

AGENDA
VENETA CITY COUNCIL SPECIAL MEETING
MONDAY, MARCH 7, 2016 – 6:30 P.M.
Veneta Administrative Center, 88184 8th Street, Veneta, Oregon

6:30 1. **CALL TO ORDER**

6:30 2. **PUBLIC HEARING FOR APPEAL:
SPROAT RANCH ESTATES PRELIMINARY PARTITION FILE (APP-1-16)**

- Review of Hearing Procedures – Carrie Connelly, City Attorney
- Mayor Larson opens the Public Hearing
- Members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Staff report (pgs. 3 -146)
- Testimony from the applicant
- Testimony in support of the application
- Testimony opposed to the application
- Testimony neither in support of nor opposed to the application
- Summation by staff
- Rebuttal from the applicant
- Mayor Larson closes Public Hearing
- Council decision; possible questions to staff or public
- Motion to approve, approve with conditions, or deny the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record

3. **ADJOURN**

Times are approximate. This meeting will be digitally recorded. Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available if notice is given at least 48 hours prior to the start of the meeting. Contact the City Recorder, Darci Henneman, via phone (541) 935-2191, Email dhenneman@ci.veneta.or.us, or TTY Telecommunications Relay Service 1-800-735-1232.

To access City Council meeting materials please go to <http://www.venetaoregon.gov/meetings>

PUBLIC HEARINGS - Please observe the following rules.

WRITTEN TESTIMONY:

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the City Council members to be considered in their decision.

ORAL TESTIMONY:

If you wish to testify with regard to a matter which has been set for **Public Hearing** please observe the following rules:

1. **State your name and address.**
2. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point. Comments can be made in favor, against, or neutral regarding the proposal.**

The City Council considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon**

**VENETA CITY COUNCIL
STAFF REPORT
APPEAL, SPROAT PARTITION (FILE APP-1-16)**

Appeal of Tentative Partition Planning Commission Decision (City File #APP-1-16)

Waiver to 120-day signed (not to exceed 245 days):	November 4, 2015
PC Meeting (Denial)	February 2, 2016
Final Order of Denial signed by PC:	February 10, 2016
Application Received (Appeal):	February 25, 2016
Notice Mailed and Posted:	February 25, 2016
Notice Published:	February 26, 2016
Staff Report Date:	February 26, 2016
Decision Deadline, 245-days from completeness:	March 9, 2016

BASIC DATA

Applicant:	ATR, Land LLC P.O. Box 518 Creswell, Oregon 97426
Print Agent:	ATR Land LLC (Attn: Velie) P.O. Box 518 Creswell, Oregon 97426
Location:	North side of Jeans Road, east of Territorial Highway and west of Jesse James Lane
Assessor's Map:	17-05-30-00
Tax lot:	00902
Area:	16.90 acres total (2.04 acres within the Veneta city limits/ UGB)
Plan Designation:	Rural Residential (R)
Zoning:	City: Rural Residential (R), County: Rural Residential 2-acre min. (RR2)
Associated Files:	M-6-06, Tentative Partition, Approved on 2/12/07. Extension request approved with expiration date of 2/14/10. Land Development Ordinance No. 493, Section 5.17 amended, which extended expiration date to 2/14/13. Tentative Partition approval expired on 2/14/13.

REQUEST

Appeal

The request before the City Council is for appeal of the Planning Commission (Denial, City File #M-1-15) for a 2 lot partition of Tax Lot 00902 that lies within the city limits of Veneta. Specifically, the applicant consents to all the conditions of approval recommended in the Staff Report to the Planning Commission on February 2, 2016 and is requesting the City Council to approve the tentative partition with those conditions.

TIMELINE

The applicant signed a request for a waiver (not to exceed 245 days) on November 4, 2015, to the 120-day processing and decision rule. The application was deemed complete on July 8, 2015. Therefore, the deadline for a decision by the City Council is March 9, 2016.

CHRONOLOGY

A previous Tentative Partition, City File # M-6-06, was approved with conditions (signed by Planning Commission Chair) on February 12, 2007.

Staff recommended conditional approval at a February 2, 2016 Planning Commission meeting.

The Planning Commission denied the tentative partition request at the February 2, 2016 based on the findings described in the final order of denial (Exhibit D) which was signed by the Planning Commission Chair on February 10, 2016.

The following is a chronology for the Tentative Partition (City File #M-1-15), Sproat Ranch Estates, Lots 1 & 2:

Tentative Partition (City File #M-1-15)

Partition Application Received:	May 27, 2015
Incomplete Notice #1:	June 19, 2015
Supplemental Materials Received:	June 24, 2015
Incomplete Notice #2:	July 1, 2015
Additional Materials Received:	July 7, 2015
Partition Application Complete:	July 8, 2015
60-day waiver signed to 120-day rule:	August 14, 2015
Waiver to 120-day signed (not to exceed 245 days):	November 4, 2015
Additional Information Received:	November 30, 2015
Supplemental Information Submittal :	December 29, 2015
PC Meeting (Denied)	February 2, 2016
Final Order of Denial signed by PC:	February 10, 2016
245-days from completeness:	March 9, 2016

PROPERTY CHARACTERISTICS

The property is bounded on the south side by Jeans Road, a major collector, on the east and west by single family residences within the Rural Residential (RR) zone, and on the north side by undeveloped county property zoned RR2. The subject site is fairly level.

Wastewater Service

The subject site is not connected to city sewer. The two proposed lots within city limits will be required to provide private septic systems in accordance with Veneta Land Development Ordinance No. 493, Section 5.04(1) and the City Public Works Director and approved by Lane County.

Stormwater

Stormwater from Jeans Road currently flows generally towards the Fern Ridge Reservoir.

Water Service

The applicant is proposing private wells for the two proposed lots within city limits. An existing City water line is a 10-inch main that is located over two-hundred (200) feet to the west on Jeans Road from the subject site and on the opposite side of the street.

