



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT REVISED STAFF REPORT

SECOND HEARING: August 22nd, 2017
FIRST HEARING: August 1st, 2017
PROJECT NUMBER: SUB-2017-100
OWNER/APPLICANT: Stoneridge Terrace LLC.
320 SW, Century Drive
Bend, Oregon 97702
PROJECT REVIEWER: Joshua Smith
Senior Planner

APPLICABLE CRITERIA:
(1) City of Prineville Code of Ordinances, Title XV, Sections - 153.014, 153.036, 153.038, 153.046, 153.080 – 153.097, 153.135 - 153.139, 153.155 – 153.157, 153.159, 153.190 – 153.200.

- FINDINGS OF FACT:**
- 1. PROPOSAL:** Modification of the remaining phases of Stone Ridge Terrace Subdivision, to a 46 lot cluster development.
 - 2. LOCATION:** NE Brookstone Drive., Map and Tax lot 14-16-32BD 01601.
 - 3. ZONING:** The subject property is zoned R2 (General Residential).
 - 4. SITE DESCRIPTION:** The site is currently vacant with sloping terrain toward the wetland area. Trails crossing the wetland to and from the Ochoco Pointe subdivision have developed overtime. Some underground infrastructure has been constructed on what was to be Phase II of the original subdivision.



5. **HEARING COMMENTS:** The applicant and representatives spoke in favor of the application and ten people spoke in opposition at the first public hearing. A written letter was also received at the hearing with signatures from neighbors. Item number seven below summarizes the questions and comments from the August 1st hearing and provides a staff response.
6. **FINDINGS SUMMARY:** This subdivision is a modification of the Stone Ridge Terrace cluster development subdivision approved in 2005. The layout of the subdivision does not meet the standard criteria for a subdivision but may be approved by the Planning Commission through the cluster development criteria. The applicant shall comply with all City, County, State and Federal rules and regulations. The proposal is compatible with the Comprehensive Plan by providing for orderly development, preservation of natural resources and economic growth. The proposed modification of the second phase aims to fully utilize the potential density of this phase by creating additional sub-standard lots. Staff has reviewed the proposal as if it were a new development but with some vested rights due to existing infrastructure and previously dedicated property. Staff is recommending specific design requirements for the development of each lot to include site built homes only (no manufactured homes) with at least one attached single car garage and architectural features such a front porch. Staff is recommending the addition of a condition that requires engineering review of any disturbance to the hillside of proposed lots 1-17 and mitigation measures that protect the hillside from erosion. Staff is recommending all properties meet the City's current setback requirements. The wetland area, also referred to as the Hudspeth drainage is an identified Goal 5 resource to be preserved and dedicated to the City along with the 25 foot wetland setback/drainage area. The City is requiring public pedestrian access to the wetland which is part of a trail system. All infrastructure shall be designed and constructed to meet the City's standards and specifications. It is understood that the street right-of-way of 50 feet will remain consistent with the original approval; however, due to the increase in density and at the request of public works, staff recommends that the paved street width be widened to at least 36 feet by removing the previously proposed planter strips. Some modifications to lots may need to occur during the engineering and construction review process; however, no lot shall be less than 3,000 square feet and no additional lots shall be created.
7. **HEARING (August 1st):** The following are staff responses to questions and concerns from the August 1st hearing that staff felt needed to be addressed.

Reduction in front setback: The applicant is requesting a reduction to the current front setback requirements to a garage door. Currently setbacks to a garage door require 20 feet from property line or 25 feet from a sidewalk. The applicant is requesting to comply only with the old standard of 20 feet from property line to aid in positioning structures on the proposed lots. With the current Phase I street design, sidewalks are property tight, which would require the full 25 foot setback. The recommended street design from staff would eliminate the planter strip and widen the street to 36 feet, allowing a 1.5 foot gap between property line and sidewalk. The original purpose of the 25 foot setback was to help prevent larger vehicles from extending out over the sidewalk.

Quality of homes: Several opponents commented about what they perceive to be poor building quality of the townhomes the applicant build in Phase I. The applicant should be following the Oregon Building Code administered by the Crook County Building Department. These codes are essentially the baseline form which all new homes should be built. The Planning Commission cannot deny an application based on a perceived building quality issue but does have the ability through the Cluster Development criteria to ask for specific design guidelines. Staff has made a recommendation on basic design guidelines in condition 12 of this report.

