPLANATION

In efforts to maintain and enhance Ford's Pond Community Park, Staff and Friends of Ford's Pond request the establishment of alternate revenue streams (Sponsorship Plan) that will increase the city's ability to deliver services.

Discussions were held at the last Parks Committee meeting of various ideas for sponsorship. The Parks Advisory Committee has recommended that a Ford's Pond Community Park Sponsorship Plan be created for the purpose of increasing the city's ability to deliver services at the park beyond the core levels funded from the general fund. Staff concurs with this recommendation and will move forward with the sponsorship program in partnership with the Friends of Ford's Pond to actively seek sponsorships for events, services, and facilities from individuals, foundations, corporations, and other entities.

OPTIONS

N/A

SUGGESTED MOTION(S)

N/A



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541-459-2856
Fax: 541-459-9363
www.cityofsutherlin.com

City of Sutherlin

STAFF REPORT					
Re: Airport Industrial Wetland Consultant Award Contract				Meeting Date:	03/09/2020
Purpose:	Action Item <input type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input checked="" type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
Submitted By: Brian Elliott, Community Development Director				City Manager Review	<input checked="" type="checkbox"/>
Attachments: Land and Water Environmental Services, Inc. Scope of Work					

WHAT IS BEING ASKED OF COUNCIL?

Since the contractual cost was significantly lower than the originally anticipated cost of approximately \$48,000.00, this is a report to council fulfilling our commitment to keep the City Council apprised of the activities needed to begin development of our Airport Industrial Park as discussed on February 17th.

EXPLANATION

Staff received the attached proposal to assist the City of Sutherlin in negotiating the purchase of wetland mitigation credits from Roseburg Forest Products (RFP) and securing the authorization from DSL and the USACE to apply those credits to filling wetlands at the Sutherlin Industrial Park.

Staff reached out to three consultants and after several discussions, based on experience, historic knowledge of the subject property and the lower cost, the City Manager has authorized a contract with Land and Water Environmental Services, Inc. in the amount of \$12,300.

LAND AND WATER ENVIRONMENTAL SERVICES, INC.

P.O. Box 448, 119 NE 2nd St. Suite B (second floor), Oakland, Oregon 97462

(541) 672-0393 or (541) 459-4141

"Providing environmental services for industry and the public since 1992"

www.landandwater.biz

email: office@landandwater.biz

Proposal to assist the City of Sutherlin in negotiating the purchase of wetland mitigation credits from Roseburg Forest Products (RFP) and securing the authorization from DSL and the Corps to apply those credits to filling wetlands at the Sutherlin Industrial Park.

Task 1: Work with City Staff and RFP to determine the status of mitigation credits, including meetings, telephone and conference calls, and email exchanges. (est. \$1,400)

- How many acre credits are currently approved and available for immediate sale?
- How many acre credits are approved but not yet available for sale, what will it take to make them available for sale – time frame?
- How many additional credits could potentially become available if RFP were to follow up on previous discussions with the agencies? Buffers? Time frame and potential complications?
- Evaluate pricing structure of the available and potential credits.

Task 1a: Enter into discussions with DSL and the Corps on the eligibility and authorization to apply all of the mitigation credits available from RFP to the development of the Sutherlin Industrial Park. (est. \$3,100)

- Demonstrate that credits meet eligibility requirements.
- Matching Cowardin and HGM classification.
- The City will be the applicant and responsible party for the R/F permit application that the mitigation credits will be used under.
- Establish guidelines from both agencies on application requirements for proposing RFP mitigation credits.

The Not to Exceed cost for Task 1 and Task 1a combined is \$4,500.

Task 2: Complete and submit a Joint Removal/Fill Permit Application (JPA) to DSL and the Corps. (est. \$4,800)

- JPA will utilize the Conceptual Layout for the Industrial Park prepared in 2013 by the DCIDB as the basic framework and site plan.
- Modifications to the conceptual plan may be necessary to reflect the needs of current potential tenants.
- JPA will include Project Purpose and Need Analysis and Project Specific Alternatives Analysis.
- Figures, Maps, surveying, and engineering services necessary to complete the JPA will be provided by an engineering and/or surveying firm contracted to the City.
- Engineering and surveying costs are not part of this estimate.

Proposal: mitigation credits from RFP, fill wetlands at Sutherlin Industrial Park
Page 2

Task 2a: Conduct an Oregon Rapid Wetland Assessment Protocol (ORWAP) function assessment of the Sutherlin Industrial Park. (\$3,000)

- The ORWAP report will comply with the 2016 Manual for the Oregon Rapid Wetland Assessment Protocol (ORWAP, revised). Version 3.1, and include the necessary Excel forms and worksheets, aerial photographs, maps, and reporting documents.
- The ORWAP report will be attached to the JPA for the Sutherlin Industrial Park.

