



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

HEARING DATE: July 6th, 2021

PROJECT NUMBER: SUB-2021-100

OWNER/APPLICANT: Wade and Angela Rogers
9608 Happy Days Ln
Powell Butte OR 97753

ENGINEER: Parametrix- Dave Munsell
150 NW Pacific Park Lane Ste. 110
Bend OR 97701

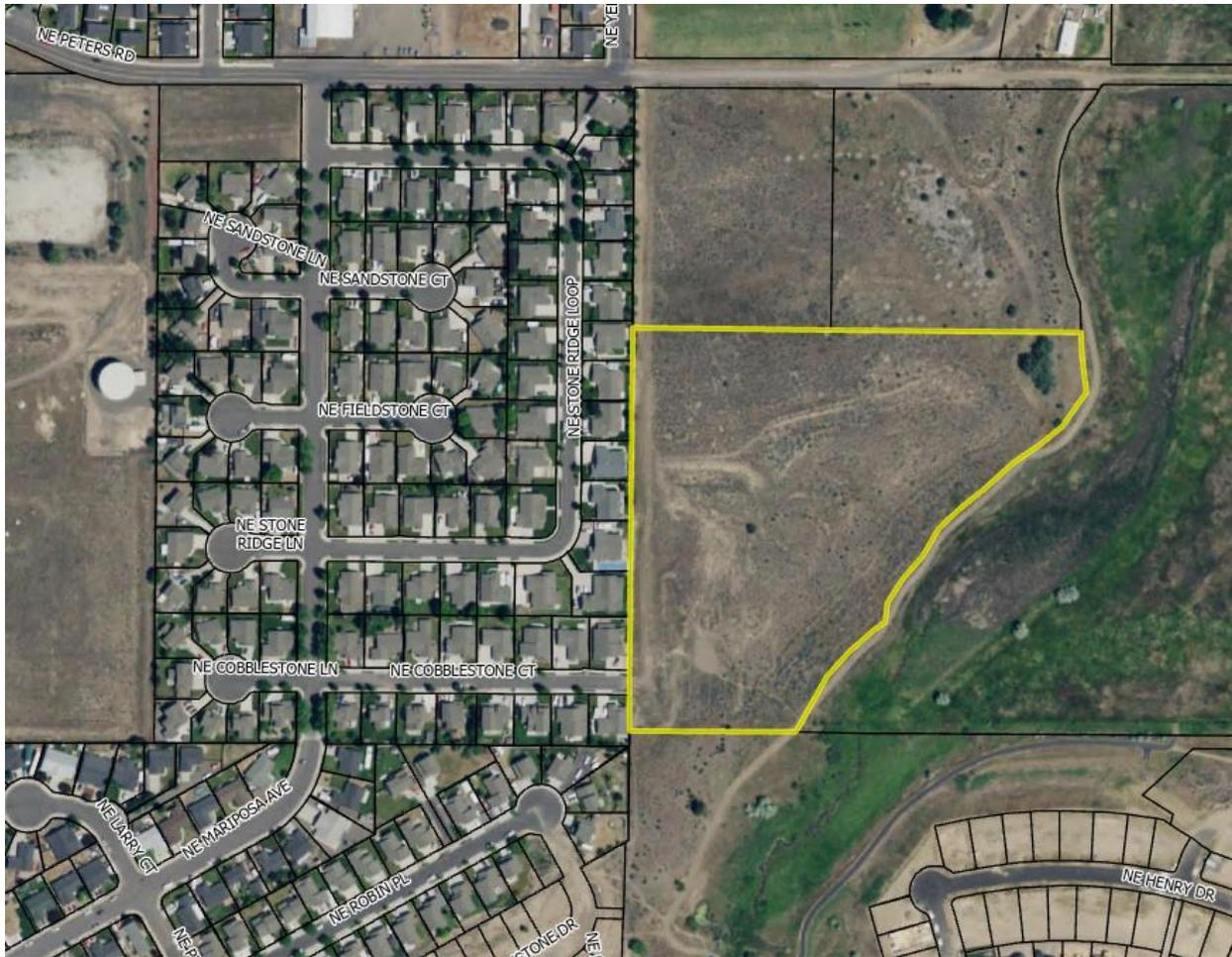
PROJECT REVIEWERS: Joshua Smith Casey Kaiser
Planning Director Senior Planner

APPLICABLE CRITERIA:

(1) City of Prineville Code of Ordinances, Title XV, Sections – 153.009, 153.014, 153.035, 153.036, 153.046, 153.051, 153.080 – 153.096, 153.135 - 153.138, 153.155 – 153.157, 153.159, 153.164, 153.190 – 153.200.

FINDINGS OF FACT:

- 1. PROPOSAL:** The applicant is proposing a 39 lot single-family residential subdivision built to City standards. The subdivision will have a drainage area, park and trail connection dedicated to the City. The park and trail connection will enhance the development of the Barnes Butte Recreation Area.
- 2. LOCATION:** East of the Stone Ridge Subdivision at the end of Cobblestone Ct. Further identified as Map and Tax lot 14-16-32AB 00100.
- 3. LOT OF RECORD:** The property is a legal lot of record as a portion of parcel 1 of PP. 2004-15 through two boundary adjustments: Planning Applications BA-06-507 & BA-06-510, County Surveys 2467 & 2592 respectively.
- 4. ZONING:** The subject property is zoned R2 (General Residential).
- 5. SITE DESCRIPTION:** The property is vacant and vegetated with a sagebrush upland plant community that slopes to the southeast down to what is known as the Hudspeth wetland/drainage. A City pedestrian trail follows the southeastern boundary between the property and the wetland. See 2020 aerial image with the property highlighted below.