Natural Resources

The site contains a ‘non-significant’ wetland in the southwest corner of proposed Parcel 1. Since the wetland has been deemed ‘non-significant’ by the City’s Local Wetland Inventory, (Sheet L4 and associated Natural Resource Study), the wetland is not governed by the requirements of Veneta’s Wetland Protection Ordinance (Veneta Municipal Code, Chapter 18.10).

A wetland delineation was not required as the wetland is considered non-significant in the City’s wetland inventory and Natural Resources Study, and therefore, is not governed by the requirements of Veneta’s wetland protection ordinance. A wetland delineation will be required by the Department of State Lands (DSL) and a removal/fill permit may be required by the Department of State Lands, prior to building permit approval. In summary, State and Federal protections and permitting requirements still apply.

The site contains fir trees but a tree removal permit has not been provided. The applicant performed tree removal around the same time of submitting the proposed partition. Staff conducted a site visit on June 12, 2015 and concluded that a tree removal permit was not required at the time due to the trees removed were not regulated by the tree code. Specifically, the small diameter at breast height (DBH) and species of the trees that were removed are not regulated by VMC, Chapter 8.10 – Tree Cutting, Destruction and Removal. However, tree permit submittal and approval prior to removing regulated trees, will be required on a lot-by-lot basis, prior to building permit approval, for removal of any regulated ‘significant’ or ‘heritage’ trees, in accordance with VMC Chapter 8.10, if applicable.

SUBMITTAL REQUIREMENTS

Appeal (APP-1-16)

The applicant has submitted information as required for an appeal per Section 8.03 of Veneta Land Division Ordinance No. 494.

PUBLIC COMMENTS

None as of the date of the staff report.

ISSUES

Appeal, City File #APP-1-16

The applicant’s submittal (Exhibit C) appeals the Planning Commission’s signed final order of denial (Exhibit D) based on the following:

- 1) The subject property is residential land in the Buildable Land Inventory and so the City may only apply clear and objective standards per ORS 197.307(4).
- 2) The Planning Commission issued an “across the board denial” and “none of the bases for denial is legally or factually correct” as outlined in the letter to Council dated February 24, 2016.

Sight Distance

The alignment of Jeans Road to the east features a right-hand curve when approaching the site. The City Engineer expressed concern during the completeness review period with the proposed driveway location in terms of vision clearance due to the horizontal alignment of Jeans Road. In response, the applicant submitted an intersection sight distance evaluation prepared by EGR & Associates and has proposed a vision clearance easement of twenty-five (25) feet along the east property boundary, from the north right-of-way of Jeans Road and to be shared by the subject site and the adjacent neighboring property to the east (25503 Jeans Road) on June 24, 2015. The proposed vision clearance easement is intended to ensure that the appropriate line of sight is in accordance with the American Association of State Highway and Transportation Officials (AASHTO) recommended intersection sight distance.

The City Engineer responded to the sight distance evaluation in a letter dated July 23, 2015, that the proposed vision clearance easement may be difficult to enforce considering it involves adjacent property owners and therefore recommends that the applicant consider moving the proposed access to a location nearer the east or west property line in order to accommodate the necessary departure sight triangle's line of sight.

The applicant then submitted a Speed Zone and Sight Distance Study on December 29, 2015.

The City Engineer reviewed the Speed Zone and Sight Distance Study and commented in the letter dated January 25, 2016 with recommended conditions of approval which are included in the Final Order of Conditional Approval (Exhibit A). The recommended conditions of approval related to the sight distance issue include:

- 1) The Final Plat shall include the vision clearance easements illustrated on Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study.
- 2) Concurrently with construction of the private roadway, the applicant shall furnish and install an intersection warning sign at 360 feet east of the site access intersection as shown in Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study.

STAFF RECOMMENDATIONS

Appeal APP-1-15

Based on the information in this staff report and the findings and conditions stated in the Proposed Final Order of Conditional Approval, staff recommends approval of the Appeal and conditional approval of the Tentative Partition. (Exhibit A).

POSSIBLE ACTIONS BY THE CITY COUNCIL

The Council may:

Approve the Appeal

Option 1: Approve the appeal and adopt the Tentative Partition Plan with specified conditions of approval based on the findings in the Proposed Final Order of Conditional Approval.

Option 2: Approve the appeal and adopt the Tentative Partition Plan with modified proposed findings or conditions of approval in the Proposed Final Order.

Deny the Appeal:

Option 1: Deny the appeal and deny the Tentative Partition Plan with specified findings in the Proposed Final Order of Denial.

Option 2: Deny the appeal and deny the Tentative Partition Plan with modified findings in the Proposed Final Order of Denial.

EXHIBITS

- A. Proposed Final Order (Conditional Approval), City Council
- B. Proposed Final Order (Denial), City Council
- C. Applicants Submittal, Appeal to City Council, City File #APP-1-16 (Received 2/25/16)
- D. Applicants Submittal for Tentative Partition (City File #M-1-15)
- E. Memo – City Engineer comments dated 1/25//16 (City File #M-1-15)
- F. Public Comment, Tentative Partition, (City File #M-1-15)
- G. Agency Comments, Tentative Partition (City File #M-1-15)

**FINAL ORDER
OF THE
VENETA CITY COUNCIL
SPROAT RANCH ESTATES LOTS 1 & 2,
PARTITION, APPEAL (APP-1-16)**

A. The City Council finds the following:

1. On July 8, 2015, the City of Veneta (City) deemed Applicant's partition application complete.
2. On November 4, 2015, Applicant provided City with a waiver of the 120-Day Rule, extending the deadline for City's final decision to March 9, 2016.
3. On February 2, 2016, the Veneta Planning Commission held a properly noticed meeting on Applicant's partition application and denied that application.
4. On February 10, 2016, the Planning Commission issued an order of denial, signed by the Planning Commission Chair.
5. On February 24, 2016, Applicant properly submitted his appeal of the Planning Commission denial in a timely fashion.
6. On March 7, 2016, the Veneta City Council held a properly noticed public hearing on Applicant's Appeal.
7. The Veneta City Council has reviewed and used as evidence all material relevant to the Appeal that has been submitted by the applicant and general public in creating the findings and conclusions stated in this proposed final order.
8. The Veneta City Council followed the required procedures and standards for taking action on an Appeal as required by 8.03 of Veneta Land Division Ordinance No. 494.