CC&Rs: Covenant Codes and Restrictions are a vehicle used by developers to increase the standards of a particular development beyond that which is enforced by the City. CC&Rs typically concentrate on the visual aspect of a subdivision and call out specific development guidelines like minimum home size, attached garages, no manufactured home etc. It is important to note that CC&Rs are not enforceable by the City. CC&Rs are generally managed by a Homeowners Association (HOA) but can be enforced by any individual owner within the subdivision. This enforcement would not involve the City, as it would be a civil matter between property owners.

Devaluation of property: Several opponents commented on the possibility of decreased value of existing lots in Phase I. The perception here is that smaller homes on smaller lots will be worth less and more readily become rentals, thereby devaluing existing lots. Without recorded Covenant Codes and Restrictions (CC&Rs) and the ability to enforce them, there is nothing preventing the same type of housing in Phase I. There are several vacant lots remaining in Phase I that only have to comply with the City code for the R2 zone, which has no minimum home size for site built homes and also allows manufactured homes. With the proposed subdivision staff has recommended some basic design guidelines that can be enforced through the site plan review process.

Affordable housing: A couple of opponents questioned the developers stated intent of building affordable housing. There is a definition for affordable housing provided by the U.S. Department of Housing and Urban Development (HUD). HUD considers regards housing cost at or below 30% of one's income to be affordable. Prineville's land use codes do not specifically address affordable housing but does require that the City provide a variety of housing when considering new subdivisions. This language is specifically listed in the Cluster Development criteria as a factor to consider. Economies move up and down and location and/or local conditions may dictate higher demand and therefore higher prices. While there are exceptions, generally smaller homes on smaller lots should cost less even though they still may not be considered affordable.

Density: As stated in the hearing and presented in the staff report, the applicant is meeting the density requirement of the R2 zone with his proposal. As proposed it would increase the number of lots originally proposed by 11. The applicant mentioned that duplexes could have been built on the originally planned lots thereby providing the same or more density of actual dwelling units. After meeting the conditions of the original approval the subdivision as a whole was reduced to 56

lots. Staff overlaid this plan in the City's GIS system to calculate the areas of the previously proposed lots. Per the City's R2 zone, three of the lots would have been large enough for a duplex and three potentially large enough for a triplex. This had the potential to add an additional 9 dwelling units to the proposed 56 lots. The original developer did not have this intent and construction feasibility must also be taken into account. However, assuming this potential, the proposed development would be adding only 5 dwelling units even though he is creating 11 more lots.

Increased traffic & Parking: Every opponent acknowledged their concern of increased traffic and available parking. As stated above, this proposal has the potential to increasing the density of the original approval from 5 to 11 dwelling units. The City generally does not require a traffic study unless there is an increase of 20 equivalent dwelling units. There is no doubt that any development of this site will impact traffic in this area as well as the intersections of adjacent neighborhoods. To mitigate some of the issues with traffic and parking, staff is recommending a pedestrian connection across the wetland to an adjacent development (Ochoco Pointe), widening the streets to allow parking on both sides, a street connection to the cul-de-sac at the end of Robin Place to provide an alternative access for both subdivisions and a loop road replacing the original cul-de-sacs to provide more on street parking and alternative points of access. Additionally the Planning Commission could condition a traffic study to determine the potential impact of the traffic or at least to determine if additional stop signs will be necessary in the area. An opponent mentioned that the City had removed stop signs at the intersection of Robin Place and Phippen Lane. In reality stop signs had never been installed at this intersection because the traffic volume did not warrant it at the time Ochoco Ridge subdivision was constructed.

Hillside abutting Ochoco Ridge: Several opponents in the adjacent subdivision to the north (Ochoco Ridge) had concerns with what may happen to the steep hillside that separates the two subdivisions. At the August 1st hearing staff acknowledged that there should be a condition that requires an engineer approve of any disturbance to this hillside and provide measures to prevent erosion. This is stated as a recommended condition of approval in condition 7 of this report.

