



**City of Sutherlin  
Regular Council Meeting  
Monday, October 9, 2017  
Civic Auditorium – 7:00 p.m.  
AGENDA**

**Mayor Todd McKnight**  
Council President Luzier  
Councilors Boggs, Riggs, Stone, 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. PRESENTATIONS**

- a. Business Registration Committee Update

**6. PUBLIC HEARING**

- a. Urban Growth Boundary

**7. CONSENT AGENDA**

- a. September 11, 2017 Minutes – Regular Meeting
- b. September 25, 2017 Minutes – Workshop

**8. COUNCIL BUSINESS**

- a. Resolution 2017.14 – Technical Assistant Grant Approval
- b. Downtown Tree Grate & Frame Purchase Approval

**9. REPORTS**

- a. Library Operations Update

**10. COUNCIL COMMENTS**

**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) (i) – Performance Evaluations of Public Officers and Employees

*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.*



# **Call to Order & Flag Salute**





# ROLL CALL





# **Introduction Of Media**





# **PUBLIC COMMENT**

**Agenda Items only**





# **Presentations and/or Proclamations**





# **BUSINESS REGISTRATION UPDATE (verbal)**





# **PUBLIC HEARING**







126 E. Central Avenue  
Sutherlin, OR 97479  
541-459-2856  
Fax: 541-459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## City of Sutherlin

STAFF REPORT					
<b>Re: Ordinance</b> – Sutherlin UGB Exchange, Planning File 17-S015				Meeting Date:	10/09/2017
<b>Purpose:</b>	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input checked="" type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By:</b> Brian Elliott, Community Development Director				City Manager Review <input checked="" type="checkbox"/>	
<b>Attachments:</b> Memo, ODOT Letter of Remonstrance, Planning Commission Findings of Fact and Staff Report					

### WHAT IS BEING ASKED OF COUNCIL?

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

### EXPLANATION

The Planning Commission held a public hearing on the UGB exchange on August 29, 2017. After hearing public comment, they made a recommendation to Council to approve the UGB exchange, annexations and zone changes, subject to three conditions, as outlined in the attached Findings of Fact and Conclusion.

Prior to this hearing, staff conducted a Q & A session on September 19, 2017 with the public to answer further questions on the UGB exchange. During this time, staff also received estimates for completing a TIS of the study area and entered into an agreement with a consulting firm to initiate work on a TIS. The preparation and completion of a TIS will help find resolution to ODOT's concerns about traffic impacts to their state transportation facilities, and determine how the project can continue to move forward. The TIS is estimated to be completed by November 27, 2017.

With this in mind, City Council should open the public hearing on October 9, 2017 and allow public testimony to be given on the UGB exchange. Upon the conclusion of testimony, the City Council will need to continue the public hearing and reschedule to a date certain, which looks to be January 8, 2018 City Council meeting. At that hearing, Council should accept new public comment, close the public hearing and deliberate to a decision. Council will then have the first reading of the ordinance adopting the UGB Exchange, Comprehensive Plan Amendment and Zoning Map Amendment and Annexations.

### OPTIONS

1. Continue the public hearing, leaving the record open, to January 8, 2018 at 7:00 p.m. at the Civic Auditorium, or
2. Not to continue the public hearing to January 8, 2018 and make a motion to approve or deny the UGB Exchange, Comprehensive Plan Amendment and Zoning Map Amendment and Annexations.

### SUGGESTED MOTION(S)

To continue the public hearing to January 8, 2018 at 7:00 p.m. at the Civic Auditorium.



# City of Sutherlin

October 2, 2017

## MEMORANDUM

TO: City of Sutherlin City Council

FROM: Joshua Shaklee, Community Services Planner

RE: **STATUS UPDATE: URBAN GROWTH BOUNDARY (UGB) EXCHANGE, COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP AMENDMENT, AND ANNEXATIONS**

The purpose of this memorandum is to update the City of Sutherlin City Council ("Council") on the status of the Urban Growth Boundary (UGB) Exchange, Comprehensive Plan Amendment and Zoning Map Amendment, and Annexation project in consideration of several developments since the August 29, 2017 Sutherlin Planning Commission meeting. Specifically, this memo includes a status update on the traffic impact study (TIS) undertaken by the City in response to a request by Oregon Department of Transportation. The TIS will address anticipated traffic impacts of the proposed zone changes and resulting development to existing traffic facilities. This memo will also describe a question and answer session hosted by the City for property owners with outstanding questions on the proposed actions, as was required by the Planning Commission as a condition of approval.

## TRANSPORTATION IMPACT STUDY

In a letter dated August 15, 2017, the Oregon Department of Transportation (ODOT) formally requested that a traffic impact study (TIS) be completed by the City for the area to be annexed into the City and rezoned with City zoning. A second letter was submitted by ODOT on September 29, 2017 which provides additional guidance and rationale for the initial request. ODOT asserts that a detailed traffic study is necessary to fully understand and address the traffic impacts of the proposed zone change. Both letters are entered into the record.

Through this correspondence, ODOT asserts that the City failed to meet requirements from the Sutherlin Development Code and the Transportation Planning Rule (TPR), which is codified in Oregon Administrative Rule (OAR) 660-012-0060. Under the TPR, a local government must plan and design transportation facilities to accommodate future urban and rural development. The local government must "...ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility." If a zone change is determined to "significantly affect" an existing or planned transportation facility, then the local government is obligated to take measures to mitigate those impacts. Specifically, ODOT contends that the proposed zone change would potentially degrade existing facilities to the point that they could no longer function according to performance standards from the City of Sutherlin Transportation Systems Plan (TSP).

City staff had taken the position that the anticipated traffic impacts could be addressed without delaying the UGB exchange, annexations and zone changes. Staff argued that transportation facilities serving the area were planned to accommodate a level of development without improvements to the existing and planned facilities. Therefore, a TIS should not be required until the planned level of development was exceeded. Accordingly, staff recommended that the Sutherlin Planning Commission approve the proposal, with the condition that a TIS be completed prior to final approval of any land division, subdivision, and planned unit development by the City for development of parcels subject to the UGB amendment, annexations and zone changes. Planning Commission concurred with staff that a TIS could be included as a condition of approval for future land use approvals in the subject area. The City offered to enter into an intergovernmental agreement with ODOT to ensure that these conditions were enforced.

Despite the strong desire of the City and City Council that the UGB exchange be completed without further expense or delay, City staff ultimately concurs with ODOT that staff findings are inadequate to support a finding that of compliance with the TPR, Sutherlin Development Code, and existing land use plans for the subject area (including the interchange area mitigation plan (IAMP) and the Sutherlin TSP).

On September 28, 2017, the City of Sutherlin entered into a contract with Sandow Engineering to complete a traffic impact study. The Contract is entered into the record. The contract estimates that the work will be completed within 6-8 weeks and no later than November 27, 2017. The TIS will be carried out in accordance with the scope of work provided by ODOT.

#### **QUESTION & ANSWER SESSION**

The City of Sutherlin Community Development Department hosted a question and answer session on September 19, 2017, prior to the regularly scheduled Planning Commission meeting held that evening. The purpose of the session was to answer any lingering questions or concerns from individuals whose properties are involved in the Urban Growth Boundary (UGB) Exchange, Comprehensive Plan Amendment and Zoning Map Amendment, and Annexations. A Q & A session was a condition of approval set forth by the Planning Commission in their recommendation to City Council.

The event was fairly well attended. A majority of the questions were general in nature and City staff was on hand to address the concerns of attendees.

#### **NEXT STEPS**

The City staff recommends that City Council accept public input at the October 9<sup>th</sup> hearing and continue the hearing to a date/time certain, namely January 8, 2018. This will provide sufficient time for the TIS to be completed and circulated for agency review and comment. Any further comment submitted into the record by ODOT and Department of Land Conservation and Development (DLCD) following their review will be presented to the City Council at their January 8<sup>th</sup> meeting. The City Council will accept new public comment at the hearing. A first reading of the ordinance adopting the Urban Growth Boundary (UGB) Exchange, Comprehensive Plan Amendment and Zoning Map Amendment, and Annexations will be read that evening. A 2<sup>nd</sup> reading and adoption will take place at the January 22, 2018 Council meeting.



# Oregon

Kate Brown, Governor

## Department of Transportation

Region 3 Planning and Programming Unit

3500 NW Stewart Parkway

Roseburg, OR 97470

Phone: (541) 580-6178

September 28, 2017

Sutherlin City Council  
City of Sutherlin  
126 E. Central Avenue  
Sutherlin, OR 97479

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

Dear Sutherlin City Council,

Upon review of the staff report and findings, we assert that the findings in the staff report do not support the concurrent zone change. We are concerned that the proposed change in development patterns renders the analysis in the City's Transportation System Plan unreliable. This includes analysis completed for the adopted Interstate 5, Exit 136 Interchange Area Management Plan.

Specifically, the analysis in the staff report is insufficient to determine whether there is a significant affect on transportation facilities, and satisfies neither the Sutherlin Development Code nor Oregon Administrative rule 660-012-0060. As a result, the findings do not support the zone change and the zone change should not be approved.

### **The Proposed Action**

The City of Sutherlin proposes to remove two large properties from the City limits and urban growth boundary (UGB), and place into the city limits and UGB several properties south of OR 138 and west of Interstate 5. The City proposes a legislative (i.e. City-initiated) zone change for the properties, concurrent with the UGB amendment.

The Staff report proposes to address the Sutherlin Development Code and OAR 660-012-0060 by identifying the acreage of property to be pulled out and brought in. It notes that the proposed zone change will make the property brought into the UGB similar to what was removed from the UGB – that is, it will replace a county zoning designation with a similar City zoning designation.