B. The Veneta City Council approves Applicant's requested Partition on appeal (APP-1-16) in order to allow division of the existing parcel into three parcels (two parcels inside Veneta city limits/Urban Growth Boundary). The applicant shall comply with the following conditions of approval:

GENERAL CONDITIONS OF APPROVAL:

1. Install a street sign at the intersection indicating Sproat Ranch Road is private per Veneta Land Division Ordinance No. 494, Section 7.03(2) – Street Name Signs.

2. Parcels 1 and 2 shall take access via the proposed easement, not directly from Jeans Road in accordance with Veneta Land Development Ordinance No. 493, Section 5.24 – Access Management and the City Public Works Director.
3. The access easement and approach to Jeans Road shall be paved to a minimum width of twenty (20) feet and constructed to support loads of 60,000 pounds per the Lane Fire Authority.
4. Concurrently with construction of the private roadway, the applicant shall furnish and install an intersection warning sign at 360 feet east of the site access intersection as shown in Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study dated December 17, 2015 in accordance with the City Engineer.

PRIOR TO FINAL PLAT APPROVAL:

5. The applicant shall widen the north side of Jeans Road along the site frontage to full urban standards; alternatively, the applicant may construct a five (5) foot wide asphalt shoulder along the site frontage, and execute an Irrevocable Petition for public improvements to be held against Parcels 1 and 2 for future street and sidewalk improvement costs in accordance with Veneta Land Development Ordinance No. 493, Section 6.02 – Street Design Standards and the City Engineer.
6. An Irrevocable Petition for public improvements held against Parcels 1 and 2 for future sewer improvement costs shall be recorded. Parcels 1 and 2 shall connect to the public sewer when available in accordance with Veneta Land Division Ordinance No. 494, Section 5.04(2) – Categories for Review of Tentative Plan Applications and the City Engineer.
7. An Irrevocable Petition for Public Improvements held against Parcels 1 and 2 for future water improvement costs shall be recorded in accordance with the City Engineer.
8. The applicant shall provide emergency vehicle turn-a-round's on the north end of Sproat Ranch Road in accordance with Lane Fire Authority and Oregon Fire Code Appendix D, Section D103.4.
9. The applicant shall submit utility plans coordinated with the appropriate agencies.
10. The applicant shall make payment to the city in the amount of \$3,916.08 for required parkland dedication in accordance with Veneta Land Development Ordinance No. 493, Section 5.26(4) - Cash in Lieu of Dedication.
11. The applicant shall include vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015.
12. Submit, sign and record an irrevocable development agreement stating:

- a. Parcels 1 and 2 shall take access via a shared easement and shall not take access directly from Jeans Road.
 - b. Vision clearance easements as illustrated on the approved Final Plat shall be permanently maintained.
 - c. A tree removal permit shall be obtained, if applicable, in accordance with Veneta Municipal Code, Chapter 8.10 – Tree Cutting, Destruction and Removal.
 - d. If sewer and/or water become reasonably available to Parcels 1 and 2, those residences shall connect to City services.
13. Submit a final plat for approval within one year of tentative approval. The final plat shall be prepared in accordance with Veneta Land Division Ordinance No. 494 and Oregon Revised Statutes (ORS) Chapter 92 and shall include the following:
- a. Vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study dated December 17, 2015, shall be permanently maintained.
 - b. All easements including those for utilities and access to storm water drainages shall be shown with dashed lines.
 - c. Plat notes shall include language stating that no fences, trees, structures, or other obstructions shall be placed within the proposed public drainage easement.
 - d. The entire area outside the Urban Growth Boundary and city limits platted as a single parcel.

PRIOR TO ISSUANCE OF BUILDING PERMITS

14. As an information item, in regards to Parcel 1, a wetland delineation will be required by the Oregon Department of State Lands (DSL) and a removal/fill permit may be required by DSL.
15. An easement agreement between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements where necessary may be required in accordance with VLDO Section 5.14(5) – Utility and Drainage Easements.
16. The applicant shall obtain city approval of public improvement plans including the following:
- a. **DRAINAGE PLANS** including:
 - (1) A stormwater management plan prepared in accordance with the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and Veneta Land Development Ordinance No. 5.16 – Stormwater Detention and Treatment.
 - b. **STREETS**
 - (1) Required improvements (i.e. widening the north side of Jeans Road along the site frontage to full urban standards or a 5-foot widening asphalt shoulder along the site frontage) as required by the City Engineer.

- (2) Emergency vehicle turn-a-round on the north end of Sproat Ranch Road in accordance with Lane Fire Authority and Oregon Fire Code, Appendix D, Section D103.4.
 - (3) Minimum paved width of 20-feet for approach and proposed private access road with a year round surface on roadway able to withstand the weight of fire apparatus (60,000 pounds).
 - c. EROSION CONTROL and GRADING plans which:
 - (1) Address erosion and run-off during and after construction including a 1200C permit from DEQ.
 - (2) Show existing and proposed cut and fill slopes, type of fill materials, finish grade elevations at property boundaries, and existing elevations of neighboring parcels at the property lines.
 - d. UNDERGROUND UTILITY PLANS including
 - (1) Telephone, electric, and cable. Installation of utilities must be coordinated with the appropriate regulatory agencies.
17. The applicant shall obtain tree removal permit approval if regulated trees are proposed to be removed in accordance with Veneta Municipal Code, Chapter 8.10 – Tree, Cutting, Destruction and Removal.
18. Provide the City with a recorded copy of the Final Plat.
19. Provide the City with recorded copies of all deeds, easements, development covenants, and Irrevocable Petitions for Public Improvements required as conditions of approval.
20. The applicant shall provide the City with proof of permit approval from Lane County for wells and septic systems.