The Not to Exceed cost for Task 2 and Task 2a combined is \$7,800.

Task 2 covers the initial submittal of the JPA and ORWAP Report to DSL and the Corps. It also includes responding to a reasonable number of questions and requests from DSL and the Corps following their review of the JPA and ORWAP report. It does not include providing substantial supplemental information, re-submittal of documents, or additional meetings and conference calls that may result from DSL or Corps review of the JPA. If the need to address requests for additional information becomes necessary, this proposal can be amended to respond to those requests.

Respectfully submitted,
February 26, 2020

[Redacted Signature]

Loran Waldron
President, Biologist
Land And Water Environmental Services, Inc.

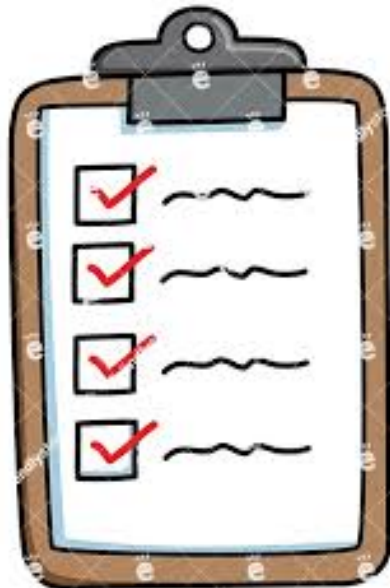


COUNCIL COMMENTS





STRATEGIC PLAN UPDATE





Identify & Upgrade ADA Accessibility around Central Park (verbal)





PUBLIC COMMENT





ADJOURNMENT





FOR YOUR INFORMATION



STRATEGIC PLAN - ACCOUNTABILITY BENCHMARKS

MONTH	DEPT	GOAL	ACTION	✓
APR 2019				
04/08/19	CDD/PW-Facilities/Parks	Continue Central Park improvements to include Christmas holidays lighting display	Funding - Report to Council	✓
04/22/19	CDD/PW-Transportation	Complete Valentine Avenue engineering and begin construction	Bid award - Council approval	✓
04/22/19	Admin	Complete and implement a new City Personnel Policy Handbook	Present update to Council	✓
04/22/19	CDD/PW-Development	Contract with an engineering firm for plan review/subdivision fees	Council Workshop - Proposed fees	✓
MAY 2019				
05/13/19	CDD/PW-Water	Nonpareil WTP Disinfection System	Bid process and present to Council	✓
05/28/19	CDD/PW-Facilities/Parks	Additional benches at Splash Park inside play area and unfenced section - kid friendly	Report to Council	✓
05/28/19	CDD/PW-Facilities/Parks	Central Park - Additional water features	Present to Council for Approval if needed	✓
05/28/19	CDD/PW-Transportation	Create a Street Management Masterplan w/funding options	Establish a methodology and timeline, report to Council	✓
05/28/19	CDD/PW-Development	Contract with an engineering firm for plan review/subdivision fees	Present findings to Council	✓
JUN 2019				
06/10/19	CDD/PW-Development	Contract with an engineering firm for plan review/subdivision fees	Present fee resolution for Council approval	✓
06/24/19	Admin	Complete union required class & comp survey prior to agreed 2019 COLA increase	Present update to Council (May 28th Executive Session)	✓
06/24/19	CDD/PW-Wastewater	Evaluate the current and potential use of Everett Avenue building	Report to Council (report provided at April 22nd Workshop Mtg)	✓
JUL 2019				
07/22/19	CDD/PW-Development	Comprehensive Plan Code Audit	Report to Council	✓
07/22/19	CDD/PW-Facilities/Parks	Central Park - Additional water features	Report to Council	✓
07/22/19	Finance	Create a long-term budget forecast	Report to Council	✓
07/22/19	CDD/PW-Wastewater	NPDES Permit renewal	Report to Council	✓
AUG 2019				
08/12/19	CDD/PW-Water	Nonpareil WTP modernization improvements	Present to Council (reported at July 22nd Workshop)	✓
08/26/19	CDD/PW-Water	Begin recertification process for Cooper Creek Storage and live-stream permits	Present to Council (reported at July 22nd Workshop)	✓
08/26/19	CDD/PW-Water	Consider new code language allowing for provision of water services outside city limits	Report to Council	✓
08/26/19	Fire	Enhance response capabilities for west side of town	Progress report to Council	✓
SEP 2019				
09/09/19	CDD/PW-Transportation	Complete Valentine Avenue engineering and begin construction	Report to Council	✓
9/23/2019 Mtg Cancelled	Finance & CDD - Development	Examine System Development Charge Rates and develop SDC matrix	Present to Council (moved to 10/14/19 mtg)	✓
9/23/2019 Mtg Cancelled	CDD/PW-Facilities/Parks	Continue Central Park improvements to include Christmas holidays lighting display	Present to Council (moved to 10/14/19 mtg)	✓
9/23/2019 Mtg Cancelled	Fire	ISO (Insurance Service Office) rating (Fire Dept update)	Report results to Council (moved to 10/14/19 mtg)	✓