The Staff Report determines, based on the acreage and zoning, that there will be no net increase in overall traffic and there will be a likely decrease in overall traffic. It concludes that since there is no net increase in overall traffic the SDC and TPR are satisfied.

### **Issues: Insufficient Findings**

For the following reasons, we assert that the analysis in the Staff Report is insufficient to support the finding of no significant affect:

- The Staff Report uses an incorrect standard by which to determine whether there is a significant affect on transportation facilities,



- The Staff Report uses an incorrect methodology by which to determine whether the standard is met, and
- The Sutherlin Development Code option to defer the determination of consistency with OAR 660-012-0060 is both inapplicable and inconsistent with current law.

### Significant Affect

As noted in the Staff Report, “The annexation and zoning map amendment are subject to SDC 4.2.150, SDC 4.11, and also SDC 4.8 – Zoning District Map Amendments.” SDC 4.8.110.C.2 requires:

“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 expansion of urban facilities and services, **including a demonstration of consistency with OAR 660-012-0060**. The determination of consistency with OAR 660-012-0060 can be deferred to development review pursuant to 4.3.120 for those zone changes that are located within the approved interchange 136 IAMP area and do not require a comprehensive plan amendment...” (emphasis added)

Oregon Administrative Rule (OAR) 660-012-0060(1)(c)(A), (B) and (C) establish the standard regarding significant affect:

“(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(c) Result in any of the effects listed in paragraph (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The key language is contained in (B): “Degrade the performance of an existing or planned transportation facility **such that it would not meet the performance standards identified in the TSP or comprehensive plan**” (emphasis added).

### Performance Standards

Performance standards for transportation facilities in the subject area are contained within the 136 Interchange Area Management Plan (IAMP), which the City of Sutherlin adopted as an amendment to the TSP in 2009. The IAMP transportation analysis relied on the City’s comprehensive plan, buildable lands inventory, zoning map, and TSP. The IAMP identified the performance standards for transportation facilities in the subject area, including:

- Interstate 5

- OR 138
- Intersection of OR 138 @ Fort McKay Road
- Intersection of OR 138 @ Dakota Street
- Intersection of OR 138 @ Park Hill Lane
- Intersection of Park Hill Lane @ I-5 Exit 136 Southbound Ramp Terminal

The IAMP notes that the performance standards for all transportation facilities in the subject area is determined by assessing the volume-to-capacity ratio (v/c ratio), which measures the level of congestion of a roadway or intersection. As an amendment to the City's TSP, the IAMP establishes the v/c ratio as the performance standard for transportation facilities in the subject area.

The staff report makes no mention of v/c ratio. Rather, it relies on adding together the acreage of land to be removed from the UGB, and subtracts the acreage to be brought into the UGB. The staff report concludes that since there are fewer acres, there will be an overall reduction in traffic. However, there are several problems associated with this method:

- The staff report is entirely silent as to the standard, the v/c ratio, cannot conclude that the standard identified in OAR 660-012-0060 is met, and therefore fails to satisfy both the SDC and OAR,
- Even assuming a net drop in overall traffic, developing new parcels will result in a shifting of traffic patterns; only by examining the new v/c ratios of the impacted intersections can it be determined whether the appropriate performance standard is met. For example, a decrease in traffic volumes at OR-138/Church attributed to removing development at Ford's Pond, does not offset an increase in traffic at OR-138/ Fort McKay resulting from new land development near that location, and
- We assert that the staff report is ambiguous regarding the amount of developable lands to be removed from the UGB, and disagree regarding the buildable acreage.

### **Appropriate Methodology**

The staff report relies on an evaluation of buildable acreage to determine whether those properties can be "... can be served through the orderly expansion of urban facilities and services..." (SDC 4.8), and to demonstrate consistency with OAR 660-012-0060.

The analysis used in the staff report fails to satisfy the requirements of SDC 4.8 and OAR 660-012-0060 for the following reasons:

- The analysis of buildable acreage is inexact and likely inaccurate,
- It does not use a methodology that incorporates the appropriate standard, and
- It does not use a methodology that addresses changed traffic patterns.

The analysis of buildable acreage proposed to be removed from the UGB is inexact, and likely inaccurate. The staff report treats every acre as though it were buildable, and fails to take into account unbuildable acreage, including riparian areas, slopes, and wetlands. The methodology used in the staff report appears inconsistent with development assumptions in the Sutherlin TSP, Buildable Lands Inventory (BLI) and the adopted IAMP 136. Without a more accurate accounting of buildable acreage to be removed from the UGB, it is impossible to determine whether there is a net increase or decrease in developable land.

The staff report does not use a methodology that incorporates the appropriate standard. As noted in the "Performance Standards" section, above, the methodology in the staff report does not provide a v/c ratio, the standard used by the City to evaluate performance of transportation facilities. As a result, the staff report fails to satisfy both the SDC and OAR.

The staff report does not use a methodology that addresses changed traffic patterns. The UGB swap will result in some properties being developed that were not anticipated to be developed, and other properties not developed that were anticipated to be developed. Specifically, properties at and near Fords Pond and east of

Interstate 5 will not develop, while properties west of Interstate 5 and south of OR 138 will develop. This will result in traffic patterns significantly different from those analyzed in the TSP. As a result, transportation analysis in the TSP is rendered incorrect and unreliable, making it impossible to determine whether the transportation facilities are adequate to support the proposed land uses.

We contend that an appropriate methodology would address the need for new transportation analysis, using the established v/c ratio standard. For a comprehensive methodology that we believe would satisfy the SDC and OAR, please see the attached "Traffic Impact Analysis Scope of Work: Sutherlin UGB Exchange".

In sum, by not using an appropriate methodology, that will establish whether the transportation facilities are adequate to support the proposed land uses, the staff report fails to satisfy the SDC and OAR and is not sufficient to support the zone change.

### **Deferring Findings of Consistency**

SDC 4.8.110.C.2 states:

"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 expansion of urban facilities and services, including a demonstration of consistency with OAR 660-012-0060. **The determination of consistency with OAR 660-012-0060 can be deferred to development review pursuant to 4.3.120 for those zone changes that are located within the approved interchange 136 IAMP area and do not require a comprehensive plan amendment...**" (emphasis added)

Reliance upon SDC 4.8.110.C.2 to deter a finding of consistency is both not applicable to the proposal and is inconsistent with current law.

The IAMP relied upon the existing TSP, buildable lands inventory, and UGB at the time of adoption in 2009. Lands outside the UGB were not considered part of the IAMP area, and were not included in the IAMP analysis. Since the lands proposed to be brought into the UGB are not located within the approved interchange 136 IAMP area, the findings may not rely on the deferred determination of consistency.

Even assuming the lands were part of the IAMP area, a deferred determination of consistency may not be relied on for a zone change. This is due both to the language of OAR 660-012-0060 and case law.

Willamette Oaks, LLC v. City of Eugene, 220 P.3d 445 (2009), is an Oregon Court of Appeals case with a similar set of facts. The City of Eugene affirmed a zone change and, after noting that the TPR applied to the zone change, deferred consideration of the TPR to a later stage of development. Although the Land Use Board of Appeals affirmed the City's decision, the Court of Appeals reversed, noting that "... consideration of whether a transportation facility will be significantly affected is to occur before approval of the requested land use regulation amendment."

The court noted that "The key language in [OAR 660-012-0600] for purposes of the issue framed above is the phrase 'the local government shall put into place measures' and the word 'would'. The words used in the text of the rule demonstrate that an evaluation of significant effect is intended to be performed prior to a contemplated amendment. The word 'shall' in the phrase is mandatory as to the obligation of the local government."

### **Risk to Future State Funding**

Several improvement projects, to state and local transportation systems, were identified in the IAMP 136. Those improvements were based on the City's comprehensive plan, buildable lands inventory, zoning map, and TSP, as they existed at the time. Moving forward with the UGB swap and concurrent zone changes may

dramatically alter the assumptions on which the IAMP was based. ODOT relies upon its local agency partners to adequately consider impacts to transportation facilities when making land use decisions. When land use decisions are made inconsistent with adopted State plans, we will then assume that the improvements in the IAMP are inadequate to support local land uses, and will no longer support funding for these projects.

We request that the City of Sutherlin defer making a decision until an adequate traffic analysis is completed and can ensure transportation facilities are adequate to support the land use changes. Please contact John McDonald at 541-957-3688 if you have any questions.

Sincerely,

  
John McDonald  
Development Review Planner

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





# Oregon

Kate Brown, Governor

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

FILE CODE:

**Date:** August 2, 2017

**File:**

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

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

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

## Scope of Work:

### GENERAL

#### 1. Executive Summary

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

#### 2. Analysis Study Area

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

##### **A. Major Intersections to be evaluated:**

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

##### **B. Minor Intersections:**

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

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

## TRAFFIC DATA

### 1. Traffic Counts

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

Raw traffic volumes will not be accepted for use in traffic analysis. All traffic volumes shall be seasonally adjusted to represent 30<sup>th</sup> Highest Hour Volumes (30HV) for Current Year, each anticipated phase completion, and Future Year "background traffic" conditions, all with and with-out the project. For guidance, please refer to the *Developing Design Hour Volumes* document at:

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

### 2. Site Trip Generation, Distribution and Assignment

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

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

## **ANALYSIS PROCEDURES**

For ODOT's *Analysis Procedures Manual* Refer to:

<http://www.oregon.gov/ODOT/TD/TP/TAPM.shtml>

and for ODOT's *Development Review Guidelines* Refer to:

<http://www.oregon.gov/ODOT/TD/TP/DRG.shtml>

### **1. Capacity Analysis**

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

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

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

### **2. Queue Length Analysis**

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

## **ANALYSIS REQUIREMENTS**

### **1. Intersection Sight Distance**

Adequate intersection sight distance shall be verified for all proposed intersections and highway approaches as required in ODOT's 2012 Highway Design Manual. Refer to:

[http://www.oregon.gov/ODOT/HWY/ENGSERVICES/pages/hwy\\_manuals.aspx](http://www.oregon.gov/ODOT/HWY/ENGSERVICES/pages/hwy_manuals.aspx)

For guidance, please contact the Region Access Management Engineer.