C. IT IS HEREBY ORDERED THAT the Veneta City Council approves with conditions the tentative plan for the Sproat Ranch Estates, Lots 1 & 2, Partition (FILE # APP-1-16) based on the information presented in the staff report and the following findings of fact:

Partition, applicable criteria. Ordinance language is in italics. Findings are in bold.

Veneta Land Division Ordinance No. 494

Article 5 - PARTITIONS

Section 5.04 Categories for Review of Tentative Plan Applications

TRANSPORTATION

- (1) *The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements*

(Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

As conditioned in the detailed findings under Article 6 and 7 below, the proposal is consistent with this standard.

Veneta Land Division Ordinance No. 494

Article 6 - DESIGN STANDARDS

Section 6.02 Street Design Standards

(2) Standard right-of-way and street widths.

The width of streets shall be adequate to fulfill city specifications as provided for in SECTION 7.02 of this Ordinance, and, unless otherwise indicated on a development plan or approved by the Planning Commission, streets shall have:

<u>Standard</u>	<u>Standard</u>	<u>Paved Width</u>	<u>Sidewalks</u>
<u>Type of Street</u>	<u>Right-of-Way</u>		
<i>Major Collector</i>	<i>60’*</i>	<i>34’ (11’ travel lanes, 6’ bike lanes, no parking)</i>	<i>yes</i>

(9) Existing Streets. *Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided in accordance with the Veneta Transportation System Plan at the time of the land division.*

As conditioned, the proposal is consistent with this standard. Along the site frontage, Jeans Road is a narrow two-lane roadway without any shoulders, bike lanes or sidewalks and contains a 60-foot right-of-way, typical of a Major Collector. The roadway widens just west of the site with curb and gutter on both sides and sidewalk on the south side. The posted speed is forty-five (45) miles per hour. Widening of the roadway will be needed to accommodate pedestrian and bicycle traffic. Jeans Road, contains a 60-foot right-of-way typical of a major collector, and at full build out will be improved to urban standards including two travel lanes, bike lanes and sidewalks. The applicant is not proposing any street improvements to Jeans Road as part of this request.

Prior to final plat approval, the applicant shall widen the north side of Jeans Road along the site frontage to full urban standards; alternatively, the applicant may construct a 5-foot wide asphalt shoulder along the site frontage, and execute an Irrevocable Petition for public improvements to be held against Parcels 1 and 2 for future street and sidewalk improvement costs in accordance with Veneta Land Development Ordinance No. 493, Section 6.02 – Street Design Standards and the City Engineer. Additionally, the applicant is proposing a single private roadway (Sproat Ranch Road) from Jeans Road to serve the proposed partition, as well as a future seven (7) lot subdivision north of the urban growth boundary.

UTILITIES

- (2) *Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.*

Sewer

Public gravity sewer service is currently unavailable to the site. The nearest public sewer is a pressure line approximately five-hundred (500) feet west of the site in Jeans Road at the Cornerstone intersection.

Prior to final plat approval, an Irrevocable Petition for public improvements held against Parcels 1 and 2 for future sewer improvement costs shall be recorded. Parcels 1 and 2 shall connect to the public sewer when available in accordance with Veneta Land Division Ordinance No. 494, Section 5.04 – Categories for Review of Tentative Plan Applications and the City Engineer.

Water

The applicant is proposing private on-site wells for water service to each parcel. The nearest public water main is located on the south side of Jeans Road approximately 130-feet west of the site.

Prior to final plat approval, an Irrevocable Petition for Public Improvements held against Parcels 1 and 2 for future water improvement costs shall be recorded in accordance with the City Engineer.

SURFACE WATER DRAINAGE

- (3) *The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.16 – Stormwater Detention and Treatment, the proposal is consistent with this standard.

TOPOGRAPHY, FLOODPLAIN, WETLANDS, AND VEGETATION

- (4) *Topography, floodplain, wetlands, and vegetation have been incorporated into the partition design in conformance with the applicable City requirements, including*

Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).

As conditioned, the proposal is consistent with this standard. Prior to final plat, the applicant shall sign a development agreement stating that a tree removal permit shall be obtained if regulated trees are proposed to be removed from a single parcel in accordance Veneta Municipal Code (VMC), Chapter 8.10. The City's Local Wetland Inventory indicates the presence of a non-significant wetland on the site. A wetland that has been deemed non-significant is not regulated by VMC 18.10.030 - Procedures for identifying significant wetlands which states, "The wetland regulations contained in this chapter apply to those areas identified as significant wetlands on the comprehensive plan wetlands map exhibit, and wetland sites meeting Division of State Lands criteria." The wetland identified on the Veneta Local Wetland Inventory and associated Table 3 of the Natural Resource Study is considered "non-significant" and therefore is not protected by VMC 18.10 – Wetland Protection Ordinance. State and Federal protections and permitting requirements still apply. The Department of State Lands (DSL) – Wetlands Program indicates that the proposed parcel division may create a lot that is largely wetland and would create future development problems for Parcel 1 and a wetland delineation is required before development.

Prior to building permit approval for Parcel 1, a wetland delineation will be required by DSL and a removal/fill permit may be required by DSL. As an information item, depending upon the wetland delineation results, a site plan review application and process may be required with building permit application review for Lot 1. In addition, as an informational item, a variance request and approval application may be necessary prior to building permit approval, if the wetland delineation reveals the parcel has no useable building site per Veneta Municipal Code, Chapter 8.10.060(1).

(5) Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.

Not applicable, as any remainder property is not within city limits.

(6) Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.

The proposal is consistent with this standard. Property to the east contains a single family residence, property immediately to the west of proposed Lot 1 and 2 is undeveloped although there are single family homes to the northwest within Lane County jurisdiction. Property to the north is also undeveloped and within Lane County jurisdiction.

- (7) *The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).*

As conditioned in the detailed findings under Article 6 and 7, the proposal is consistent with this standard.

Veneta Land Division Ordinance No. 494
Article 6 - DESIGN STANDARDS
Section 6.02 Street Design Standards

- (3) *Reserve Strips. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission or Building and Planning Official. One foot reserve strips are used across the ends of stubbed streets adjoining undivided land or along half streets adjoining undivided land, and they shall be designated as such. Reserve strips may also be parallel to the right-of-way as a means of access control (prohibiting driveway access). Reserve strips shall have separate legal descriptions and documentation, and dedication shall be identified on the plat.*

This standard is not applicable as there are no public streets proposed with this request.