6. **COMMENTS:** Written notice was provided to neighboring property owners, plus all of the residences on NE Cobblestone Ct. Notice was provided to other agencies and departments electronically, through the development review committee (DRC) e-mail list. Notice was published in the local newspaper 10-days prior to the hearing. No comments were received prior to the completion of this staff report.
7. **FINDINGS SUMMARY:** The tentative plans submitted by the applicant and the improvements depicted therein are the foundation of this approval. The applicant shall complete the project in a manner consistent with the plans and documents submitted as part of this application or as modified in the conditions of the final decision and in compliance with the requirements of the City's standards and specifications and land use code. The proposal is compatible with the Comprehensive Plan by providing for needed housing, orderly development and economic growth. All 39 proposed lots meet frontage requirements, minimum lot size and minimum density standards of the zone. All Public infrastructure including streets, water, sewer and other utilities such as power, phone, cable, gas etc., shall be constructed "to and through" each lot in the subdivision to City Standards and Specifications. All infrastructure shall be reviewed and approved by the City Engineer and constructed or bonded for prior to signing the final plat. Cobblestone Ct. shall be extended north through City property to provide the

required two access points for a subdivision of this size. A small "pedestrian alley" shall be dedicated as right-of-way in the SW corner of the subdivision that will provide a paved trail connection and access for the off-site sewer connection. The applicant shall obtain a minimum 20' sewer easement for this sewer connection to the benefit of the City, that will connect the subdivision south across the neighboring property to an existing sewer line. The applicant shall dedicate the proposed park area, drainage swale and eastern paved trail connection as a separate lot to the City. At a minimum the applicant shall provide a uniform fence along the eastern boundary of the proposed lots as approved by the Planning Commission. The applicant is proposing a 4 foot black vinyl chain link fence. An engineered grading plan shall be provided to ensure all lots are buildable prior to signing the final plat. Stormwater drainage will be reviewed again during the construction drawing phase. It is the City's desire to maintain all drainage within the proposed swale along the City trail and not develop any drainage facilities in the proposed park area or City property to the north as depicted on the tentative plans. Unless requested differently by emergency services due to the improper street extension (Ct.), Cobblestone Ct. shall continue through to Peters Road as currently named. Cobble Ridge Drive shall be re-named to "Cobble Ridge Loop".

Criteria: 153.009 COMPLIANCE WITH OTHER RULES AND REGULATIONS.

(A) Approval of any use or development proposal pursuant to the provisions of this chapter shall require compliance with and consideration of all applicable city, county, state and federal rules and regulations.

(B) The compliance shall be evident prior to the final approval of any affected land use or development proposal; for example, the compliance may be set forth as a condition of final approval.

(C) Specific city, county, state and federal rules and regulations that may affect a specific land use or development for which compliance therewith is required if applicable include, but are not necessarily limited to the following.

(1) Air quality standards administered by the State Department of Environmental Quality (DEQ) and/or the Federal Environmental Protection Agency (EPA).

(2) Noise pollution standards administered by DEQ and/or EPA.

(3) Water quality standards administered by DEQ, state Water Resources Department (WRD) and/or EPA.

(4) Sewage disposal regulations administered by DEQ, County Environmental Health and/or EPA.

(5) Solid waste disposal regulations administered by DEQ and/or EPA, including those applicable to hazardous wastes.

(6) Uniform Building Code administered by the City-County Building Department and State Building Codes Agency.

(7) Surface and ground water withdrawals regulated by WRD.

(8) Scenic area rules administered by the State Highway Division (OSHD), state parks and/or other state or federal agencies.

(9) Access control and management regulations administered by OSHD and/or the County Road Department.

(10) Surface mining regulations administered by the State Department of Geology and Mineral Industries (DOGAMI), DEQ and other state or federal agencies.

(11) Wild and scenic river regulations administered by the State Parks and Recreation Department (OPRD), the U.S. Bureau of Land Management (BLM) or other state and federal agencies.

(12) Cut and fill, and wetland regulations administered by the Division of State Lands (DSL).

(13) Fish and wildlife habitat protection rules administered by the State Department of Fish and Wildlife (ODFW) and/or the U.S. Fish and Wildlife Department (USFW).

(14) Applicable City and/or County ordinances, resolutions, agreements, regulating master plans or other land use decisions.

Finding 1: The applicant shall comply with all City, County, State and federal rules and regulations. These rules and regulations include but are not limited to, meeting the City's standards and specifications for all public infrastructure. The applicant shall plat the subdivision to City, County and State standards and meet Crook County Building Department requirements for all onsite construction.

Criteria: 153.014 GENERAL CRITERIA.

In determining whether or not any application shall be approved or denied, it shall be determined that the following criteria are either met or can be met through compliance with specific conditions of approval.