Wetland Impact: Several opponents were concerned about potential impact to the wetland area. It should be noted that the source of the wetland primarily comes from the Hudspeth Reservoir and to a lesser extent; seepage from the canal, not stormwater runoff. The wetland was professionally delineated in 2005 and a 25 foot drainage swale was constructed to provide a setback to the wetland as well as an area for stormwater runoff to be pre-treated prior to entering the wetland area. The wetland plus the 25 foot setback should equal no less than 1.21 acres and will not be part of the proposed lots. It is a recommended condition of approval that this area be dedicated to the City as was the 1.98 acres of Phase I. The proposed street system may have more runoff if approved with the greater street width, however; it should not have a significant impact and will be accounted for during the construction and engineering review process.

8. Discussion Points for Decision:

- Design Guidelines – Is condition 12 adequate?
- Traffic impact – Is study needed? Should there at least be a condition to study whether stop signs are needed on Robin Place and Robin Court?
- Street profile – Continue with Phase I design or eliminate planter and widen street to at least 36 feet?
- Engineering on hillside – Does condition 7 adequately address concerns?
- Setback Reduction – Yes or no?
- Density – Is the reduction in lot size and overall design considered to be beneficial to the residents of the development and to the city as a whole?

9. RELATED DOCUMENTS:

SUB-05-702: The Planning Commission approved of Stone Ridge Terrace Subdivision on June 7th 2005. This decision was appealed and upheld by the City Council on August 19th 2005.

SUB-04-01: Re-plat of Three Pines Subdivision (Ochoco Pointe). Condition 3d requires pedestrian access to the wetland area and potential public trail system. Access to the Ochoco Pointe open space is being provided and required by this application.

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. Platting of the subdivision to City, County and State standards and meeting 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 orderly development, preservation of natural resources and economic growth.

B) The proposal is in compliance with the applicable zone. The subject property is within the Natural Features Overlay District (NFOD). A wetland delineation was completed in 2005 by David Evans and Associates for the original subdivision. With the original approval, a 25' setback was added as a condition of approval to the edge of that delineation. This area is a buffer to the wetland and also a stormwater drainage swale for the proposed streets. The drainage swale was completed as part of the Phase I construction for all phases; therefore; a new wetland delineation is not required.

C) 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 (153.157) and limitations of the R2 zone and cluster development criteria (153.094) or can comply through conditions of approval.

E) The proposal has been reviewed by the City Engineer and is not expected to exceed the carrying capacity in 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: 153.046 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.*

153.035 RESIDENTIAL USE TABLE

Subdivisions (4 or more lots): Conditional use Type 2

Finding 3: The proposed 46-lot cluster development subdivision is defined as a type 2 conditional use in the residential use table. As such, review of this subdivision is required by the Planning Commission through a public hearing process. The hearing was noticed and scheduled for August 1st, 2017. The hearing was continued to August 22nd.

Criteria: 153.036 RESIDENTIAL DIMENSIONAL STANDARDS

Minimum lot area (public water and sewer required)^{1, 2}

R2	-	Single family Dwelling	5,000sf min
	-	Townhouse lot	3,000sf min
	-	Min. Net Density for Subdivisions ³	4/acre

¹ *Must have public water and sewer in R-1, R-2, R-4 and R-5 zones but may be community system(s) in R-3 zone.*

² *Unless classified as a multi-family dwelling complex, minimum lot area shall be calculated as the cumulative total square footage required for each type of building on the site.*

³ *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
Flag lot:	20

Finding 4: The original proposal approved in 2005 was approved as a cluster development with 4,000 s.f. townhome lots along the northern portion of the subdivision and standard or larger lots on the southern portion. The proposed modification of the second phase aims to fully utilize the potential density of this phase by creating additional sub-standard lots throughout the rest of the subdivision. Only three lots are proposed to be over the minimum lot size and the majority of lots do not meet the frontage requirements. Section 153.084 outlines specific criteria for the construction of

townhomes. As a condition of approval no lot shall be under the minimum lot size for a townhouse lot, which was created specifically for cluster developments. The applicant has not proposed any special setback or lot coverage standards and will therefore be required to meet current standards. This type of development is allowed under the cluster development criteria further discussed in Finding 5.

Break down of development:

Original approved subdivision: 59 lots on 13.4 acres with 3.19 acres of open space (combined drainage swale and wetlands) and 2.65 acres of roads. After subtracting the streets the total potential density could have been 93 lots.