### **2. Right & Left Turn Lane Criteria**

Proposed right or left turn lanes at unsignalized intersections and private approach roads shall meet installation criteria contained in the current Highway Design Manual (HDM). For turn lane evaluation procedures, refer to:

<http://www.oregon.gov/ODOT/TD/TP/TAPM.shtml>

### **3. Traffic Signal Installations & Modifications**

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

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

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

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

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

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

[http://www.oregon.gov/ODOT/TD/TP/docs/TAPM/Signal\\_Warrant.pdf](http://www.oregon.gov/ODOT/TD/TP/docs/TAPM/Signal_Warrant.pdf)

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

## **ANALYSIS OUTPUT**

### **1. Existing Conditions**

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

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

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

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

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

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

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

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

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

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

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

#### **4. Capacity & Operation Analysis Inputs**

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

#### **5. Conclusions and Recommendations**

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

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

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

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

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

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

Sincerely,

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

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

## BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of an Urban Growth Boundary  
Amendment, Comprehensive Plan Map  
Amendment and Zoning Map Amendments and  
Annexations involving 479± acres. A 202± acre  
Ford's Pond property, owned by the City of  
Sutherlin, located on the west side of Church  
Road and a 100± acre property located off S.  
State Street on Schoon Mountain are proposed  
to be removed from the UGB and City Limits.  
The proposal will add 177± acres to the UGB  
located southwest of Exit 136 and south of W.  
Central Ave and Fort McKay Road, and is  
generally bounded by Schudeiske Road on the  
west and Parkhill Lane and Trails End Lane on  
the southeast adjacent to Interstate 5. A  
portion of this area will be annexed into the  
City Limits and be rezoned with City of  
Sutherlin Zoning.

### FINDINGS OF FACT AND DECISION

Applicant: City of Sutherlin

Subject: UGB amendment, Comprehensive  
Plan Amendment, Zoning Map Amendment  
and Annexation

File No.: 17-S015

### PROCEDURAL FINDINGS OF FACT

1. The Urban Growth Boundary (UGB) Amendment, Comprehensive Plan Map Amendment and Zone Map Change, and Annexations were advanced by the City of Sutherlin as a legislative action pursuant to Sutherlin Development Code and Oregon Revised Statute.
2. DLCD Notice of Proposed Amendment was mailed to the Department of Land Conservation and Development on July 24, 2017, which was at least 35 days prior to the first evidentiary public hearing on August 29, 2017. 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 August 15, 2017, 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 UGB amendment, Annexation, Comprehensive Plan Map Amendment and Zone Map Change before the Planning Commission was provided in accordance with Section 4.2.150.D. Notice was sent to affected property owners of record within 100 feet of the subject properties, service providers, and governmental agencies on August 8, 2017. Four written comments were received.
  - a. Pursuant to the Urban Growth Management Agreement (UGMA) with Douglas County, notice was sent to the Douglas County Planning Department. No written comments on the proposal were submitted.

5. The Planning Commission held a public hearing on this matter on August 29, 2017.
6. At the public hearing on August 29, 2017, Planning Commissioner Sam Robinson declared an actual conflict of interest and recused himself from the hearing. There were no other 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. Jim Houseman, Friends of Ford's Pond
  - b. Jim Houseman
  - c. John McDonald, Oregon Dept of Transportation
  - d. Gale Peterson
  - e. Kathleen Case
  - f. Corina Blevins
  - g. Mark Rochester
  - h. Martha Oerman
  - i. Mavis Eckerd
8. Reference was made to the August 22, 2017 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. Lisa Hawley, Community Services Planner with the City of Sutherlin, presented the Staff Report dated August 22, 2017 and entered Staff Exhibits 1-25, including the staff report, into the record.
10. Ms. Hawley then entered three additional staff exhibits into the record, which were added since the notice was mailed: Staff Exhibit 26, Staff Memorandum dated August 22, 2017 with attached comments received on the proposed amendment; Staff Exhibit 27, copy of documentation from ODOT, dated August 15, 2007 regarding review of traffic analysis for zone change on Fords Pond property; and Staff Exhibit 28, Staff Memo, dated August 29, 2017 regarding traffic impact study (TIS) and recommendation for City Council.
11. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from persons in support of the application. Jim Houseman testified in favor of the application as a representative of himself and Friends of Ford's Pond. Mr. Houseman addressed Statewide Planning Goal 5, Open Spaces, Scenic and Historic Areas and Natural Resources and Goal 8, Recreational Needs and spoke about the work being done towards the establishment of Ford's Pond Community Park. The proposed UGB exchange will facilitate this development.
12. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from persons in opposition to the application. John McDonald with the Oregon Department of Transportation (ODOT) testified in opposition of the application. He stated that ODOT objects to the Zone Changes, not to the UGB exchange. He requested a continuance of



the hearing to allow the City time to complete a traffic impact study (TIS). Mr. McDonald also proposed that if the City chose not to continue the hearing, the City could approve the UGB Exchange without the Zone Changes. He indicated that the information the City currently has is inadequate.

13. The Planning Commission provided opportunity for clarifying questions and oral testimony from persons neither opposing or supporting the application. Gale Peterson testified as a neutral party and testified that they have no objections as long as there will be no additional development south of Trails End Lane. She expressed concern that traffic impacts be adequately addressed and improvements made if the area is to be developed. Kathleen Case testified as a neutral party and stated that she was not interested in participating in the process. Ms. Hawley clarified that Ms. Case is already located within the UGB and that it is up to the property owners whether they wanted to annex into the City Limits. She noted that Ms. Case did not consent to opt in and that her property is not included in the proposed annexations. Corina Blevins testified as a neutral party and requested that the City hold a question and answer session to answer property owner questions. Ms. Blevins later testified that traffic on Ft McKay is bad and would recommend a speed reduction zone as traffic enters into Sutherlin. Mark Rochester testified as a neutral party and stated that he had concerns regarding the increase in traffic that would be generated. He stated that he would like a continuance to receive additional information and answers to questions. Martha Oerman testified as a neutral party and asked whether water and sewer lines would be placed through Schudeiske Road. Ms. Hawley clarified that water and sewer lines would be development driven and would go through the developments, rather than strictly along Schudeiske Rd. Mavis Eckerd asked about time of completion and when she could expect water and sewer for her property. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.
14. John McDonald, with ODOT further testified that the proposed Zone Change triggers the TIS and if the process is to move forward without completion of the TIS, then ODOT loses its teeth in the traffic requirements.
15. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

#### **FINDINGS OF FACT RELATED TO DECISION**

1. The Planning Commission expressed no objections to the proposed UGB Amendment, Comprehensive Plan Map and Zoning Map Amendments and Annexations. The Planning Commission discussed the issue of traffic impacts resulting from the zone change and agreed with Staff's assessment that a traffic impact study should be completed as a condition of future development approvals. The Commission requested that Staff host a public Q & A session to answer any outstanding questions on the proposal. The Commission also considered the request from the owners of property at 1814 and 1818 Trails End Lane to include the portions of those properties containing existing dwellings for inclusion in the UGB Amendment, Comprehensive Plan Map and Zoning Map Amendments and Annexations.

## **FINDINGS OF FACT**

Finding No. 1. The Planning Commission finds that properties to be removed from the UGB and City Limits are zoned Forestry Resource (FR-20), Residential Hillside (RH) and Low Density Residential (R-1) under the Sutherlin Development Code and designated Residential-Agriculture/Forestry, Residential Hillside and Residential Low Density under the Sutherlin Comprehensive Plan.

Finding No. 2. The Planning Commission finds that properties to be added to the UGB are currently zoned Rural Residential and Farm Forest under Douglas County zoning and designated Committed Residential 2-Acre and Farm Forest Transitional under the Douglas County Comprehensive Plan.

Finding No. 3. The Planning Commission adopts by reference Option 2 from the Staff Memorandum dated August 22, 2017.

Finding No. 4. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the requested UGB amendment, Comprehensive Plan Map Amendment and Zoning Map Amendments and Annexations are consistent with the applicable Statewide Planning Goals, and that no exceptions to the goals were proposed.

Finding No. 5. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided, that the requested UGB amendment, Comprehensive Plan Map Amendment and Zoning Map Amendments and Annexations 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 Energy Conservation and Land Use and Urbanization.

Finding No. 6. 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] of the Sutherlin Development Code. The applicant has demonstrated consistency with the Comprehensive Plan, including inventory documents and facility plans.

## **CONCLUSION**

1. A motion was made by Commissioner Lusby and seconded by Commissioner Price to approve the requested UGB amendment, Comprehensive Plan Map Amendment and Zoning Map Amendments and Annexations and forward the recommendation to approve these actions to the City Council, subject to the following conditions:
  - a. Prior to the issuance of any land division, subdivision, and planned unit development approval by the City for development of parcels subject to the UGB amendment, annexations and zone changes, a traffic impact study (TIS) shall be required as a condition of final approval; and

- b. The City shall host an informational meeting to answer outstanding questions from property owners regarding the proposed actions prior to the City Council hearing; and
- c. The UGB amendment, annexations and zone changes undertaken by the City shall include portions of properties located at 1814 and 1818 Trails End Lane (Tax Lot 100 in Section 19C of T25S, R5W, W.M., also identified by Property ID No. R22752) which contain two (2) existing dwellings, as requested by the property owner.