- (6) *Future extensions of streets. Where necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition and the resulting dead-end streets must have a turn-around. Reserve strips may be required to preserve the objectives of street extensions.*

As conditioned, the proposal is consistent with this standard. According to the Veneta Transportation System Map Plan, Map 9 – Proposed Street, there are no planned streets that would affect the proposal. The proposal includes extensions of a private street (Sproat Ranch Road) to the end of city limits/ urban growth boundary to the north.

A dead end private street will occur until Sproat Ranch Road is extended to the north to serve lots within Lane County jurisdiction. The Lane Fire Authority is recommending an emergency vehicle turn-a-round at the terminus of Sproat Ranch Road for emergency access.

Prior to final plat approval, the applicant shall provide emergency vehicle turn-a-round's on the north end of proposed Sproat Ranch Road in accordance with Lane Fire Authority and Oregon Fire Code Appendix D, Section D103.4.

- (7) *Division of property. Property with frontage onto two or more streets shall not be divided in a manner that would preclude access to a portion of the property from the*

road(s) with the lesser functional class. Access could be provided via an access easement.

This standard is not applicable. The subject site has frontage on only one public street, Jeans Road.

*Veneta Land Division Ordinance No. 494
Article 6 - DESIGN STANDARDS
Section 6.03 Blocks*

- (2) *Size. In residential zones, block lengths shall not exceed 600 feet and block perimeters shall not exceed 1800 feet except where topography, natural features, or existing development creates conditions requiring longer blocks.*

The proposal is consistent with this standard. The two lots within City limits will not exceed a block length of six-hundred (600) feet as they are proposed to be approximately two-hundred and nineteen (+/-219) feet deep. The third lot created with this partition immediately to the north is proposed to be divided into seven (7) lots as a Preliminary Subdivision application has been submitted to Lane County (Lane County Department File# 509-PA15-05335). In correspondence with the assigned Lane County Planner, a decision on the Preliminary Subdivision will likely be issued after the lots, including access is approved by City of Veneta. In addition, the assigned Lane County Planner indicated that Lane County has no applicable block length standard at this time.

- (4) *Easements.*

- (a) *Utility lines. Easements for sewers, water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be at least fourteen (14) feet wide and located adjacent to lot or parcel lines, except for easements adjacent to the right-of-way which may be reduced to six (6) feet in width.*

The proposal is consistent with this standard. No sewer or water easements are necessary at this time.

- (b) *Water courses. If a tract 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 with the lines of the water course, and such further width as will be adequate for the purpose in accordance with the adopted drainage plan. Streets or parkways parallel to the major water courses may be required.*

The proposal is consistent with this standard. The applicant is proposing a twenty (20) foot public drainage easement as depicted on the Tentative Partition

Plan.

Veneta Land Division Ordinance No. 494

Article 5 - PARTITIONS

Section 5.04 Categories for Review of Tentative Plan Applications

ALL APPLICABLE CITY REQUIREMENTS

(7) The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance) Veneta Land Division Ordinance No. 494.

Veneta Land Division Ordinance No. 494

Article 6 – DESIGN STANDARDS

Section 6.04 Building Sites

(1) Size and shape. The size, width, shape and orientation of building sites shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall comply with the following standards:

(a) Width. Each lot or parcel shall have an average width between the lot side lines as specified in the Land Development Ordinance.

This standard is not applicable as the subject site is located within the Rural Residential (RR) zone which has no minimum lot width requirement.

(b) Depth. Each lot or parcel shall have an average depth between the front line and lot or parcel rear line of not less than 80 feet and not more than 2-1/2 times the average width between the side lines. Exceptions are allowed for lots designed for single-family attached dwellings.

The proposal is consistent with this standard. Proposed Parcels 1 & 2 are +/- 208/209 feet in depth which are not less than eighty (80) feet and not more than 2 1/2 times the average width between the side lines.

(c) Area. Each lot or parcel shall comprise a minimum area as specified in the Land Development Ordinance.

The proposal is consistent with this standard. The minimum lot area in the Rural Residential (RR) zone is one (1) acre. Both proposed parcels meet the minimum lot area standard.

(f) The minimum lot size for flag lots shall be calculated for the area exclusive of the portion of the lot that provides access.

This standard is not applicable as the applicant is not proposing any flag lots as part of this partition request.

(2) Access. *Each lot and parcel (except those in the GR and RC zones intended for single-family attached housing) shall abut upon a street other than an alley for a width of at least 50 feet and 35 feet for a cul-de-sac. Flag lots shall be allowed in accordance with Section 6.04 (5) below. A shared access and maintenance agreement between all lots within a flag lot partition is required prior to the application for Final Plat.*

The proposal is consistent with this standard. Parcels 1 & 2 abut Jeans Road for an approximate distance of two-hundred and eight (208) feet.

(3) Through lots and parcels. *Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide and across, to which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.*

This standard is not applicable as no through lots are proposed as part of this partition request. The parcels will have frontage on only one public street, Jeans Road. Forest Meadows Lane, to the west, is a series of easements and is not considered a street.

(4) Lot and parcel side lines. *The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.*

The proposal is consistent with this standard. All proposed parcel lines as depicted on the Tentative Partition Plan as prepared by EGR & Associates, Inc. run at right angles to Jeans Road.

(5) Flag Lots.

(a) *The Building and Planning Official may approve a flag lot that creates three (3) lots or less in conformance with the subdivision or partition requirements in this ordinance. Partition or subdivision requirements apply unless a more specific flag lot provision conflicts. Flag lot development of a unit of land possessing any one of the following characteristics shall be referred to the Planning Commission:*

This standard is not applicable, as the applicant is not proposing any flag lots as part of this tentative partition request.

Section 6.05 Grading of Building Sites

(4) All sites shall be graded to direct stormwater to City storm sewers or to natural drainage ways as required by City Ordinances.