(A) *The proposal is compatible with the City Comprehensive Plan and applicable policies set forth thereby.*

(B) *The proposal is in compliance with the requirements set forth by the applicable primary zone, by any applicable combining or overlay zone, and other provisions set forth by this chapter that are determined applicable to the subject use.*

(C) *That, for a proposal requiring approvals or permits from other local, state and/or federal agencies, evidence of the approval or permit compliance is established or can be assured prior to final approval.*

(D) *The proposal is in compliance with specific standards, conditions and limitations set forth for the subject use in the applicable zone, this section and this chapter.*

(E) *That no approval be granted for any use which is or expected to be found to exceed resource or public facility carrying capacities.*

(F) *For any use which is found to require compliance with air, water, land, solid waste and/or noise pollution standards, that the compliance be a condition of approval and compliance therewith shall be a continuing condition.*

Finding 2:

A) The proposal is compatible with the Comprehensive Plan by providing for needed housing, orderly development and economic growth.

B) The proposal is in compliance with the applicable zone. A small portion of the property extends within the Natural Features Overlay Zone due to the required setback (50ft.) for the adjacent wetland (Hudspeth drainage). No portion of the subject property is within the wetland. The majority of the required setback is already developed as a City trail on City property adjacent to the wetland, which is specifically allowed by section 155.040 of the Natural Features Overlay District. The portion of the setback on the subject property is adjacent to the trail and proposed to be dedicated to the City. The area will be constructed as a stormwater retention area and dedicated park area that will be naturally vegetated.

C) The applicant is required to acquire a 1200-C permit from DEQ during construction of the subdivision. Construction drawings signed by the City and all other utilities are also required by the City of Prineville. The City is not aware of any approvals or permits from other local, state and/or federal agencies.

D) The proposed use complies with subdivision standards (City Code 153.157) and limitations of the R2 zone or can comply through conditions of approval.

Parkview Estates Subdivision
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- E) The proposal has been reviewed by the City Engineer and is not expected to exceed carrying capacity with regard to sewer, water and traffic.
- F) Any future use of this property shall comply with local, state or federal pollution standards. If it is identified that such standards are being exceeded, measures shall be taken to bring the use back into compliance.

Criteria: 153.035 RESIDENTIAL USE TABLE
Subdivisions (4 or more lots): Conditional use Type 2

153.046 GENERAL RESIDENTIAL R-2 ZONE.
In an R-2 Zone, the following regulations shall apply.
(A) **Purpose.** *It is the purpose of the R-2 Zone to provide for residential areas which permit a mixture of a variety of housing types at various densities in a more planned type of development design, including a minimum of nonresidential commercial convenience and service type uses in more accessible proximities for the purposes of providing for conveniences and services to the dominant intended residential users of the area.*

Finding 3: The proposed 39 lot subdivision is defined as a type 2 conditional use in the residential use table. As such this subdivision is required to be reviewed by the Planning Commission through a public hearings process, which is scheduled for July 6th, 2021.

Criteria: 153.036 RESIDENTIAL DIMENSIONAL STANDARDS

Minimum lot area (public water and sewer required)

R2	-	Single family dwelling/duplex	5,000sf
	-	Min. Net Density for Subdivisions ¹	4/acre

¹ *The City may grant an exception to the minimum density standards based on site specific issues that make such density infeasible such as: steep slopes, floodplain, and wetlands.*

Minimum Street Frontage (ft.):

Standard Street:	50
Cul-de-sac:	35

Finding 4: All 39 proposed lots are greater than the minimum lot size of 5000 s.f. The minimum density requirement is 4 lots per acre. With ~8.5 acres of developable property minus the street dedication of ~3.3 acres, the applicant is required to have at least 34 lots. The park and drainage area will also become a lot in the subdivision to be dedicated to the City; however, it will not affect the density requirement. The applicant meets the minimum density and all lots are meeting the required street frontage as listed above and will be served by City water and sewer.

Criteria: 153.135 AUTHORIZATION TO GRANT OR DENY.

Uses designated in this chapter as conditional uses may be permitted, enlarged or otherwise altered when authorized in accordance with the standards and procedures set forth in this chapter. In the case of a use existing prior to the effective date of this chapter, a change in use, enlargement or alteration of such use shall conform to the provisions of a conditional use if so classified. An application for a conditional use may be approved, modified, approved with conditions or denied by the designated reviewing authority.

153.136 SPECIFIC CONDITIONS.

In addition to the standards and conditions set forth in a specific zone, this subchapter, this chapter and other applicable local, county, state and/or federal regulations, additional conditions may be imposed which are found to be necessary to avoid a detrimental impact on adjoining properties, the general area or the city as a whole, and to otherwise protect the general welfare and interests of the surrounding area, the city as a whole and the general public. No condition may be imposed which violates federal or state law with regard to needed housing. The conditions may include, but are not limited to, the following.

(A) Limiting the manner in which the use is conducted, including restricting the time an activity may take place, and restrictions to minimize environmental impacts such as noise, vibration, air or water pollution, glare and odor.

(B) Establishing a special setback or other open space requirements, and increasing the required lot size or other dimensional standards.

(C) Limiting the height, size or location of a building or other structure or use.

(D) Increasing street width and/or requiring improvements to public streets and other public facilities serving the proposed use, even including those off-site but necessary to serve the subject proposal.

(E) Designating the size, number, improvements, location and nature of vehicle access points and routes, and requiring pedestrian and/or bicycle ways.