Note: "Report to Council" can be a written Strategic Plan Update, Presentation or Workshop

Revised 2/3/2020

STRATEGIC PLAN - ACCOUNTABILITY BENCHMARKS

MONTH	DEPT	GOAL	ACTION	
OCT 2019				
10/14/19	CDD-Development	Evaluate all new-development beneficiaries regarding System Development Charges and establish new SDC;s according to the analysis	Develop SDC matrix/presented update to Council	✓
10/28/19	CDD/PW-Facilities/Parks	Community Center building - caulk and paint exterior	Report to Council	✓
10/28/19	CDD/PW-Facilities/Parks	Library building - caulk and paint exterior	Report to Council	✓
10/28/19	CDD/PW-Facilities/Parks	Implement a 10-year non-compliant ADA replacement ramp plan	Report to Council	✓
10/28/19	Police	Recruitment and retention	Report to Council	✓
10/28/19	Fire	Create backfill relief position	Present to Council	✓
NOV 2019				
11/12/19	CDD/PW-Transportation	Speed Zone Analysis-Ft McKay to west of intersection of Ft McKay and Church Rd	Report to Council	✓
11/12/19	CDD/PW-Transportation	Speed Zone Analysis-Intersection of Church Rd and Hwy 138 to Ft McKay	Report to Council	✓
11/12/19	CDD/PW-Transportation	Complete sidewalks from Beecroft to Quail Run and Central Avenue	Bid process and present to Council	✓
11/12/19	Police	Integration of K9 program	Report to Council - Discussed at Oct 28th mtg	✓
DEC 2019				
12/09/19	Finance	Earn a "clean audit"	Accept audited financials and present to Council	✓
12/09/19	CDD/PW-Transportation	Replace all old street signs so they match the new street sign design	Report to Council	✓
12/09/19	CDD/PW-Wastewater	Complete construction of new WTP	Report to Council	✓
12/09/19	CDD-Planning	Consider feasibility of commercial/multi-family Urban Renewal District	Present options to Council	✓
12/09/19	Fire	Grow volunteers & UCC Students	Report to Council	✓
JAN 2020				
01/13/20	CDD/PW-Water	Schoon Mt water storage tank upgrade	Bid process, bonding, funding agency and present to Council	✓
01/13/20	CDD/PW-Water	Sixth Ave and Oak St Pump Station upgrade	Bid process, funding agency approval and present to Council	✓
01/27/20	CDD/PW-Facilities/Parks	Install larger security signage and new, more reliable 24/7 cameras	Report to Council	✓
01/27/20	CDD/PW-Wastewater	Evaluate the current and potential use of Everett Ave building	Report to Council commercial tenant leasing building 9/2/19	✓
01/27/20	CDD/PW-Water	Nonpareil WTP Disinfection System improvement	Report to Council Reported at 11/12/19 mtg	✓
01/27/20	CDD/PW-Transportation	Develop a "plan-of-action" for upgrading Waite St from Central to Southside Rd	Report to Council	✓
FEB 2020				
02/10/20	CDD-Development	Commercial and industrial development recruitment and retention (large and small)	Present updated EDP to Council	✓
02/24/20	CDD/PW-Wastewater	Initiate a new in-flow and infiltration prevention program	Report to Council	✓
MAR 2020				
03/09/20	CDD/PW-Facilities/Parks	Identify and upgrade ADA accessibility around Central Park	Award Contract - Council Approval	