Phase I actual: 24 lots were platted on 6.37 acres (one less than originally planned). 1.98 acres of open space (combined drainage swale and wetland) were dedicated to the City and 1 acre was dedicated as streets. After subtracting the streets the total potential density could have been 46.7 lots.

Proposed Phase II: 46 proposed lots (11 more than planned) on 7 acres with a minimum of 1.21 acres of open space (combined drainage swale and wetland per original plan.) and 1.65 acres of proposed streets. After subtracting the streets the total potential density could be 46.6 lots.

Criteria: 153.094 CLUSTER DEVELOPMENT

Cluster Development. In any zone, a cluster development may be permitted when authorized in accordance with the procedures for the type of development and in accordance with the applicable subdivision standards set forth in this chapter.

(A) A cluster development is a development technique wherein structures or lots are grouped together around access courts or cul-de-sacs, or where lot sizes surrounding structures are reduced while maintaining the density permitted by the applicable zoning designation. Duplex lots are exempt from the cluster development criteria.

(1) A cluster development may be permitted to maintain open space, reduce street and utility construction and to increase the attractiveness of a development and the surrounding area.

(2) Clustering may be carried out within the context of a subdivision, partitioning, PUD, re-platting of existing lots or other reviews provided for by this ordinance.

(3) Attached Single Family dwellings may be permitted by the Planning Commission (pursuant to section 153.084) so long as the density of the applicable zone is not exceeded, provided that the overall design is considered to be in the best public interest and in the interest of the city.

(4) The Planning Commission may permit reduction in the minimum lot size or dimensional standards, setbacks or other standards of the applicable zone so long as the density requirements of the zone are maintained, and provided the overall design is considered to be beneficial to the residents of the development and to the city as a whole.

(5) The establishment of a Home Owners Association (HOA) shall be required to maintain common openspace and amenities not otherwise maintained by the public.

(B) For example, for a development in an R-2 Zone, the reviewing authority may waive the minimum lot size standard of 5,000 square feet for single family dwelling units for an equivalent overall net density (see definition).

(C) Factors to consider in the approval of a Cluster Development include, but are not limited to the following.

(1) Excellence in design and site utilization.

(2) Provision of a variety of housing or other use types.

(3) *Maximization of cost-benefit ratios for purchasers and providers of public services and facilities.*

(4) *Preservation of significant natural, vegetative or other significant public benefitting features or resources.*

(5) *Inclusion of publicly available recreation, social, educational or other publicly beneficial uses and developments.*

(6) *Donation of land area for public purposes identified as a need in the area or in the community.*

(7) *Other factors beneficial to the general public, residents of the proposed development and the city as a whole.*

Finding 5:

A) The City Planning Commission already approved a version of the Stone Ridge Terrace cluster development in 2005. This modification could be treated as a new proposed development based on section 153.259.030 (Modification of approval). Staff has reviewed the proposal as if it were a new development but with some vested rights due to existing infrastructure and previously dedicated property. Street right-of-way widths have been preserved at 50 feet rather than the standard 60 feet today. The street cross-section may change to eliminate the planter strip and make the street wider. The wetland and drainage area has been preserved as previously approved as well as street connections and a developed pedestrian access point on the east side of the property. The planning Commission shall determine whether the overall design is considered to be beneficial to the residents of the development and the City as a whole.

B) As demonstrated in Finding 4, the proposed Phase II is meeting the maximum net density that may be allowed with 46 lots. Net density is calculated by dividing the square footage of property after subtracting that which is needed for streets, by the minimum lot size in the zone, which in this case is 5,000 square feet.

C) The City code lists several factors above that the Commission should consider when reviewing this development.

1) Excellence in design and site utilization are subjective; however, the plan has removed the two cul-de-sacs in the original plan and designed a loop road that allows better access for emergency services and maintenance of streets. Staff does recommend specific design requirements for the development of each lot to include site built homes only (no manufactured homes) with at least one attached single car garage and architectural features such as a front porch.

2) The applicant is proposing a variety of housing types with townhomes along the northern portion of the property, small single family cottage lots throughout and some larger single family lots mixed in.