(F) Limiting or otherwise designating the number, size, location, height and lighting of signs and outdoor or security lighting, and the intensity and/or direction thereof.

(G) Requiring diking, screening, fencing or other improvements or facilities deemed necessary to protect adjacent or nearby properties, and establishing requirements or standards for the installation and maintenance thereof.

(H) Protecting and preserving existing trees, other vegetation and water, scenic, historic, archaeological, unique, landmark or other natural or manmade significant resources.

Finding 5: The proposed subdivision meets the basic standards for lot size, street frontage, water and sewer connections and public street design.

A) This section does not apply to a residential subdivision.

B) Staff does not recommend any special setbacks. The southwestern trail connection shall be dedicated as street right-of-way and designated as a pedestrian alley. The proposed park area, drainage swales and eastern trail connection shall be dedicated to the City as a separate lot for open space preservation and public purpose.

C) Height, size and location of future homes are controlled by the City's site plan review process.

D) The applicant will be dedicating all streets and constructing all utilities within the subdivision to City standards. The applicant will also be developing an off-site sewer connection to the south and a street connection north to Peters Road. Peters Road was required to be extended with a different application (Cu-2019-114). If this project fails, additional improvements to Peters Road would be required. Required improvements are further discussed in Finding 8.

E) All lots will have frontage and access onto the proposed City streets. All proposed streets internal and external to the subdivision will be built to City standards including curb, sidewalks, access aprons and drainage.

F) This section does not apply to a residential subdivision.

G) At a minimum the applicant shall provide a uniform fence along the eastern boundary of the lots adjacent to the City property. The applicant is proposing a 4 foot black vinyl chain link fence.

H) The lots created for the park and drainage areas will be dedicated to the City for open space preservation and public purpose.

Criteria: 153.157 SUBDIVISIONS-APPLICATIONS.

(A) Application. Any person proposing a subdivision, or the authorized agent or representative thereof, shall submit an application for a subdivision to the City Planning Department. The application shall be accompanied with ten copies of either an outline development plan as provided for in division (B) of this section, or a tentative plan as set forth in division (C) of this section, together with improvement plans and other supplementary material as may be required, and the appropriate filing fee as established by the City Council. The date of filing shall be construed to be the date on which all of the foregoing materials are received and accepted by the appropriate city official.

Finding 6: The applicant submitted an application in accordance with these requirements.

Criteria: (I) Requirements for approval. The Commission shall not approve an outline development plan or a tentative plan for a subdivision unless the Commission finds, in addition to other requirements and standards set forth by this chapter and other applicable city ordinances, standards and regulation, the following:

(1) The proposal is in compliance with ORS Chapter 92, applicable goals, objectives and policies set forth by the city's Comprehensive Plan, Master Plans, Standards and Specifications and applicable zoning. (O.R.S. 197.175(2)(b) and 227.175 (4)) (O.R.S. 92.090(2)(C))

(2) Each lot is suited for the use intended or to be offered, including but not limited to sewage disposal, water supply, guaranteed public street access and utilities.

(3) The proposal is in compliance with the design and improvement standards and requirements set forth in 153.190 et seq. and the City's Standards and Specifications or as otherwise approved by the city, or that such compliance can be assured by conditions of approval.

(4) The subdivision will not create an excessive demand on public facilities and services required to serve the proposed development, or that the developer has proposed adequate and equitable improvements and expansions to the facilities with corresponding approved financing therefore to bring the facilities and services up to an acceptable capacity level (Goal 11).

(5) The development provides for the preservation of significant scenic, archaeological, natural, historic and unique resources in accordance with applicable provisions of this chapter and the Comprehensive Plan (Goal 5).

(6) The proposed name of the subdivision is not the same as, similar to or pronounced the same as the name of any other subdivision in the city or within a 6 mile radius thereof, unless the land platted is contiguous to and platted as an extension of an existing subdivision. (O.R.S. 92.090)

(7) The streets and roads are laid out so as to conform to an adopted transportation system plan for the area, and to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern. (O.R.S. 92.090(2)(a))

(8) Streets and roads for public use are to be dedicated to the public without any reservation or restriction; and streets and roads for private use are approved by the city as a variance to public access requirements. (O.R.S. 92.090(2)(b))

(9) Adequate mitigation measures are provided for any identified and measurable adverse impacts on or by neighboring properties or the uses thereof or on the natural environment.

(10) Provisions are made for access to abutting properties that will likely need such access in the future, including access for vehicular and pedestrian traffic, public facilities and services and utilities.

(11) Provisions of the proposed development to provide for a range of housing needs, particularly those types identified as needed or being in demand. (Goal 10 and O.R.S. 197.303-307)

(12) Provisions for open space, parks and recreational areas shall be provided for in accordance with Section 153.193 (Land for Public Purpose).