The motion passed unanimously.

- 2. The Commission adopts the findings of the staff report and staff memos in the record 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 UGB amendment, Comprehensive Plan Map Amendment and Zoning Map Amendments and Annexations involving 476± acres.

DATED THE 18<sup>TH</sup> DAY OF SEPT, 2017.

  
WILLIAM LEE, ACTING CHAIR



**Community Development**  
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# City of Sutherlin

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August 22, 2017

## STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Lisa Hawley, Community Services Planner

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

## INTRODUCTION

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

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

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

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

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

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

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

## **URBAN GROWTH BOUNDARY EXCHANGE**

### **1. PROPOSAL**

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

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

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

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

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

#### **A. LAND PROPOSED TO BE EXCLUDED FROM UGB**

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

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

Owner: City of Sutherlin

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

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

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

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

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

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

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

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

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

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

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

Owner: Timothy and Leoni Rogers

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

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

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

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

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

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

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

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

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

**B. Land to be Included in the UGB:**

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

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

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

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

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

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

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

#### **Other considerations:**

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

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

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

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



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

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

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

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

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

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

## **2. ANALYSIS OF PROPOSAL**

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

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

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

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

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

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

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

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

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

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

**Table 2.1. Summary of Study Subareas**

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

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

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

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

### C. ANALYSIS OF STUDY SUBAREAS

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

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

### **Study Subarea #1**

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

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

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

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

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

#### Economic Consequences

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

#### Social Consequences

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

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

#### Environmental Consequences

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

#### Energy Consequences

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

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

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

#### **Study Subarea #2 (North Comstock Area)**

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

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

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

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

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

#### Economic Consequences

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

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

#### Social Consequences

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

#### Environmental Consequences

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

#### Energy Consequences

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

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

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

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

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

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

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

#### Economic Consequences

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

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

#### Social Consequences

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

#### Environmental Consequences

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

#### Energy Consequences

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

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

#### **Study Subarea #4.**

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

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



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

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

#### Economic Consequences

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

#### Social Consequences

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

#### Environmental Consequences

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

#### Energy Consequences

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

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

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

#### **Study Subarea #5.**

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

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

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

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

##### Economic Consequences

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

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

#### Social Consequences

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

#### Environmental Consequences

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

#### Energy Consequences

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

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

### **3. PREFERRED AREA FOR EXPANSION**

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

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

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

**Table 3.1. Alternative Expansion Areas Ranked**

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

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

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

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

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

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

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

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

#### **4. CONSISTENCY WITH THE STATEWIDE PLANNING GOALS**

##### **A. GOAL 1: CITIZEN INVOLVEMENT**

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

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

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

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

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

**C. GOAL 3: AGRICULTURAL LANDS**

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

**D. GOAL 4: FOREST LANDS**

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

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

*To conserve open space and protect natural and scenic resources.*

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

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

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

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

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

**G. GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS**

*To protect life and property from natural disasters and hazards.*

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

**H. GOAL 8: RECREATIONAL NEEDS**

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

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

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

#### **I. GOAL 9: ECONOMIC DEVELOPMENT**

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

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

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

#### **J. GOAL 10: HOUSING**

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

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

#### **K. GOAL 11: PUBLIC FACILITIES AND SERVICES**

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

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

#### **L. GOAL 12: TRANSPORTATION**

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

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

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

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

#### **M. GOAL 13: ENERGY CONSERVATION**

*To conserve energy.*

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

#### **N. GOAL 14: URBANIZATION**

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

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

### **5. CONSISTENCY WITH SUTHERLIN COMPREHENSIVE PLAN POLICIES**

#### **A. CITIZEN INVOLVEMENT ELEMENT**

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

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

#### **B. NATURAL & CULTURAL RESOURCES ELEMENT**

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



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

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

### C. POPULATION & ECONOMIC ELEMENT

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

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

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

### D. PUBLIC FACILITIES ELEMENT

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

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

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

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

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

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

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

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

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

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

## **E. HOUSING ELEMENT**

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

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

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

## **F. LAND USE ELEMENT**

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

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

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

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

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

## **6. SUTHERLIN DEVELOPMENT CODE STANDARDS**

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

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

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

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

## **ANNEXATION AND ZONE CHANGE**

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

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

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

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

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

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

## **1. PROPOSAL**

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

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

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

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

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

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

## **2. APPLICABLE CRITERIA**

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

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

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

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

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

B. ORS 222.125 states as follows:

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

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

### 3. CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

#### A. **GOAL 1: CITIZEN INVOLVEMENT**

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

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

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

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

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

**C. GOAL 3: AGRICULTURAL LANDS**

**D. GOAL 4: FOREST LANDS**

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

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

*To conserve open space and protect natural and scenic resources.*

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

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

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

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

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

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

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

#### **G. GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS**

*To protect life and property from natural disasters and hazards.*

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

#### **H. GOAL 8: RECREATIONAL NEEDS**

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

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

#### **I. GOAL 9: ECONOMIC DEVELOPMENT**

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

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

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



## **J. GOAL 10: HOUSING**

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

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

## **K. GOAL 11: PUBLIC FACILITIES AND SERVICES**

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

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

## **L. GOAL 12: TRANSPORTATION**

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

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

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

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

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

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

#### **M. GOAL 13: ENERGY CONSERVATION**

*To conserve energy.*

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

#### **N. GOAL 14: URBANIZATION**

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

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

#### **4. CONSISTENCY WITH SUTHERLIN COMPREHENSIVE PLAN POLICIES**

##### **A. CITIZEN INVOLVEMENT ELEMENT**

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

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

##### **B. NATURAL & CULTURAL RESOURCES ELEMENT**

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

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

##### **C. POPULATION & ECONOMIC ELEMENT**

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

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

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

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

#### **D. PUBLIC FACILITIES ELEMENT**

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

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

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

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

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

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

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

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

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

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

#### **E. HOUSING ELEMENT**

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

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

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

#### **F. LAND USE ELEMENT**

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

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

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

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

### **5. SUTHERLIN DEVELOPMENT CODE STANDARDS**

#### **A. SDC 4.8: ZONING DISTRICT MAP AMENDMENTS**

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

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

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

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

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

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

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

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

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

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

#### **CONCLUSION**

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

#### **DECISION OPTIONS**

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

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

## **STAFF EXHIBITS**

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





# Consent Agenda



**CITY OF SUTHERLIN**  
**Regular City Council Meeting**  
**Sutherlin Civic Auditorium**  
**Monday, September 11, 2017 – 7:00pm**

**COUNCIL MEMBERS:**

Tom Boggs, Wayne Luzier, Dennis Riggs, Forrest Stone, Travis Tomlinson, Seth Vincent  
**MAYOR:** Todd McKnight

**CITY STAFF:** City Manager, Jerry Gillham  
Senior City Recorder, Debbie Hamilton  
City Recorder, Diane Harris  
Assistant CM/Finance Director, Dan Wilson  
Community Development Director, Brian Elliott  
Public Works Superintendent, Aaron Swan  
Interim Police Chief, Troy Mills  
Interim Fire Chief, Mike Lane  
Deputy Fire Chief, Avery Hazzard  
City Attorney, Chad Jacobs (via Skype)

**Audience:** Kimberly Tomlinson, Gary & Michelle Dagle, Tami Trowbridge, Jim & Beth Houseman, Rich & Ann-Marie Holloway, Colin McArthur, Kelsey Zlevor, Joan Herrmann, James Thatcher, Joe Groussman, Pam Semas, Richard Troxel, Gary Fugate, Steve Major, and Sutherlin Volunteer Firefighters: Michelle Ellsworth, Wayne Ellsworth, Nathan Gardipee, Alden Standley, Kaitlyn Smith, Ron Bailey, Allison Green, Mike Buck, Thomas Shea, Tadd Held

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

**Flag Salute:**

**Roll Call:** All present

**Introduction of Media:** None

**PUBLIC COMMENT** (agenda items only)

- None

**PRESENTATIONS**

• **Ford's Pond Master Plan Update**

Community Development Director, Brian Elliott, introduced Cameron McCarthy Landscape Architecture & Planning, Colin McArthur, and Kelsey Zlevor. A Power Point slideshow was presented; McArthur provided a history of the master plan process.

Master Plan progress updates:

- Background
- Online survey results (presented by Zlevor)
  - 365 surveys completed
  - Demographics – Household size, residency, and age participates
  - Preferred Activities & Amenities
  - Potential Park Features
- Design concepts
  - Three design options to potentially include walking paths, boat access, fishing pier, paddleboard rental, restrooms, bird viewing areas, boardwalk, wetland restoration area, vehicle and pedestrian access, playground, picnic area tables and shelters.
- Next steps
  - Planning Team and Parks meetings – September 14<sup>th</sup>
  - Open House - September 28<sup>th</sup>

- Draft Master Plan – October 5<sup>th</sup>
- Final Master Plan – November 13<sup>th</sup>

McArthur stated he is really impressed with the involvement, not only from Friends of Ford's Pond, but the entire Community, it has been a great project to be part of.

#### • **Wastewater Treatment Plant Bidding & Construction Schedule Update**

Dyer Partnership Engineering & Planning, Steve Major, provided schedule updates. Bidding was scheduled for this fall with potentially not having the notice to proceed until April. Two “dry seasons” are needed for construction. If contract is awarded this fall, contractors would have to add additional costs to bids since they will be unknown at time of construction. All issues have been considered for the schedule revision. Construction start date has not varied from April 16, 2018. Completion is scheduled for October 7, 2019; 1-week later than originally identified. Construction process is expected to take 18 months.