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.16 – Stormwater Detention and Treatment, the proposal is consistent with this standard.

Section 6.06 Building Lines

If special building setback lines are to be established in a land division, they shall be shown on the subdivision plat or partition map or, if temporary in nature, they shall be included in the deed restrictions.

This standard does not apply, as there are no special building setback lines to be established. Plans submitted for lot building permits will be required to adhere to yard standards of Veneta Land Development Ordinance No. 493, Section 4.01(6) – Yards.

Section 7.03 Improvements in Subdivisions

(1) Streets. Public Streets, including alleys, within the subdivisions and public streets adjacent but only partially within the subdivision shall be improved. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected as provided in ORS Chapter 92. Traffic impacts to facilities as identified in the TIA and supported by the City's consulting engineer, shall be mitigated by the developer as part of the public improvements of the Site Plan, Subdivision or PUD.

Section 7.04 Improvements in Partitions

The same improvements required to serve a subdivision shall be required to serve each building site of a partition. However, if the Planning Commission or Building and Planning Official finds that the nature of development in the vicinity of the partition makes installation of some improvements, such as street width expansions, sidewalks or storm drainage unreasonable, the Planning Commission or Building and Planning Official may except those improvements. Exceptions to these improvements may be made only if a street grade has not been established or if installing such improvements could make traveling or walking dangerous due to the intermittence of the improvements. A recorded irrevocable petition will be required for excepted improvements. In conjunction with the irrevocable petition, the developer may be required to deposit with the City a cash payment, surety bond, or letter of credit in an amount not to exceed the cost of improvement construction, as based upon an estimate approved by the City Engineer. The irrevocable petition shall

reference the deposit and cover future improvement installation to the extent actual installation costs exceed the deposit amount. In lieu of excepting an improvement, the Planning Commission may recommend the installation of the improvements to the City Council under special assessment financing or other facility extension policies of the City.

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02 - Street Design Standards above, the proposal is consistent with this standard.

Section 7.03 Improvements in Subdivisions

- (2) *Surface drainage and storm sewer system. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage ways or storm sewers outside the subdivision. Detention and treatment within the subdivision shall be designed and sized according to the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and shall take into account the capacity and grade necessary to maintain unrestricted flow from areas drainage through the subdivision and allow extension of the system to serve such area as per adopted Drainage Plan. This plan shall be approved by the City Engineer.*

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.16 - Stormwater Detention and Treatment, the proposal is consistent with this standard.

- (3) *Sanitary Sewers. Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains and shall take into account the capacity and grade to allow for desirable extension beyond the subdivision. In the event it is impractical to connect the subdivision to the City sewer system, the Planning Commission may authorize the use of septic tanks if lot areas are adequate considering the physical characteristics of the area.*

If sewer facilities will, without further sewer construction, directly serve property outside the subdivision, and the area outside the subdivision to be directly served by the sewer line has reached a state development to justify sewer installation at the time, the City Council may construct as an assessment project with such arrangements as are desirable with the sub-divider to assure financing his share of the construction. If the City Council chooses not to construct the project as an assessment project the sub-divider shall be solely responsible for the cost of improvements in accordance with City approved plans.

As conditioned, the proposal is consistent with this standard. Sanitary sewer is currently unavailable to the site. The nearest public sewer is a pressure line approximately five-hundred (500) feet west of the site in Jeans Road. The

applicant is proposing private septic systems on each lot.

Prior to final plat approval, an Irrevocable Petition for Public Improvements held against Parcels 1 and 2 for future sewer improvement costs shall be recorded. Parcels 1 and 2 shall connect to the public sewer when available. Prior to issuance of building permits, the applicant shall provide proof of septic approval from Lane County.

- (4) *Water system.* *Water lines and fire hydrants serving each building site in the subdivision and connecting the subdivision to existing mains shall be installed to the standards of the City, taking into account provisions for extension beyond the subdivision.*

As conditioned, the proposal is consistent with this standard. The applicant is proposing private wells for water service on each parcel. The nearest public water main is located along the south side of Jeans Road over two-hundred (200) feet west of the site.

Prior to final plat approval, an Irrevocable Petition shall be held against Lots 1 and 2 for future water improvement costs shall be recorded.

- (5) *Sidewalks.* *Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision at the time a building permit is issued, except that in the case of arterials, or special type industrial districts, the Planning Commission may approve a subdivision without sidewalks if alternative pedestrian routes are available; and provided further, that in the case of streets serving residential areas having single-family dwellings located on lots equivalent to two and one-half or less dwellings per gross acres, the requirement of sidewalks shall not apply, provided there is no evidence of special pedestrian activity along the streets.*

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02(9) - Existing Streets above, the proposal is consistent with this standard.

- (6) *Bicycle routes.* *If appropriate to the extension of a system of bicycle routes, existing or planned, the Planning Commission may require the installation of separate bicycle lanes within streets or separate bicycle paths.*

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02(9), the proposal is consistent with this standard. The Veneta Transportation System Plan, Map 15 – Proposed Bicycle Pedestrian Network indicates that there is a proposed bike lane along Jeans Road.

As described under Veneta Land Division Ordinance No. 494, Section 6.02(9), the applicant is required to either widen the north side of Jeans Road along the site frontage to full urban standards OR construct a 5-foot wide asphalt should along the site frontage and execute an Irrevocable Petition for public

improvements to be held against Parcels 1 and 2 for future street and sidewalk improvement costs.

- (7) *Street name signs.* Street name signs shall be installed at all street intersections to approved City standards.

As conditioned, the proposal is consistent with this standard. As a general condition of approval, the applicant install a street sign at the intersection indicating that Sproat Ranch Road is private in accordance with Veneta Land Division Ordinance No. 494, Section 7.03(7) – Street Name Signs.

- (8) *Street lights.* Street lights shall be installed and shall be served from an underground source of supply.

As conditioned above under Veneta Land Division Ordinance No. 494, Section 6.02(9) - Existing Streets, the proposal is consistent with this standard.