Finding 7:

- 1 & 3) Infrastructure improvements and “to and through” standards will be required through conditions of approval listed later in this report. The layout of the subdivision meets the standard criteria.
- 2) All lots can be developed for their intended purpose, subject to the Conditions of Approval, which include infrastructure improvements to City standards and an engineered grading plan ensuring all lots are buildable.
- 4) The City Engineer has reviewed the proposal and has determined this development will not create an excessive demand on public facilities. Public facilities improvements and expansions proposed for the development will be built to City standards and specifications and will be adequate to serve the development.
- 5) The property is adjacent to a wetland on City property identified as a Goal 5 resource (Hudspeth Drainage). The City has developed a trail system on City property between the wetland and proposed subdivision. The development will be dedicating additional property adjacent to the City property for a park area and drainage swales that will add to the wetland buffer and setback. The drainage swales will be naturally vegetated once developed. The subdivision should not pose any adverse impacts to the wetland (Hudspeth Drainage).
- 6) The proposed name of the subdivision is “Parkview Estates” which is not substantially similar to any other subdivision in or around the City.
- 7) The streets are laid out to provide the required two points of access. One access will utilize an existing street connection at the end of Cobblestone Ct. The other access will be the extension of Cobblestone Ct. off-site to make a connection north to Peters Road. The Housing Works project Cu-2019-114 dedicated property to the City to allow this connection and will also be extended Peters Road east to make this connection possible.
- 8) The proposed streets will be dedicated to the City without reservation. A legal description of the off-site street improvements over City property will be necessary to properly dedicate this area as street right-of-way for the connection to Peters Road.
- 9) There are no identified measurable adverse impacts on neighboring properties resulting from the proposed subdivision.
- 10) Access to abutting properties are proposed through trail connections and the off-site extension of Cobblestone Ct. north to Peters Road. City water and sewer will be extended “to and through” the subdivision including an off-site sewer line connection to the south. Utility extensions to the north along the off-site extension of Cobblestone Ct. will likely terminate at the City property unless there is a need for the subdivision to extend utilities in this street to Peters Road. The City or other utility companies may determine there is a need to extend their services to Peters Road at their own cost.
- 11) This subdivision is proposed to provide moderately sized single family homes. Due to the slope of the property it is unlikely that duplexes or multi-family buildings will be constructed; however, the lots in this subdivision are sized so a mix of housing types from single family to fourplexes are possible. Currently within the State, all types of housing are considered needed housing.
- 12) Subdivisions of 20 or more lots are required to provide at least 5% of the development for parks and recreation. This subdivision has 39 buildable lots and is adjacent to the Barnes Butte Recreation Area. To meet the standard, the applicant is dedicating a 0.6 acre lot at the north east of the subdivision as a park. The City requested this area as an

extension of the Barnes Butte Recreation area rather than a separate developed park within the subdivision. It is ideally located to provide access to future parking and trailhead facilities as well as being an attractive rest area due to the existing trees. Two paved trail connections will also be provided to the south and east of the subdivision; incorporated into the sewer and drainage plans respectively. As proposed staff finds the applicant is meeting the minimum parks and open space requirement.

Criteria: (J) Improvement Requirements. In the approval of any subdivision, the need for a survey, and the need for street and other public facility improvements shall be required as a condition of approval. Streets and roads for public use are to be dedicated to the public without any reservation or restriction consistent with the City's Standards and Specifications and streets and roads for private use are approved by the city as a variance to public access requirements. (O.R.S. 92.090(2)(b))

(1) Provisions are made for access to abutting properties that will likely need such access in the future, including access for vehicular and pedestrian traffic, public facilities and services and utilities.

(2) All required agreements shall be recorded at the Crook County Clerk's Office at the same time of recording of the final subdivision plat.

(3) All public utilities are available to each lot line.

(4) Public infrastructure including right of way, water, sewer, streets and sidewalks shall be extended and constructed "to and through" each lot created by the subdivision; unless otherwise approved by the City due to the following:

(a) Phased development

(b) Clearly defined project area where the remainder lot is of such a large size that future development or division is likely and the infrastructure will be brought through at that time.

(c) The City determines certain aspects of the "to and through" standard can be deferred. For example, right of way may be extended to and through but street, water and sewer infrastructure are deferred until new development or Division of property.

(5) Paved access is guaranteed to each lot.

(6) Future development is to be connected to the City's sewer and water systems.

(K) Final Plat Approval. The submission of a final plat shall follow the requirements set forth in section 153.164.

Finding 8:

1) The applicant's proposal provides two full City street connections. One from the existing end of Cobblestone Ct. that will continue north to connect with Peters Road. Peters Road is being extended to this connection point as part of the adjacent Housing Works development. Paved trail connections are also proposed at two points to connect neighborhoods and the Barnes Butte Recreation area.

2) The applicant shall sign a deed of dedication prepared by the City deeding a separate lot containing the park area, drainage area and trail connection. The City will record this deed once the final subdivision plat is recorded to finalize the transfer.

3 & 4) The submitted tentative plans and improvements depicted therein are the foundation of this approval, not all improvements will be specifically listed in this report. The applicant shall extend City streets, water and sewer and all other utilities "to and through" all lots in the subdivision, including service connections to each lot line of the subdivision. The two proposed trail connections shall be paved. The southern trail connection will be dedicated as part of the street and the eastern connection made part of the lot dedicated to the City. Off-site improvements shall include the proposed sewer

connection to the south, which is contingent upon an easement from the neighboring property and a full City street connection built north to connect with Peters Road. The Peters Road connection is contingent upon the Housing Works project (Cu-2019-114) completing the extension of Peters Road. If that does not occur for some unforeseen reason, that portion of Peters Road will also need to be constructed. All improvements shall be built to City Standards.

5) All proposed streets will be constructed according to the City's standards and specifications, which includes paved streets, access aprons and sidewalks to each lot.