Proposed schedule:

- Bidding – February 2018
- Bid opening – March 2018
- Bid award – March 2018
- Start Construction – April 2018

Councilor Stone expressed concerns with stalling this process; City is already paying a penalty to DEQ because the project was stalled. ***Elliott – DEQ did not enforce that penalty.***

Councilor Stone would like to see the site and staging area rocked in preparation for spring's wet season. ***Major – City is still waiting for DSL's (Division of State Lands) Corps Permit (a process started in April 2017) for confirmation to construct the line to Ford's Pond. Major explained the permit process. DEQ's, Jon Gasik, is willing to wait to write the approval letter, once the letter is submitted City has to complete the project in 2 years. Waiting until April allows time for the permits to be in place.***

Discussion continued regarding the site, wetlands, and processes required by regulatory agencies. ***Major – What agencies say on site is different than what they require when a permit is submitted. When City goes out to bid, will have all the permits and know these requirements.***

Councilor Stone – Feels we should rock the pad now City is not saving money by waiting. ***Cannot do that without approval. If City adds rock before the permit process, they may require it be removed.***

Councilor Riggs – Mandatory increases are already imposed on water rates, how much will this affect our utility consumers by pushing this back? ***Will not know until bids are opened, however not having the two “dry period” construction seasons will raise the costs. Historically, for a project this size, you get higher bids in the fall and lower bids in the spring.***

#### **CONSENT AGENDA**

- **August 14, 2017 Minutes – Regular Meeting**
- **August 28, 2017 Minutes – Workshop Meeting**

**MOTION** made by Councilor Boggs to approve Consent Agenda; second by Councilor Luzier.

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

Opposed: None

Motion carried unanimously.

#### **COUNCIL BUSINESS**

- **Douglas Electric Service Agreement – Wastewater Treatment Plant**

Staff Report – Elliott – The current 800 amp service, as identified in the design, needs to be changed to 1,000 amps to handle increased electrical load. Estimated cost for installation/construction is \$37,160.10.

**MOTION** made by Councilor Boggs to approve Douglas Electric Service Agreement \$37,160.10 for the Wastewater Treatment Plant as presented; second by Councilor Tomlinson.

Discussion: Councilor Stone questioned the need for the additional amps. ***Elliott confirmed the needed upgrade adding that the cost is already figured in the WWTP upgrade costs.***

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

Opposed: None

Motion carried unanimously.

- **Transportation Management Growth/Transportation System Plan Grant Approval (TMG/TSP)**

Staff Report – Elliott – City applied for a TMG Grant to assist in financing the TSP update. City’s match of \$23,182 is “in-kind” and/or dollar match; it can include hours from Staff, Councilors, and community stakeholders involved in the process. Staff is seeking Council approval to accept the \$170,000 grant.

**MOTION** made by Councilor Luzier to approve TMG/TSP Grant for \$170,000 as presented; second by Councilor Vincent.

Discussion: Councilor Stone – Does City have to come up with the match before anything else? *No.*

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

Opposed: None

Motion carried unanimously.

## **REPORTS**

- **Fire Services Update**

City Manager, Jerry Gillham – Finance Director, Dan Wilson, and Interim Fire Chief, Mike Lane, are present to answer data questions. Would like to review data and get direction from Council on how to move forward with hiring a Fire Chief.

*Wilson – Council requested data associated with cross-training city employees for firefighting. The report provides costs associated with training, call outs, and incentive pay. A lot of the costs shown are not actual “extra” out-go for the city. These employees were paid their normal “city duty” wages however, there were being trained as firefighters instead. Some extra training was required and overtime was paid. Call-out costs depends on if the call was during normal work hours or after hours.*

City Manager – Hiring and technical teams were put together for the purposes of hiring a Fire Chief. However, after almost 3-weeks the City did not receive recruitment responses. The hiring team suggested going a different direction, to slow up, not move towards hiring a Chief, but to look at various options and report back to Council. Chief Lane will assist in the process.

- Continue to rotate retired Chiefs on a 6-month rotation
- Look at other available unique/hybrid options
- Hire a Fire Chief

Councilor Stone questioned the need for training so many employees and if call-outs are tracked. *Wilson – Fire Department is keeping track of who responds.*

Councilor Tomlinson – Need to remember, we still need people to fight fires. Numbers from the analysis will help decide the best plan. Main thing is to make sure people in our City are safe, to assist our volunteers, keep everything moving, and to have a plan.

Councilor Stone – The only other plan is to have union firefighters, City cannot afford that.

Councilor Luzier recommended expanding the team to include outside input such as citizen involvement other than just Councilors.

Mayor McKnight reiterated he wanted to bring this to the whole Council first to make sure all are on board, and then move forward with possibly some town hall meetings, etc.

*Lane responded to Councilor Stone’s earlier statements about having too many cross-trained employees. Even though there were costs associated with training, he is glad there are 13 employees also trained to fight fires.* Councilor Stone questioned how many are not showing up to fires.

*Public Works Superintendent, Aaron Swan – When employees were paged, there was a good response every time, even after work hours.*

Councilor Stone – Want to know how many volunteers show up. As a contractor, when there are too many at a job site, there is chaos. Do we really need 13 paid employees showing up for a fire volunteers are also responding to and you only need 4 there?

*Lane – I could never have enough people responding to a call. To be OSHA (Occupational Health & Safety Administration) & NFPA (National Fire Protection Association) compliant you need 12 to 14 at a residential fire. If there isn’t enough, we have to wait for other fire departments to respond. Will do everything possible to fight the fire.*

*City Manager – The hiring team suggested a third-party person be brought in to work with Chief Lane.*

Mayor McKnight called resident and business owner, Gary Dagle, to the front of the room to provide a Business Registration Committee update.

Dagle – Have finished committee meetings, over 20 different business have attended the meetings and have put together some final points. A community meeting will be held at the Sutherlin Community Center, Tuesday, September 19<sup>th</sup> at 7:00pm. Dagle reported on outreach efforts for businesses to attend. Feels the committee has come to a good consensus, a simple plan and hoping for Council approval. Would like to thank Council for supporting this, this is how good government should work.

### **CITY COUNCIL COMMENTS**

#### **Councilor Boggs –**

- Would like to acknowledge 9/11 today, a very good showing of flags are out in town.

#### **Councilor Tomlinson –**

- Newly paved side streets look good; hoping the community sees the city's improvements.

#### **Councilor Luzier –**

- N. Comstock is completed except for striping, it looks good.
- Grand Opening tonight at Central Park was great; the kids are really enjoying it.

#### **Councilor Riggs –**

- Impressed with new playground/splash pad, at first was a little skeptical, but every time I drive by there are kids enjoying it. Good job.

#### **Councilor Vincent –**

- Would like to acknowledge those who paid ultimate sacrifices on 9/11 and continue to do it for our country, it's much appreciated.
- Thanks to City Staff and the community's hard work for putting the playground/splash pad together and making the Grand Opening happen; the kids are really enjoying it.
- Would like to thank our volunteer fire services for their hard work and willingness to respond at a moment's notice.

#### **Councilor Stone –**

- When will striping be done on N. Comstock? *Swan – Tentatively scheduled for end of this week.*
- How is the UGB (Urban Growth Boundary) swap going? *Elliott – We are bringing an update to Council at September 25<sup>th</sup> workshop. What are the issues with ODOT? They are stating we need to do a Traffic Impact Study (TIS) before moving forward.*

#### **Mayor McKnight –**

- Acknowledged the flags in town on both Labor Day and 9/11. Would like to mention there were a lot of different volunteers helping the Lion's Club with the flags.
- Big thank you to Staff for tonight's special Playground/Splash Pad Grand Opening event.
- Side street repairs look great; hopefully citizens are also seeing the street improvements.

### **PUBLIC COMMENT –**

- None.

### **ADJOURNMENT –**

With no further business meeting adjourned at 8:03pm.

Approved:

\_\_\_\_\_  
Jerry Gillham, City Manager

Respectfully submitted by,

\_\_\_\_\_  
Diane Harris, City Recorder

\_\_\_\_\_  
Todd McKnight, Mayor

**CITY OF SUTHERLIN**  
**City Council Workshop Meeting**  
**Sutherlin Civic Auditorium**  
**Monday, September 25, 2017 – 7:00pm**

**COUNCIL MEMBERS:**

**MAYOR:** Tom Boggs, Wayne Luzier, Dennis Riggs, Forrest Stone, Travis Tomlinson, Seth Vincent  
Todd McKnight

**CITY STAFF:** City Manager, Jerry Gillham  
Senior City Recorder, Debbie Hamilton  
City Recorder, Diane Harris  
Assistant CM/Finance Director, Dan Wilson  
Public Works Superintendent, Aaron Swan  
Community Development Director, Brian Elliott  
Public Works Superintendent, Aaron Swan  
Police Chief, Troy Mills  
Interim Fire Chief, Mike Lane  
City Attorney, Chad Jacobs (via Skype)

**Audience:** Tami Trowbridge, Gary Dager, Pat Greer, Jim Houseman, Gayla Holley, Allen Peterson, Kristi Caviness, Rich & Ann-Marie Holloway, Paul Glazner

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

**Flag Salute:**

**Roll Call:** All present

**Media:** None

Mayor McKnight reported the public is welcome to comment during the workshop.

**AGENDA CONFIRMATION**

• **October 9, 2017 Agenda**

City Manager – Resolution 2017.04 – Technical Assistant Grant Approval has been added to the agenda and another item may be added, as well.

Mayor McKnight asked Business Registration Committee Chair, Gary Dager, if he would like to add his update to the October 9<sup>th</sup> agenda, providing more notice to those wanting to attend. Dager agreed.

**COUNCIL PRIORITY PROGRESS REPORT**

Strategic Plan Changes: Community Development Director, Brian Elliott, stated Water Rights Agreement Update needs to be moved to November. City is still waiting to receive comment from Oregon Health Authority and Oregon Water Resource Department. This also pertains to the Water Master Plan and Water Management & Conservation Plan.