3) Due to the density proposed there is a favorable cost-benefit ratio for public services and facilities and the price point for these homes should be in the lower range, which is a current need in the City.

4, 6) The wetland area, also referred to as the Hudspeth drainage is an identified Goal 5 resource to be preserved for its natural aesthetic value and its ability to

improve water quality through the natural functions of a wetland. By dedicating this area to the City; it should be more easily managed and protected.

5) The City is requiring public pedestrian access to the wetland which intern will provide pedestrian access to the Ochoco Pointe subdivision (SUB-04-01) which was also required to provide public access and easements to the wetland and potential public trail system. The plan is that this public access eventually becomes a public trail system within the Hudspeth Drainage as shown in the Parks Master Plan that connects with other trails on the City's property that was recently purchased from the Ironhorse Development.

7) Other public benefits to the general public are up to interpretation by the Planning Commission. The property has been vacant of over 10 years since the first phase was platted, it will aid in the beginnings of a public trail system and provide needed housing at a potentially lower price range.

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 6: The above criteria offers a list of specific items the Planning Commission can limit or establish to alter the proposed subdivision. As a cluster development the Planning Commission has much greater leeway based on the cluster development criteria discussed in Finding 5. Based on written testimony received after the original staff report was written and testimony at the hearing, staff recommends adding a condition that requires engineering review of any disturbance to the hillside of proposed lots 1-17 and mitigating measures that shall be implemented to protect the hillside from erosion.

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 7: The applicant submitted an application with adequate information to review the proposal. Several issues will be addressed through recommended conditions of approval. If approved the review of the engineering and construction drawings may require minor alterations to the plan or even the elimination of a lot that is determined to be unbuildable.

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

Finding 8:

1 & 3) All infrastructure shall be designed and constructed to meet the City's standards and specifications. The layout of the subdivision does not meet the standard criteria for a subdivision but may be approved by the Planning Commission through the cluster development criteria.

2) All lots are suited for their intended purpose, subject to the Conditions of Approval which include infrastructure improvements to City standards. These improvements include but are not limited to streets, City water and sewer, stormwater facilities and other public/private utilities such as gas, phone, cable and power.

4) The City Engineer has reviewed the proposal and has determined that this development will not create an excessive demand on public facilities and services. Each home developed will pay the appropriate system development charge adopted by City Council to aid in the future development of the City's infrastructure.

5) The Hudspeth Drainage is an identified Goal 5 resource that is proposed to be preserved and will be required to be dedicated to the City of Prineville along with the 25 foot setback that doubles as a drainage swale for the subdivision.

6) The proposed name of the subdivision is "Stone Ridge Terrace Phase II". This is an appropriate name for the subdivision as it is a proposed modification of that subdivision.

7, 8 & 10) All streets shall and are proposed to be dedicated to the City. Planned connections to adjacent neighborhoods are proposed and shall be required, such as the connection to NE Robin Place. Planned pedestrian access to the Hudspeth Drainage and Ochoco Pointe subdivision are being proposed and shall be required. This access is conditioned in the approval for the Ochoco Pointe subdivision (SUB-04-01) and part of the Parks and Recreation Master Plan.

9) There may be measurable impacts to neighboring properties due to the increased density, though any development of this area will have some impact. To reduce the impact, the street connection to NE Robin Place and the townhomes long the northern property line remain consistent with the original approval and the lots adjacent to Stone Ridge Terrace Phase I were increased in size to provide a more appropriate transition to the higher density lots. Staff is also proposing to eliminate the planter strip and widen the street to a standard 36 feet to aid in access, maintenance and on street parking.

11) This subdivision is proposing uniquely sized lots and housing types that have the potential to provide needed low income and low maintenance housing.

12) In accordance with 153.193 (Land for Public Purpose), subdivisions over 20 lots shall provide a public parcel of land of at least 5% of the gross area of development for parks and recreation purpose. The original Stone ridge Terrace subdivision was approved in 2005 prior to the code update in 2011. The applicant is proposing and shall be required to dedicate the wetland area and the 25 foot setback/drainage swale to the City of Prineville and provide a pedestrian access to a potential trail system in the future, which is consistent with the previous approval. The plan in this area is to eventually create a recreational corridor through the Hudspeth drainage to connect larger recreational areas rather than small difficult to manage parks within each neighborhood.