- (9) *Other.* The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.

As conditioned, the proposal is consistent with this standard.

Prior to final plat approval, the applicant shall submit utility plans coordinated with the appropriate agency in accordance with Veneta Land Division Ordinance No. 494, Section 7.03(9) - Other.

Section 7.05 Agreements for Improvements

Before final approval of a subdivision plat or partition map, the land divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the City an agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for reimbursement of the City for the cost of inspection by the City in accordance with Section 7.06.

The applicants' plan shows that they already have sufficient right-of-way. If the city were to require dedication of public right-of-way along Jeans Road, the proposed lots would not meet the one (1) acre minimum for the zone and the application would be denied. Requiring dedication of public right-of-way would create a small section of a dead-end road which the City would be responsible

for maintaining. At this time, it is recommended that the City Council approve the access easement as proposed.

Veneta Land Development Ordinance No. 493

Article 4 – Use Zones

Section 4.01 Rural Residential (RR)

(1) Purpose. To maintain areas outside the city’s services boundary for limited rural development within the carrying capacity of the natural resources until conversion to urban residential uses.

The proposal is consistent with this standard. The proposed partition meets the purpose of the land use designation identified in Veneta Land Development Ordinance No. 493, Section 4.01 – Rural Residential (RR) zone, by providing limited rural development (one acre parcels) until conversion to urban residential uses.

(5) Lot Size. Except as provided in Articles 5, 6 and 8, in an RR zone, yards shall be as follows:

(a) The minimum legal lot size is one (1) acre, or larger as needed to permit compliance with the requirements of the Department of Environmental Quality for the location of on-site disposal systems and domestic wells. Determination of minimum legal lot size and land division approval will be made on a case-by-case basis by the Planning Commission based on the carrying capacity of the land, availability of sewage disposal systems and type of water supply.

The proposal is consistent with this standard. The minimum lot area in the Rural Residential (RR) zone is one (1) acre. Both proposed parcels meet the minimum lot area requirements.

(b) When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities, including the minimum yard setbacks and future street extensions.

This standard is not applicable, as the two proposed lots are not twice the minimum lot size.

Veneta Land Development Ordinance No. 493

Article 5 – Supplementary Provisions

Section 5.02 Access

All lots shall be provided with access according to the standards of Article 6, Section 6.04 of the Veneta Land Division Ordinance.

The proposal is consistent with this standard. Both proposed parcels have more

than fifty (50) feet of frontage on Jeans Road.

Section 5.07 Future Development Potential

Buildings must be placed on a site to allow for future street extensions and appropriate setbacks. When a residential property is larger than twice the minimum lot size and has potential for division, the applicant must submit a shadow plat showing how that future land division could take place and site the residence(s) accordingly.

The proposal is consistent with this standard. The applicant has provided a Partition Plan that depicts potential future land division on the lot created to the north that is within Lane County jurisdiction. The applicant submitted a Preliminary Subdivision request to Lane County and county staff has indicated that a decision for the Preliminary Subdivision will likely occur after the City of Veneta's decision on this partition request due to the proposed access is in city jurisdiction.

Section 5.14 Improvement Requirements

(1) Water and Sewer connections. All developments requiring water within the SFR, GR, CR, CC, IC, and I zones shall be connected to City water and sanitary sewers.

As conditioned under Veneta Land Division Ordinance No. 494, Section 5.04(2) - Utilities, the proposal is consistent with this standard.

(2) Agreement for Improvements. Before approval of a building permit, the land developer may be required to install required street, sidewalk, water, sewer, storm sewer, drainage and other required public facilities and shall repair existing streets and other public utilities damaged in the development or execute and file with the city an agreement between the owner of the land and the city specifying the period within which required improvements and repairs shall be completed. If the improvements are not installed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land developer.

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02(9) - Existing Streets, the proposal is consistent with this standard.

(3) Dedication of Street Right-of-Way. Before approval of a building permit, the City may require dedication of additional public right-of-way in order to obtain adequate street widths, in accordance with the Veneta Comprehensive Plan, Land Division Ordinance and any adopted street plans. Dedication shall be considered

whenever the existing street width adjacent to or within a development is of inadequate width.

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02 - Street Design Standards, the proposal is consistent with this standard.

- (5) *Utility and Drainage Easements.* Before approval of a building permit, the City may require that an easement agreement be executed between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements wherever necessary. The easements shall be at least fourteen (14) feet wide and located adjacent to lot or parcel lines, except for utility pole tieback easements which may be reduced to six (6) feet in width.

As conditioned, the applicant is consistent with this standard.

Prior to building permit approval, an easement agreement between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements where necessary may be required in accordance with VLDO Section 5.14(5) – Utility and Drainage Easements.

Section 5.16 Stormwater Detention and Treatment

For all projects that create greater than or equal to 1000 square feet of new impervious surface, stormwater detention and treatment facilities shall be provided. Detention and treatment facilities shall be designed and sized according to the City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 which is adopted as the City's Stormwater Management Manual. Where the manual and this section conflict, this section shall prevail.

The intent of these requirements is as follows:

- (a) *To maintain runoff peak flows at predevelopment levels*
- (b) *To provide treatment of runoff to limit the transport of pollutants to area Waterways.*
- (c) *To limit accumulation of ponded water by discouraging the use of detention ponds and other centralized stormwater facilities through the dispersal of small detention and treatment facilities throughout a development. Preference shall be given to detention and treatment systems designed to drain completely within 24 hours to limit standing water.*
- (d) *To encourage the use of vegetated treatment systems over structural pollution control devices.*

As conditioned, the proposal is consistent with this standard. The applicant is proposing to maintain drainage as currently exists with sheet flow draining towards Fern Ridge Reservoir until the time of individual lot development. The City of Veneta's adopted stormwater manual is the City of Portland Stormwater

Management Manual, Revision #4, August 1, 2008. The applicant's written statement indicates stormwater detention and treatment facilities will be provided for new impervious surface in conformance with the requirements of Land Development Ordinance No. 493.