**COUNCIL COMMENTS**

**Councilor Boggs –**

- None.

**Councilor Tomlinson –**

- Would like to thank the Sutherlin Volunteer Firefighters for their Challenge of the Heroes fundraiser that he attended at Fusion French Quarter, they are doing a good thing.
- Remember what you read on the internet may not be true; people should find out the facts and not jump to conclusions.

**Councilor Luzier –**

- None.

**Councilor Riggs –**



- None.

**Councilor Vincent –**

- None.

**Councilor Stone –**

- Would like compliment Sutherlin Police Department for a job well done during the recent Police “stand-off”.

**Mayor McKnight –**

- None.

## **WORKSHOP**

- **Review Urban Growth Boundary (UGB) Proposal**

Elliott summarized the Staff Report and introduced Douglas County Planning Department’s Joshua Shaklee & Lisa Hawley and Sutherlin’s Community Development Specialist, Kristi Gilbert, who are available to answer questions. The UGB swap is a Council Priority and in the Strategic Plan. Have been working on this project for a little over 2-years, and attended many meetings with numerous agencies. Planning Commission recommends moving forward with approving the UGB exchange, annexation and zone changes, and TIS (Traffic Impact Study) as directed by ODOT. Have reached out to 3 engineering firms for the TIS; one has responded very well. The study is expected to take 6 to 8 weeks to complete. This process extends the projects timeline, but is the right thing in moving forward. UGB completion date has been moved from January/February 2018 to April/May 2018.

Questions:

- Councilor Stone – Has there been any negative feedback on this? *Elliott – Have gone through a question and answer process, no negative feedback has been submitted.*
- Councilor Boggs – Once completed will Ft. McKay to Church Road still designated as a County road? *Yes.* This report states Ft. McKay is considered a “minor” intersection, however there is now and will be additional traffic flow. *That will be identified in the TIS and TSP (Transportation System Plan).*

Discussion continued regarding standards used to identify the designations, and the current traffic impact on that road.

- Councilor Boggs suggested asking County to bring that road up to City standards, and then the City taking that portion over.

**City Manager, Jerry Gillham – This boundary swap was expected to be done a year ago; however the state land use processes and bureaucracy has been an extreme challenge.**

- **City Organization**

City Manager – This City Organization vision started about 4 years ago, have been pre-positioning the City to adjust the organization and skill set to match the changing and increasing demand for services. Current and proposed structure was given in a PowerPoint presentation:

- To bring back a full-time front office position rather than a shared position between CDD and Finance Departments.
- The amount City currently pays Douglas County (DC) for planning services will be used to restore the City Planning position. Services provided by DC will be scaled back.

Elliott summarized the CDD’s staff, responsibilities, projects, and goals.

- Planner will assist with numerous land use actions, building approvals, and construction projects.
- The number of land use actions and building approvals in 2016 was 88; as of September 2017, that number is 96.

City Manager reiterated that City will not be adding more staff, but reallocating funds.

Questions:

- How will that work, our Planning Department can’t do what the County has been doing? *We believe the new planner can do most everything, if there are specialized projects we will still contract with the County for that project. It will be on a case by case basis.*

Police Chief, Troy Mills presented the current and proposed Police Department’s structure:

- Have removed 2 Lieutenant positions; replacing them with 1 Captain and 2 Patrol Sergeants.
- New structure provides upward mobility options and mentoring of officers to be future leaders. Problems arise without the upward mobility, officers leave to seek out advancement and development opportunities.

- Responsibilities for Captain and Sergeant positions were presented.
- Proposing to add 1 police officer to the department in 2018 and another in 2020.
- Sutherlin's population in 1990 was 5,020; 2000 – 6,706; 2010 – 7,810; and in 2016 – 8,025 plus with Oakland's contract for coverage, their population is 942 making that total 8,967.
- Have had a total of 13 officers for the last 15 years, in 2002 had 4,800 average calls; and in 2016 had just under 10,000 calls. Officers spend most of their time investigating their case-loads and have little time to patrol.
- The City is continuing to grow, would like to be ahead of the ball rather than behind it.

Discussion continued regarding the officer structure and need for upward mobility.

## **PUBLIC COMMENT**

City Manager explained Paul Glazner would like to approach Council for approval to hook up to City water services. Glazner is building a home on property where an existing structure once stood, but is located outside city limits and UGB. Glazner provided copies of the Sutherlin Municipal Code – Chapter 13.04 Water Service System. City Manager explained the unique situation regarding this request.

Questions:

- Is the existing well on the property still operating? ***Glazner – The well, installed in 1950-55, is still operating however has high sulfur content. Intent was to use city water for the house and well for irrigation.***
- Is sewer service available at the street? ***Gilbert – No, services are not close to that property.***
- Do you want to annex into the UGB? ***City Manager –Part of the agreement is he has to be willing to annex.***

Gilbert provided a map for Council to review showing the location of the property and boundaries. It was by Council consensus to approve the request as long as he agreed to annex into the UGB and pay necessary fees.

Glazner thanked Council for their consideration.

## **ADJOURNMENT** –

With no further business meeting adjourned at 7:42pm.

Approved:

\_\_\_\_\_  
Jerry Gillham, City Manager

Respectfully submitted by,

\_\_\_\_\_  
Diane Harris, City Recorder

\_\_\_\_\_  
Todd McKnight, Mayor





# **COUNCIL BUSINESS**





## City of Sutherlin

STAFF REPORT					
Re: Resolution # 2017.14: Technical Assistance Grant to update the 1990-91 Comprehensive Plan, Public Facilities Element & Plan Map				Meeting Date:	10-09-2017
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 2017.14					

### WHAT IS BEING ASKED OF COUNCIL?

To Approve Resolution # 2017.14 supporting City Staff to apply for a Technical Assistance Grant from the Department of Land Conservation and Development (DLCD) to update the City's 1990-1991 Comprehensive Plan, Public Facilities Element and Comprehensive Plan Map.

### EXPLANATION

A **Comprehensive Plan** is a road map that guides a municipality's decision related to its future growth and development. It expresses the vision, goals, strategies, and policies for our City and is intended to be implemented over next to twenty years. The City of Sutherlin will be required to match approved grant with an in-kind and/or cash match amount as required, in an amount to be determined.

### OPTIONS

Approve Resolution # 2017.14 as presented.  
Not approve Resolution # 2017.14 as presented.

### SUGGESTED MOTION(S)

Move to approve Resolution # 2017.14 as presented.

**RESOLUTION NO. 2017.14**

**A RESOLUTION SUPPORTING A TECHNICAL ASSISTANCE GRANT  
APPLICATION BEING SUBMITTED BY THE CITY OF SUTHERLIN TO THE  
DEPARTMENT OF STATE LANDS FOR A COMPREHENSIVE PLAN, PUBLIC FACILITIES  
ELEMENT AND COMPREHENSIVE PLAN MAP UPDATE**

**WHEREAS,** Comprehensive Plan updates, in whole or part, to address new needs, comply with current and new state or federal regulations, maintain consistency with statewide planning goals, and

**WHEREAS,** Comprehensive Plan implementation, such as Citizen Involvement Element, Natural and Cultural Resources Element, Population and Economic Element, Public Facilities Element, Housing Element, Land Use Element; and

**WHEREAS,** Comprehensive Plan refinement, such as Transportation System plans, Development Code, multimodal safety plans, or other planning to implement Oregon statewide modal and topic plans; and

**WHEREAS,** other innovative economic and/or development related projects that are consistent with Technical Assistance objectives;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SUTHERLIN AS FOLLOWS:**

**Section 1:** The City Council of the City of Sutherlin, Oregon hereby endorses the application of a grant through the Department of Land Conservation and Development that would lead to an updated Comprehensive Plan, Public Facilities Element and Comprehensive Plan Map.

**Section 2:** The City of Sutherlin is the second largest city in Douglas County, with an increase in population each year. As the City boundaries continue to expand, a revised Comprehensive Plan, Public Facilities Element and Plan Map become vital components of future projects.

**Section 3:** The Department of Land Conservation and Development Technical Assistance Program provides competitive grants that help Oregon communities prepare and update local land use plans and implementing ordinances to respond to growth management, resource protection issues, and changes in state agency programs and requirements. To improve the City's chance of obtaining a TA grant, the City intends to support the grant application with an in-kind and/or cash match, as required, in an amount to be determined.

**Section 4:** This Resolution shall be effective following its adoption by the City of Sutherlin City Council.

**PASSED BY THE CITY COUNCIL OF THE CITY OF SUTHERLIN, OREGON AND SIGNED BY  
THE MAYOR ON THIS 9TH DAY OF OCTOBER, 2017.**

---

Mayor, Todd McKnight

Attest: \_\_\_\_\_  
City Recorder, Diane Harris



## City of Sutherlin

STAFF REPORT					
<b>Re: Purchase Approval for the Decorative Tree Grates and Frames for the Downtown Streetscaping.</b>				Meeting Date:	10/09/2017
<b>Purpose: Central Avenue Paving Improvement Project.</b>	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By: Brian Elliott, Community Development Director</b>				City Manager Review	<input checked="" type="checkbox"/>
<b>Attachments:</b> Tree Grate and Frame designs & Quote					

### WHAT IS BEING ASKED OF COUNCIL?

City Council is being asked to approve the purchase for the Decorative Tree Grates and Frames in the amount of \$52,389.68.

### EXPLANATION

On July 24, 2017 City Council approved and awarded the Central Avenue Paving Improvement project to Guido Construction, Inc. Part of this project was the Downtown Streetscaping which included the installation of the decorative tree grates (Grates Procured by the City). The purchase of the decorative tree grates was included in the overall project budget.