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Revised 2/3/2020

STRATEGIC PLAN - ACCOUNTABILITY BENCHMARKS

MONTH	DEPT	GOAL	ACTION	
APR 2020				
04/13/20	CDD/PW-Development	Wastewater extension/reimbursement district	Bid process, present to Council to award	
04/27/20	CDD-Development	Evaluate all new development beneficiaries regarding System Development Charges and establish new SDC;s according to the analysis	Develop SDC matrix/present to Council	
MAY 2020				
05/11/20	Admin	Begin CBA agreements - AFSCME	Present to Council	
JUN 2020				
06/22/20	CDD/PW-	Transportation System Plan (TSP) update	Report to Council	
06/22/20	CDD-Development	Wastewater extension/reimbursement district	Report to Council	
JUL 2020				
07/13/20	CDD/PW-	Install a crosswalk from Nicholas Ct to St John	Bid process, present to Council for	
07/13/20	CDD/PW-Water	Nonpareil Water Treatment Plant modernization improvements	Bid process, funding approval and present to Council	
07/27/20	Finance	Long term budget forecast	Report to Council	
07/27/20	CDD/PW-Wastewater	Complete construction of new Wastewater Treatment Plant	Report to Council	
AUG 2020				
SEP 2020				
09/14/20	CDD/PW-Transportation	Implement 10-year non-compliant ADA replacement ramp plan	Report to Council	
OCT 2020				
10/12/20	CDD/PW-Water	Schoon Mountain Pump Station improvements (pump replacement)	Bid process, funding approval and present to Council	
10/12/20	CDD/PW-Facilities/Parks	Continue Central Park Christmas lighting display improvements	Report to Council	
10/26/20	CDD/PW-Facilities/Parks	Identify and upgrade ADA accessibility around Central Park	Report to Council	
10/26/20	CDD/PW-Parks	Central Park - Repair or replace deteriorated sidewalks	Report to Council	
NOV 2020				
11/09/20	CDD/PW-Facilities/Parks	Improve drainage in Central Park (phase III)	Complete and report to Council	
11/09/20	CDD/PW-Transportation	Complete sidewalks from Silver Glen to Quail Run	Bid process and present to Council	
11/09/20	CDD/PW-Transportation	Create a street management master plan with funding options	Report both the new plan and funding options to Council	
DEC 2020				
12/14/20	Finance	Accept Audited Financials	Present to Council	
12/14/20	CDD/PW-Transportation	Install a crosswalk from Nicholas Ct to St John	Report to Council	
12/14/20	CDD/PW-Water	Seek funding and create a plan to install a secondary in-flow at Cooper Creek	Report to Council	
JAN 2021				
01/11/21	CDD/PW-Transportation	Develop "Plan-of-Action" for upgrading Waite St from Central to Southside Rd	Report to Council	
01/11/21	CDD/PW-Water	Schoon Mtn Water Storage Tank and Sixth & Oak Pump Station improvements	Report to Council	
01/11/21	CDD/PW-Wastewater	Complete construction of new WTP (after 1-year performance evaluation)	Report to Council	

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Revised 2/3/2020



SKP PARK OF OREGON, INC.

800 S. STATE STREET

SUTHERLIN, OR 97479

PHONE & FAX 541-459-4465

E-MAIL SKPTIMBR@ROSENET.NET

February 28, 2020

Jerry Gillham
City Manager
126 E. Central Avenue
Sutherlin, OR 97479

The Board of Directors and the Membership of the Timber Valley SKP Park of Oregon, Inc. wish to thank the City of Sutherlin and specifically Aaron Swan, Public Works Director, for their response concerning a water drainage erosion problem. The erosion, due to excess water runoff, was directly affecting our Park property.

When Aaron Swan was made aware of the situation, City crews expeditiously responded and repaired the problem to great satisfaction of the Park.

Again, Timber Valley SKP Park of Oregon, Inc. extends a huge THANK YOU to the City and Public Works for the timely way they handled this problem.

Board of Directors:

[REDACTED]
Jim McIntosh, president

[REDACTED]
Dan Ohnemus, vice president

[REDACTED]
Mike Hilty, treasurer

[REDACTED]
Rockey Shanahan

[REDACTED]
Don Bush

(Directors out of the Park)
Nancy Hergenreder, secretary
Thom Hoch
Donna Roberson
Patricia Healey



Melanie Masterfield

From: Melanie Masterfield
Sent: Tuesday, March 3, 2020 12:45 PM
To: Ashley (ashley@bciradio.com); DC Commisioners (commissioners@co.douglas.or.us); Erica Welch; KUGN (news@kugn.com); Kyle-KQEN (KYLE@BCIRADIO.COM); News Desk (newsdesk@nrtoday.com); Register Guard (rgnews@registerguard.com); Roseburg Beacon (info@roseburgbeacon.com)
Subject: Sutherlin City Council Agenda
Attachments: CC AGENDA MAR 9, 2020 Reg Meeting.pdf

Good afternoon. Please see the attached agenda for the Sutherlin City Council Meeting on Monday, March 9, 2020.



Melanie Masterfield
Deputy City Recorder
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541-459-2856
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