6) All new development shall connect to City water and sewer.

K) If any agreements are required through the approval process they shall be recorded in accordance with this item. A final plat shall be required in accordance with section 153.164. Any conditions of approval identified as being required prior to final plat shall be completed or have assurances in place before receiving an authorized signature from a City representative.

Criteria: 153.191 LOTS AND BLOCKS.

(A) Blocks. The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.

(1) No block shall be more than 1,000 feet in length between street corner lines unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception, and is so approved by the reviewing authority.

(2) The recommended minimum length of a block along an arterial street is 1,800 feet.

(3) A block shall have sufficient width to provide for 2 tiers of building sites unless topography or the location of adjoining streets justifies an exception; a standard exception is a block in which the building lots have rear yards fronting on an arterial or collector street.

(B) Lots. The resulting or proposed size, width shape and orientation of building lots shall be appropriate for the type of development, and consistent with the applicable zoning and topographical conditions.

(C) Access. Each resulting or proposed lot or parcel shall have legal access and abut or front upon a public street, other than an alley, for a width of at least 50 feet or 35 feet in the case of a cul-de-sac.

(D) Side lot lines. The side lines of lots and parcels, as far as practicable, shall be perpendicular to the street upon which they front; or radial to the curve as applicable.

(E) Division by boundary, ROW and drainage ways. No lot or parcel shall be divided by the boundary line of the city, county or other taxing or service district, or by the right-of-way of a street, utility line or drainage way or by an easement for utilities or other services, except as approved otherwise.

(F) Flag Lots. The intent of a flag lot or lots is to promote infill in residential areas but not disrupt the existing nature of the neighborhood. It is also to provide dedicated public street access for these infill lots while avoiding the need for joint access easements that lead to neighbor disputes. Flag lots may be created by a boundary line adjustment, partition or subdivision with the following limitations:...

(G) Through or double-frontage lots and parcels. Through or double-frontage lots and parcels are to be avoided whenever possible, except where they are essential to provide separation of residential development from major traffic arterials or collectors and from adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. When through or double-frontage lots or parcels are desirable or deemed necessary, a planting screen easement of at least four to six feet in width, and across which there shall be no right of vehicular access, may be required along the line of building sites abutting such a traffic way or other incompatible uses.

(H) Special building setback lines. *If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.*

(I) Large building lots; redivision. *In the case where lots or parcels are of a size and shape that future redivision is likely or possible, the Commission may require that the blocks be of a size and shape so that they may be redivided into building sites, and the development approval and site restrictions may require provisions for the extension and opening of streets at intervals which will permit a subsequent redivision of any tract of land into lots or parcels of smaller sizes than originally platted.*

Finding 9:

(A) The proposed subdivision does not exceed 1000 feet between intersections. The proposal is not proposing double frontage lots.

(B) The proposed lots are of sufficient size and orientation for their intended residential use of single family homes. An engineered grading plan of each lot shall be provided prior to signing the final plat to ensure each lot is buildable, particularly on the lots that slope to the east.

(C) Each proposed lot abuts a public right-of-way with frontage of at least 50 feet or 35 within a cul-de-sac.

(D) All proposed lot lines are perpendicular to the street or radial within the cul-de-sac.

(E) The lots proposed are not additionally divided by jurisdictional boundary, easement or right-of-way.

(F) No flag lots are proposed.

(G) No through or double frontage lots are proposed.

(H) Staff does not recommend any special building setbacks.

(I) Due to the shape, orientation, size, and availability of frontage for the proposed lots, further future division is unlikely.

Criteria: 153.192 EASEMENTS.

(A) Utility lines. *Easements for sewer lines, water mains, electric lines or other public utilities shall be as required by the serving entity, but in no case be less than 12 feet wide and centered on a rear and/or side lot line unless approved otherwise by the city. Utility pole anchor or guy wire easements may be reduced to 6 feet in width.*

(B) Water courses. *If a lot is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the water course, and such further widths as deemed necessary.*

(C) Pedestrian and bicycle ways. *When desirable for public convenience, a pedestrian and/or bicycle way of not less than 5 feet in width may be required to connect to a cul-de-sac or to pass through an unusually long or oddly shaped block, or to otherwise provide appropriate circulation and to facilitate pedestrian and bicycle traffic as an alternative mode of transportation.*

(D) Sewer and water lines. *Easements may also be required for sewer and water lines, and if so required, shall be provided for as stipulated to by the City Department of Public Works.*

Finding 10:

(A) All public utilities will be provided within public right-of-ways with the exception of a needed public sewer line connection to the south as depicted in the submitted plans. The sewer connection will require an easement from the neighboring property owner prior to signing the final plat. The neighboring property owner has verbally agreed to such an easement, but it has not yet been finalized.

(B) The subdivision is not traversed by a water course.

(C) Bicycle lanes are not required on the proposed local streets.

(D) All sewer and water lines are proposed to be within City rights-of-way. A sewer easement is required as stated in (A) above.

Criteria: 153.194 STREETS AND OTHER PUBLIC FACILITIES.