### OPTIONS

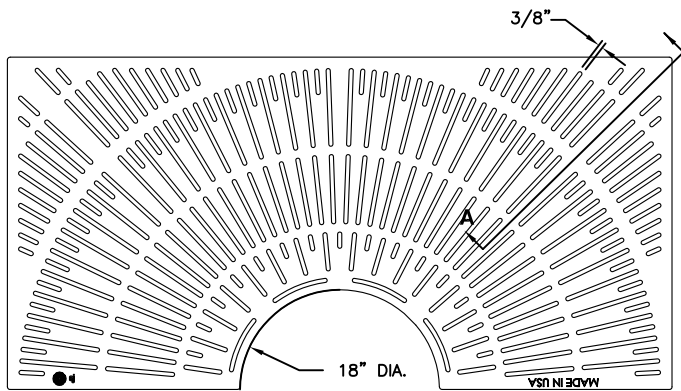
Approve the purchase of the decorative tree grates and frames in the amount of \$52,389.68

Not approve the purchase of the decorative tree grates and frames in the amount of \$52,389.68

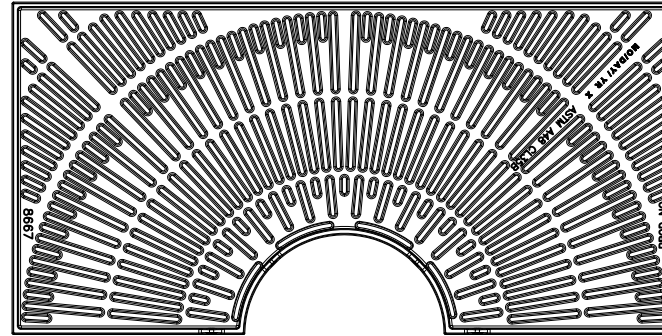
### SUGGESTED MOTION(S)

City Council approve the purchase of the decorative tree grates and frames in the amount of \$52,389.68

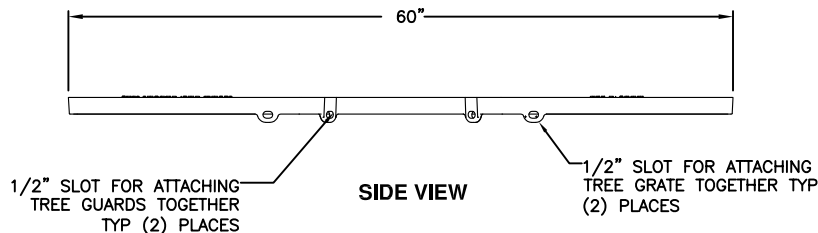
# 8667 Tree Grate



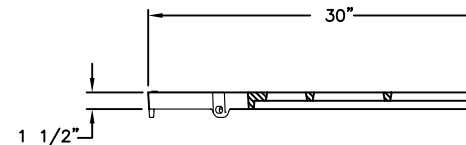
PLAN VIEW



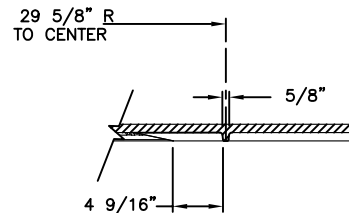
BOTTOM VIEW



SIDE VIEW



GRATE SECTION



SECTION A-A  
SUPPORT BARS

## Product Number

00866731

## Design Features

- Materials  
Gray Iron (CL35B)
- Design Load  
Non-Traffic
- Open Area  
n/a
- Coating  
Undipped
- ✓ Designates Machined Surface

## Certification

- ASTM A48
- ADA
- Country of Origin: USA

## Drawing Revision

9/19/2003 Designer: SMH  
4/9/2013 Revised By: DAE

## Disclaimer

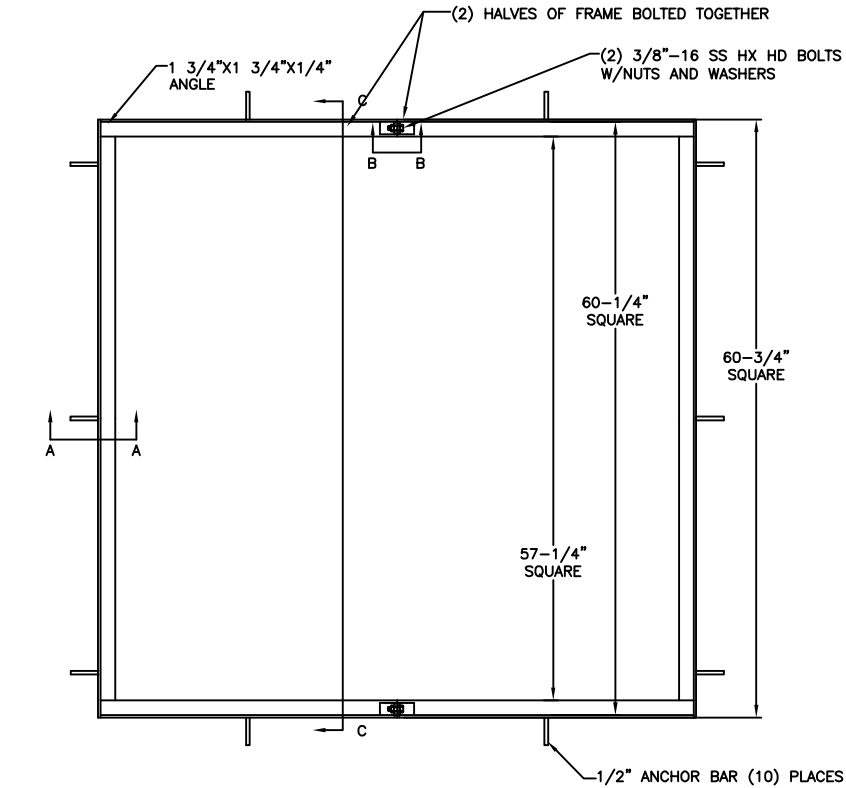
Weights (lbs./kg) dimensions (inches/mm) and drawings provided for your guidance. We reserve the right to modify specifications without prior notice.

CONFIDENTIAL: This drawing is the property of EJ GROUP, Inc., and embodies confidential information, registered marks, patents, trade secret information, and/or know how that is the property of EJ GROUP, Inc. Copyright © 2012 EJ GROUP, Inc. All rights reserved.

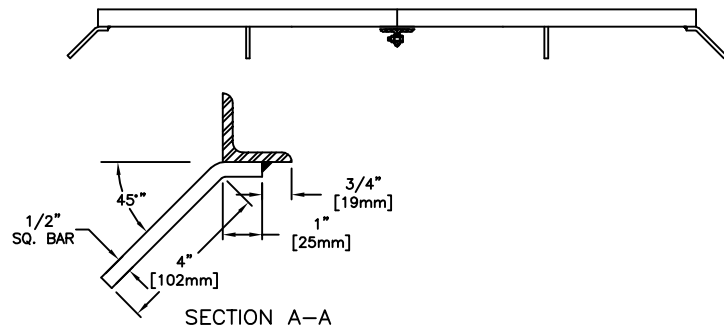
## Contact

800 626 4653  
ejco.com

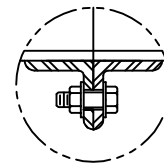
# 60" Square Steel Tree Frame



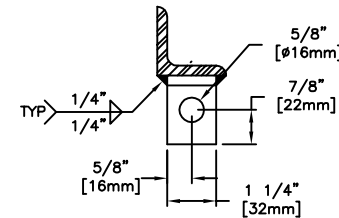
SECTION C-C



SECTION A-A



SECTION B-B



BOLT TAB DETAIL

NOTE: BLACK RUSTOLEUM COATING.

PARTS TO HAVE PRODUCT NUMBER PAINTED (STENCILED) ON FOR IDENTIFICATION

## Product Number

00868210

## Design Features

- Materials
  - See Notes
- Design Load
  - Non-Traffic
- Open Area
  - N/A
- Coating
  - See Notes
- √ Designates Machined Surface

## Certification

- Weight: 87 Lbs
- 
- Country of Origin: USA

## Drawing Revision

06/02/2008 Designer: CJC  
01/06/2017 Revised By: BDD

## Disclaimer

Weights (lbs/kg), dimensions (inches/mm) and drawings provided for your guidance. We reserve the right to modify specifications without prior notice.