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 9:

1) Access to abutting properties for vehicular and pedestrian traffic is proposed and shall be required.

2) The applicant shall prepare a deed of dedication or other legal documentation approved by the City attorney to transfer ownership of the wetland and drainage area of not less than 1.21 acres as depicted on the previous approval for the Stone Ridge Terrace subdivision, to be recorded immediately after the recording of the subdivision plat.

3) Public utilities shall be designed to meet the City's standards and specifications. This includes making all public utilities available to each lot line. It is understood that the street right-of-way of 50 feet will remain consistent with the original approval; however, due to

the increase in density staff recommends that the paved street width be widened to at least 36 feet by removing the previously proposed planter strips.

4) All infrastructure including streets, water and sewer shall be constructed “to and through” each lot created.

5) With the “to and through” standard each lot shall have guaranteed paved access.

6) All future development shall be connected to the City’s water and sewer system.

K) 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 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.*

(1) *The following are situations where the reviewing authority may allow reductions to the frontage rule.*

(a) *When listed otherwise in the dimensional tables.*

(b) *Cluster Developments or PUD.*

(b) *R-5 Residential high density zone.*

(d) *Other commercial and industrial zones that can demonstrate proper traffic function with regard to parking, ingress and egress.*

(e) *Mixed Use zone.*

(2) *The following is a situation where the reviewing authority may allow an elimination of the frontage rule, however legal access shall be provided.*

(a) *An area of steep slopes or other natural barriers where a full public street is not practical and will not be a part of the street grid system; as determined by the City. In this case an easement for access may be allowed for a limited number of newly created residential lots as determined by a ratio of 1 unit per acre. Emergency access and turn around shall be required and approved by the Fire Department.*

(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 10:

(A) – As a cluster development the Planning Commission shall determine if the lots are of adequate building size and the streets are of adequate width. The proposed subdivision does not exceed 1000 feet between intersections. The proposal is not along an arterial and there are two tiers of building lots.

(B) – The Planning Commission shall determine the appropriate lot size within a cluster development. The applicant has provided example site plans of homes that may fit on the proposed lots.

(C) – Each proposed lot abuts a public right-of-way; however, proposed lot frontages have been reduced as allowed by the cluster development criteria if approved.

(D) – All proposed lot lines are perpendicular to the street or radial along a curve.

(E) – The lots proposed are not additionally divided by jurisdictional boundary or right-of-way. Easements for City sewer services and potentially stormwater facilities will cross proposed lots; however, such easements shall not divide a single property on both sides of the easement.

(F) – Flag lots are not being proposed.

(G) – Double frontage lots are not being proposed.

(H) – The applicant has not proposed any special setbacks or lot coverage standards; therefore, current dimensional standards in the R2 zone will be required.

(I) – The proposed lots are of such size that future land division is not possible without Planning Commission approval.

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 11:

(A) – All utilities will be provided within public right-of-ways, or easements as required through the engineering and construction review process.

(B) – The wetland also referred to as the Hudspeth Drainage is identified on the map and shall be dedicated to the City of Prineville.

(C) – All proposed streets are local streets; therefore, bike lanes are not required on street. Sidewalks and a pedestrian access to the wetland will be developed as part of the street. Additional pedestrian access will be provided over the existing City sewer line.

(D) – Easements for sewer and stormwater will be required and part of the engineering and construction review process.

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 13:

(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) – All streets associated with this subdivision shall be dedicated to the City.

(D) – Staff finds that the proposed traffic circulation system is sufficient, with right-of-way that are substandard but can be design to meet City standards.

(E) – Staff finds that the proposed street location and pattern is in conformance with existing streets adjacent to the subject site as well as the City's Transportation Systems Plan.

(F) – All rights-of-way do not meet City standards as proposed but may be allowed as a continuation of the previous phase of the subdivision and as may be allowed through the cluster development criteria.

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

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

(K) – No cul-de-sacs are proposed.

(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) – Streets shall be constructed to meet City standards and specifications.

(Q) – Brookstone Drive is an extension of the existing street and Brookstone Loop is named as such because it will be a loop street off of Brookstone Drive.