(A) **Duties of developer.** *It shall be the responsibility of the developer to construct all streets, curbs, sidewalks, sanitary sewers, storm sewers, water mains, electric, gas, telephone cable, and other utilities necessary to serve the use or development in accordance with the Standards and Specifications of the city and/or the serving entity.*

(B) **Underground installation of utility lines.** *All electrical, telephone or other utility lines shall be underground unless otherwise approved by the city.*

(C) **Location, width, and grade of streets.** *The location, width and grade of streets shall be considered in their relationship to existing and planned streets, to topographical conditions, to public convenience and safety and to the proposed use or development to be served thereby.*

(D) **Traffic circulation system.** *The overall street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain of the development and the area, per the City's Standards and Specifications.*

(E) **Street location and pattern.** *The proposed street location and pattern shall be shown on the development plan, and the arrangement of streets shall:*

(1) *Provide for the continuation or appropriate projection of existing principal streets to surrounding areas; or adjacent lots.*

(2) *Conform to a plan for the general area of the development approved by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; and*

(3) *Conform to the adopted urban area transportation system plan as may be amended.*

(F) **Minimum right-of-way and roadway widths.** *Unless otherwise approved in the tentative development plan, street, sidewalk and bike rights-of-way and surfacing widths shall not be less than the minimum widths set forth in the City's Standards and Specifications. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be dedicated at the time of land division or development."*

(G) **Alignment.** *All streets, as far as practicable, shall be in alignment with existing streets by continuations of the center lines thereof. Necessary staggered street alignment resulting in intersections shall, wherever possible, leave a minimum distance of 200 feet between the center lines of streets of approximately the same direction, and in no case shall the off-set be less than 100 feet.*

(H) **Future street extensions.** *Where necessary to give access to or permit future subdivision or development of adjoining land, streets shall be extended to the boundary of the proposed development or subdivision.*

(I) **Intersection angles.** *Streets shall be laid out to intersect at angles as near to right angles as practicable, and in no case shall an acute angle be less than 80 degrees unless there is a special intersection design approved by the City Engineer. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection, and the intersection of more than two streets at any one point will not be approved.*

(J) **Inadequate existing streets.** *Whenever existing streets, adjacent to, within a tract or providing access to and/or from a tract, are of inadequate width and/or improvement standards, additional right-of-way and/or improvements to the existing streets may be required.*

(K) **Cul-de-sacs.** *A cul-de-sac shall terminate with a circular turn around with a minimum paved surface and right-of-way determined by the City's Standards and Specifications or Fire Code whichever is greater.*

(L) **Marginal access streets.** *Where a land development abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage lots with suitable depth, screen-plantings contained in a non-access reservation strip along the rear or side*

property line or other treatments deemed necessary for adequate protection of residential properties and the intended functions of the bordering street, and to afford separation of through and local traffic.

(M) Streets adjacent to railroad or canal right-of-way. *Whenever a proposed land development contains or is adjacent to a railroad or main canal right-of-way, provisions may be required for a street approximately parallel to the ROW at a distance suitable for the appropriate use of land between the street and the ROW. The distance shall be determined with consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting or other separation requirements along the ROW.*

(N) Reserve Strips. *Reserve strips or street plugs controlling access to streets shall not be approved.*

(O) Half streets. *Half streets, while generally not acceptable, may be approved where reasonably essential to a proposed land development, and when the Commission or other reviewing authority finds it will be practical to require dedication and improvement of the other half of the street when the adjoining property is developed. Whenever a half street exists adjacent to a tract of land proposed for development, the other half of the street shall be dedicated and improved.*

(P) Streets. *All street design criteria shall conform to the City's Standards and Specifications and State design Standards as determined by the City Engineer.*

(Q) Street names. *Except for the extension of existing streets, no street names shall be used which will duplicate or be confused with the name of an existing street in the city or within a radius of six miles of the city or within the boundaries of a special service district such as fire or ambulance.*

(R) Street name signs. *Street name signs shall be installed at all street intersections by the developer in accordance with applicable city, county or state requirements. One street sign shall be provided at the intersection of each street, and two street signs shall be provided at four-way intersections.*

(S) Traffic control signs. *Traffic control signs shall be provided for and installed by the developer as required and approved by the appropriate city, county and/or state agency or department.*

(T) Alleys. *Alleys are not necessary in residential developments, but should and may be required in commercial and industrial developments unless other permanent provisions for access to off-street parking and loading facilities are approved by the city.*

(U) Curbs. *Curbs shall be required on all streets in all developments and with all new commercial and multifamily construction. Curbs shall be installed by the developer in accordance with the City's Standards and Specifications unless otherwise approved by the city.*

(V) Sidewalks. *Unless otherwise required in this chapter or other city ordinances or other regulations, sidewalks shall be required as set forth hereinafter on all streets in all developments and with all new commercial and multifamily construction. In lieu of these requirements, however, the reviewing authority may approve a development without sidewalks if alternative pedestrian routes and facilities are provided.*

(1) All streets. *In general all streets shall have sidewalks at a minimum of 5 feet in width in residential and industrial areas and 8 feet in width in commercial areas unless otherwise provided for in the applicable zone or conditional use approval.*

(W) Bike lanes. *Unless otherwise required in this chapter or other city ordinances or other regulations, bike lanes shall be required as follows, except that the Planning Commission may approve a development without bike lanes if it is found that the requirement is not appropriate to or necessary for the extension of bicycle routes, existing or planned, and may also approve a development without bike lanes in the streets if alternative bicycle routes and facilities are provided.*