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## Contact

800 626 4653  
ejco.com



# Quotation

[ejco.com](http://ejco.com)

800 626 4653

Account Name City of Sutherlin  
Ship to 1020 S. Calapooia, Sutherlin, OR, US, 97479  
Bill to 126 E. Central Ave., Sutherlin, OR, US, 97479  
Full Name Aaron Swan  
Business Phone (541) 459-2856  
Email [a.swan@ci.sutherlin.or.us](mailto:a.swan@ci.sutherlin.or.us)  
Business Fax (541) 459-5765  
Close Date 9/28/2017

Quote Number 00140807  
Quote Name Sutherlin Tree Grate Project  
Created Date 3/15/2017  
Expiration Date 11/30/2017  
Prepared by Frank Ray  
Email [frank.ray@ejco.com](mailto:frank.ray@ejco.com)  
Phone (503) 550-1828  
Fax

Quantity	Product N°	Line Item Description	Notes	Total Weight	Sales Price (USD)	Total Price (USD)
84	00866731	8667 60 SQ TREE GR 1/2 ADA UND	114 in stock in Michigan Distribution yard 2-3 weeks to transfer out.	22260	525.39	44132.76
36	00868210	60 SQ ST TREE FR SET 2PC	1 in stock in Marysville, WA. yard. 49 in stock in Michigan Distribution yard.	2160	215.47	7756.92

Weight	24420
Subtotal	51889.68 USD
Freight	500.00 USD
Grand Total	52389.68 USD

## Notes and Comments



# **REPORTS**





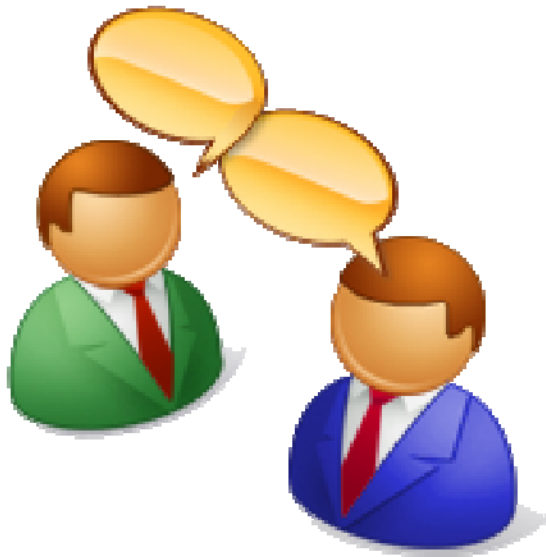


# **LIBRARY OPERATIONS UPDATES**





# **COUNCIL COMMENTS**





# **PUBLIC COMMENT**



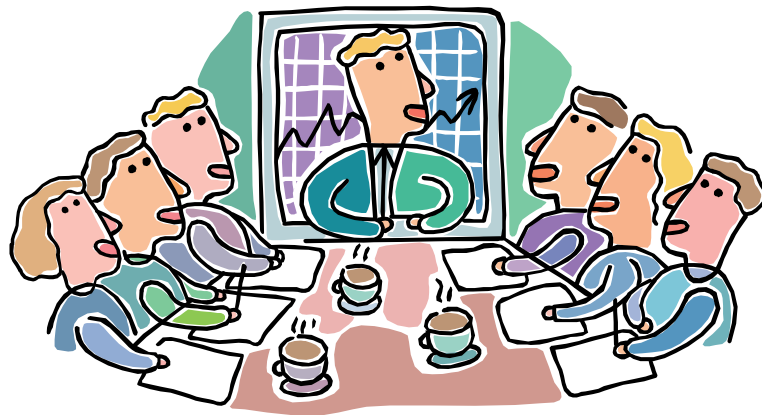


# ADJOURNMENT





# **Executive Session**





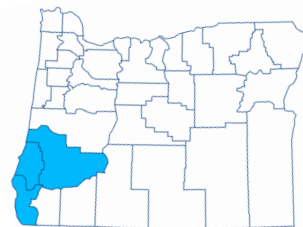
# **FOR YOUR INFORMATION**



# Southwest Oregon Economic Indicators

September 2017 (August 2017 Data)

For data or publications on Southwestern Oregon, visit us at: [QualityInfo.org](http://QualityInfo.org)

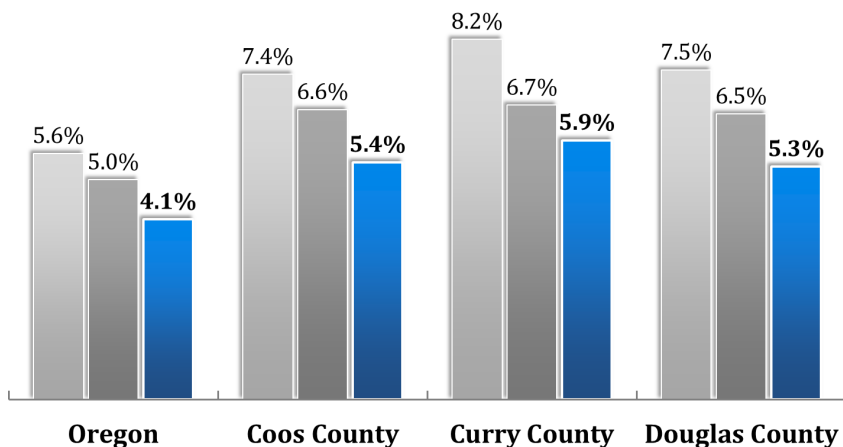


## Local and State Unemployment Rates

(Seasonally-adjusted)

Source: Oregon Employment Department, LAUS

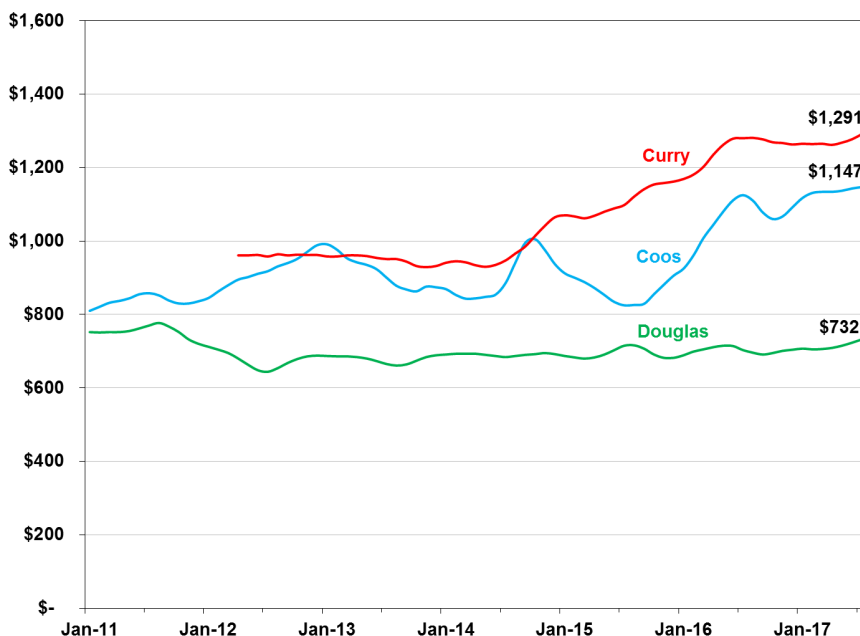
■ August 2015 ■ August 2016 ■ August 2017



## Graph of the Month

Multifamily Rental Prices in Southwest Oregon

Source: Zillow Rent Index, Zillow Research Division



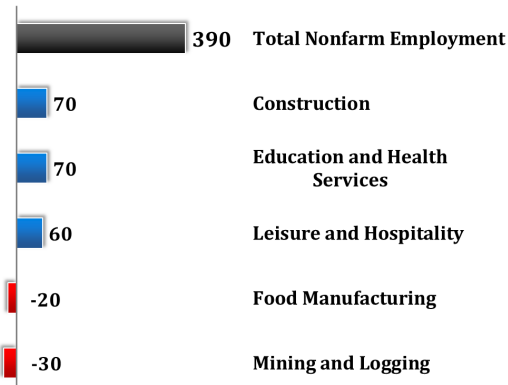
By gathering data on listings, prior sales, tax assessments, and geographic locations of millions of homes and rentals, Zillow produces an index of rental prices to observe trends over time. According to their Zillow Rent Index, median rents for Southwest Oregon are slowly rising for two of its counties - Curry and Coos. As of July 2017, median rents for multifamily units (typically apartments) were \$1,291 for Curry County, \$1,147 for Coos, and \$732 for Douglas.

## Industry Gains and Losses

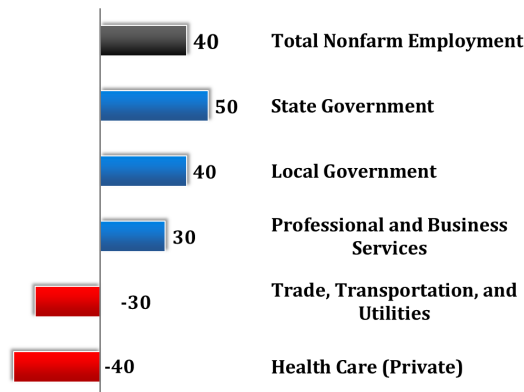
(Over-the-year net change in employment)

Source: Oregon Employment Department, CES

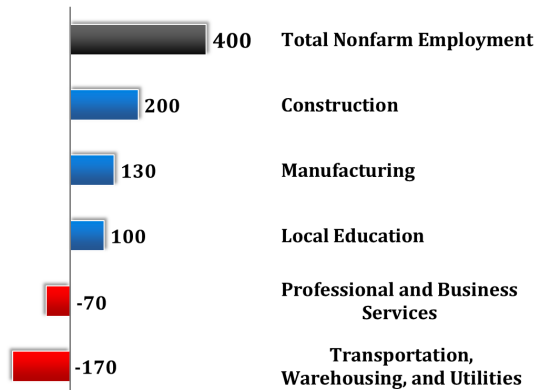
### Coos County Net Job Growth



### Curry County Net Job Growth



### Douglas County Net Job Growth



## Diane Harris

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**From:** Diane Harris  
**Sent:** Wednesday, October 04, 2017 8:39 AM  
**To:** Ashley KQEN News (ashley@bciradio.com); DC Commissioners; KUGN; KYLE-KQUEN; News Desk (newsdesk@nrtoday.com); Register Guard; Roseburg Beacon; Vera Westbrook (vwestbrook@nrtoday.com)  
**Subject:** Public Meeting Notice  
**Attachments:** CC AGENDA OCT 9.17 Meeting.pdf

Good morning,

Please see attached agenda for the October 9<sup>th</sup> Sutherlin City Council Meeting!

Have a great day,

Diane Harris  
City Recorder  
126 E Central  
Sutherlin, OR 97479  
541-459-2856 x 207  
[d.harris@ci.sutherlin.or.us](mailto:d.harris@ci.sutherlin.or.us)