(R), (S) – All street signs or traffic control signs shall be provided by the applicant to City standards.

(T) – No alleys are proposed.

(U), (V), (W), (X) – All streets shall be constructed to City standards complete with City water and sewer as well as associated utilities, drainage systems and sidewalks to serve the proposed lots. Bike lanes are not required on a local street and street lights shall be installed when City standards require them.

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

(Z) – A drainage plan was provided with the original subdivision approval. All street drainage is proposed to be collected and piped to a stormwater swale already constructed adjacent to the wetland (Hudspeth Drainage). This drainage plan will be reviewed again during the engineering and construction review process. The City is also interested in potentially combining the stormwater of Robin Place into this subdivision and allowing the current stormwater detention pond to be built on.

Recommended Conditions of Approval: If approved by the Planning Commission, the following conditions are recommended for application SUB-2017-100. Such recommendations are 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 applicant shall plat the proposed subdivision as shown in the tentative plan and as modified by these conditions or by the Planning Commission during the public hearing process. Some modifications to lots may need to occur during the engineering and construction review process; however, no lot shall be less than 3,000 square feet and no additional lots shall be created.
2. The development and any future use shall comply with the Fire Department requirements for fire flows, sprinkler systems, fire hydrants, address signs and Knox Box locks and all other Uniform Fire Code requirements. The applicant shall coordinate with the Crook County Rural Fire and Rescue in this endeavor.

3. All stormwater drainage shall be maintained within the subdivision.
4. All utilities shall be placed underground.
5. 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:

6. All Public infrastructure shall be constructed 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.
7. The applicant shall have an Oregon Licensed Engineer review and approve any disturbance of the hillside of proposed lots 1-17 and provide measures that shall be implemented to protect the hillside from erosion.
8. The applicant shall construct all proposed streets to City standards. This includes extensions of City water and sewer and all other utilities such as power, phone, cable, gas etc. The street right-of-way may remain at 50 feet however the planter strips in the original approval shall be eliminated to increase the paved width of the street to at least 36 feet.
9. The final design of the 25 foot stormwater drainage swale together with the adjacent wetland shall be made its own lot within the subdivision of not less than 1.21 acres (as previously approved under SUB-05-700) and dedicated to the City of Prineville for stormwater drainage and open space. The applicant shall prepare a deed of dedication or other legal documentation approved by the City attorney to transfer ownership of this lot and be recorded immediately after the recording of the subdivision plat.
10. The proposed 20 foot pedestrian access easement on the eastern side of the subdivision shall be made part of the street right-of-way. The access shall be paved with an access apron to the street and a barrier to prevent vehicles from driving or parking on the access. Drainage shall be managed within the street system.
11. All required easements shall be shown on the final plat. These easements include existing sewer lines and drainage facilities, potential new drainage facilities and pedestrian access over the existing sewer line to the property being dedicated to the City.

Prior to building permit

12. All properties shall meet the City's current setback requirements.
13. All new homes shall be site built with at least a single car attached garage recessed at least four feet from the front elevation, have concrete driveways and architectural features such as an integrated front porch as shown in the applicant's submitted examples. Townhomes shall meet the criteria listed in 153.084.

14. Applicant shall secure any and all City, County & State permits required for the proposed development prior to use.
15. All future development shall pay applicable system development charges (SDCs) and connect to the City's sewer and water system.

On-going/Future Responsibilities

16. The applicant shall comply with all relevant portions of the City of Prineville Code of Ordinances.

PLEASE NOTE: IT IS VERY IMPORTANT THAT THE WORDING OF A MOTION FOR DECIDING ON A LAND USE APPLICATION BE STATED AS PROVIDED BELOW, PRIMARILY TO ENSURE THAT THE STAFF REPORT AND PUBLIC RECORD ARE INCORPORATED INTO THE DECISION AS PART OF THE FINDINGS OF FACT.

MOTION IN FAVOR

*The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Favor of this Application. I Move that the application be **APPROVED**, subject to the Conditions of Approval as they have been finalized, and based upon the Findings of Fact in favor of the application.*

MOTION IN OPPOSITION

*The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Opposition to this Application. I Move that the request be **DENIED** based upon Findings of Fact in opposition to the application.*

Written by: Joshua Smith,
Senior Planner