(1) Local streets. *Bike lanes may be required on local streets, and if required shall not be less than 5 feet in width for one-way bike lanes and 8 feet in width for two-way bike lanes.*

(2) Collector streets. *Bike lanes are required on both sides of collector streets, and shall not be less than 6 feet in width.*

(3) Arterial streets. *Bike lanes are required on both sides of arterial streets, and shall not be less than 6 feet in width.*

(X) Street lights. *Street lights may be required and, if so required, shall be installed by the developer in accordance with standards set forth by the city and the serving utility company.*

*(Y) **Utilities.** The developer shall make necessary arrangements with the serving utility companies for the installation of all proposed or required utilities, which may include electrical power, natural gas, telephone, cable television and the like.*

*(Z) **Drainage facilities.** Drainage facilities shall be provided as required by the City's Standards and Specifications.*

Finding 11:

(A) As stated it is the responsibility of the developer to construct all public infrastructure and other utilities to serve the development in accordance with the City's Standards and Specifications.

(B) It is a standard Condition of Approval to require all new utility lines to be placed underground.

(C) There will be a significant amount of grading to construct the streets within this subdivision. All streets associated with this subdivision shall be dedicated to the City and be constructed to the City standards and specifications.

(D) Staff finds that the proposed traffic circulation system is sufficient, with proposed rights-of-ways meeting City standards.

(E) As discussed in Finding 7 & 8, the proposed street alignments conform to a plan for the general area by continuing Cobblestone Ct. north to Peters Road.

(F) All rights-of-way meet City standards as proposed.

(G), (H) All proposed street right-of-ways are in alignment with existing streets and proposed extensions.

(I, J) All streets are proposed to connect at right angles.

(K) The proposed cul-de-sacs shall meet City and fire department standards.

(L) No marginal access streets are proposed.

(M) No proposed streets are adjacent to railroad or canal right-of-way.

(N) There are no reserve strips proposed in this subdivision.

(O) No half streets are proposed with this development.

(P) The proposed right-of-way widths are in compliance with City standards and streets shall be constructed to meet City standards and specifications.

(Q) Unless requested differently by emergency services due to the improper street extension (Ct.), Cobblestone Ct. shall continue through to Peters Road as currently named. Cobble Ridge Drive shall be re-named to a "Cobble Ridge Loop" and Cobble Ridge Ct. is deemed adequate.

(R), (S) Traffic control signs shall be provided as needed during construction. Street signs shall be installed with the final construction of the streets.

(T) No alleys are proposed.

(U), (V), (W), (X) The applicant will be required to construct all public improvements and other utilities to City standards.

(Y) It shall be the responsibility of the applicant/developer to make arrangements with utility companies for installation of all utilities.

(Z) Drainage facilities shall be constructed to City standards. Stormwater drainage will be reviewed again during the construction drawing phase. It is the City's desire to maintain all drainage within the proposed swale along the City trail and not develop any drainage facilities in the proposed park area or City property to the north as depicted on the tentative plans.

Recommended Conditions of Approval:

If approved by the Planning Commission, the following conditions are recommended for application SUB 2021-100. Such recommendation is subject to the “standard” conditions of approval relevant to Conditional Use Permits, Subdivisions, those conditions outlined in the findings section of this report and those conditions of approval set forth below:

General Conditions:

1. The tentative plans submitted by the applicant and the improvements depicted therein are the foundation of this approval. The applicant shall complete the project in a manner consistent with the plans and documents submitted as part of this application or as modified in the conditions of the final decision and in compliance with the requirements of the City’s standards and specifications and land use code.
2. The development and any future use shall comply with the Fire Department requirements for access, fire flows, sprinkler systems, fire hydrants, address signs and Knox Box locks and all other UFC requirements. The applicant shall coordinate with the Crook County Rural Fire and Rescue in this endeavor.
3. All utilities shall be placed underground.
4. The development and any future use shall comply with all local, state and federal laws and any required permits shall be obtained by the applicant.

Prior to signing final plat:

5. All Public infrastructure including streets, water, sewer and other utilities such as power, phone, cable, gas etc., shall be constructed “to and through” each lot in the subdivision to City Standards and Specifications. All infrastructure shall be reviewed and approved by the City Engineer and constructed or bonded for prior to signing the final plat.
6. The owner/applicant shall dedicate the street rights-of-way as shown on the tentative plan. This includes a small pedestrian alley dedication in the SW corner and the preparation of a legal description and map of the right-of-way for the extension of Cobblestone Ct. on City property. This legal description will be used by the City to record a dedication of that street right-of-way.
7. Utility extensions to the north along the off-site extension of Cobblestone Ct. will likely terminate at the City property unless there is a need for the subdivision to extend utilities in this street to Peters Road. The City or other utility companies may determine they have a need to extend services to Peters Road at their own cost.
8. The extension of Peters Road was required with a different application currently under construction (Cu-2019-114). Should this project fail for some unforeseen reason, additional improvements to Peters Road would be required to make the connection to Cobblestone Ct.
9. The applicant shall construct the proposed off-site sewer connection to the south and obtain a sewer easement to the benefit of the City of at least 20’.
10. The owner/applicant shall dedicate the proposed park area, drainage swale and eastern trail connection as a separate lot to the City. The owner shall sign a deed of