Prior to building permit issuance, the applicant shall submit and obtain approval of a stormwater management plan prepared in accordance with the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and Veneta Land Development Ordinance No. 493, Section 5.16 – Stormwater Detention and Treatment.

Section 5.26 Parkland Dedication Requirements

(2) Minimum Parkland Dedication Requirements

Parkland Dedication: New residential subdivisions, planned unit developments (including plans implementing the Specific Development Plan (SDP) subzone), multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments...

(a) The required parkland shall be dedicated as a condition of approval for the following:

1. Tentative plat for a subdivision or partition;

As conditioned below, the proposal is consistent with this standard.

(b) Calculation of Required Dedication: The required parkland acreage to be dedicated is based on a calculation of the following formula rounded to the nearest 1/100 (0.01) of an acre: Required parkland dedication (acres) = (proposed units) x (persons/unit) x 0.0084 (per person parkland dedication factor).

1. Minimum Park Land Standards

As conditioned, the proposal is consistent with this standard. Required parkland dedication is .05 acres based upon the following formula: Required parkland dedication; $2 \text{ (proposed units)} \times 3 \text{ (persons/unit)} \times 0.0084 \text{ (per person land dedication factor)} = .0504 \text{ acres}$. Given the amount of land that would be dedicated (.0504 acres) as calculated per Veneta Land Development Ordinance No. 493, Section 5.26(2)(b), it would not be large enough to accommodate active park use facilities in order to fulfill the purpose Veneta Land Development Ordinance No. 493, Section 5.26(3) – Minimum Park Land Standards.

Prior to final plat approval, the applicant shall pay cash in lieu of dedication per Veneta Land Development Ordinance No. 493, Section 5.26(2)(b) – Parkland Dedication Requirements as conditioned below.

(b) The required dedication shall be contained as a contiguous unit and not separated into pieces or divided by roadways.

As conditioned below, cash in lieu of parkland dedication is required.

(4) Dedication Procedures

Lands required for dedication by this section shall be dedicated at the time of Final Plat. Dedication of land in conjunction with multi-family development shall be required prior to issuance of permits and commencement of construction.

(d) Prior to acceptance of required parkland dedications, the applicant/developer shall complete the following items for all proposed dedication areas:

- 1. The developer shall clear, fill, and/or grade all land to the satisfaction of the City, install sidewalks on the park land adjacent to any street, and seed the park land; and*

Not applicable; cash in lieu of parkland dedication is conditioned below.

(e) Additional Requirements

- 1. In addition to a formal dedication on the plat to be recorded, the sub-divider shall convey the required lands to the city by general warranty deed. The developer of a multi-family development or manufactured home park shall deed the lands required to be dedicated by a general warranty deed. In any of the above situations, the land so dedicated and deeded shall not be subject to any reservations of record, encumbrances of any kind or easements which, in the opinion of the Planning Official, will interfere with the use of the land for park, open space or recreational purposes.*

Not applicable; cash in lieu of parkland dedication is conditioned below.

- 2. The sub-divider or developer shall be required to present to the City a title insurance policy on the subject property ensuring the marketable state of the title.*

Not applicable; cash in lieu of parkland dedication is conditioned below.

(5) Cash in lieu of dedication

At the city's discretion only, the city may accept payment of a fee in lieu of land dedication. The city may require payment in lieu of land when the park

land to be dedicated does not meet the standards stated above, or when a fee is determined to be in the best interest of the City as determined by the Planning Commission. A payment in lieu of land dedication is separate from Park Systems Development Charges (SDC), and is eligible for a credit only for that portion of the SDC attributable to land acquisition. The amount of the fee in lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, and it shall be based on the average market value of undeveloped city lots of between 1 and 10 acres in size. The required fee-in-lieu-of shall be calculated by multiplying the acres required for dedication by the dollar/acre amount set by resolution.

(a) The following factors shall be used in the choice of whether to accept land or cash in lieu:

- 1. The topography, geology, access, parcel size, and location of land in the development available for dedication;*

As conditioned below, the proposal is consistent with this standard.

- 4. The City's current park and open-space needs*

In terms of current city park and open-space needs, the subject site is an 'unserved residential area' as depicted on the city's 1998 Park and Recreation Master Plan. Given the required dedication size of .0504 acres as addressed under Veneta Land Development Ordinance No. 493, Section 5.26(2)(b) – Calculation of Required Dedication, cash in lieu of dedication is appropriate.

- 5. The feasibility of dedication.*

(b) Cash in lieu of parkland dedication shall be paid prior to approval of the final plat unless the developer provides a binding financial instrument acceptable to the City.

As conditioned, the proposal is consistent with this standard.

Prior to final plat approval, the applicant shall make payment to the city in the amount of \$3,916.08 for required parkland dedication in accordance with Veneta Land Development Ordinance No. 493, Section 5.26(4) - Cash in Lieu of Dedication. The required fee in lieu of land dedication (in dollars per acre) has been established in the amount of \$77,700 per acre as set by City Council Resolution No. 937. The required fee in lieu of land dedication is based on the average market value of undeveloped city lots of between 1 and 10 acres in size per VLDO, Section 5.26(4) - Cash in Lieu of Dedication.

*Veneta Land Development Ordinance No. 493
Article 5-Supplementary Provisions
Section 5.03 Clear Vision Areas*

In all zones except the C zone a clear vision area shall be maintained on the corners of all property at the intersections of two (2) streets, a street-alley or street-railroad.

- (1) Corner lots shall maintain a triangular area at street intersections, railroad-street intersections alley-street intersections, and flag lot - street intersections for safety vision purposes. Two (2) sides of the triangular area shall be exterior property lines, 20 feet in length at street intersections and fifteen (15) feet leg lengths at alley-street intersections and flag lot -street intersections. When the angle of the portion of the intersection between streets is less than 30 degrees, the visual distance shall be 20 feet along the property line from the point of intersection. The third side of the triangle shall be an interior line connecting the two (2) exterior sides.*
- (2) A clear vision area shall contain no plantings, driveways, fences, walls, structures or temporary or permanent obstruction exceeding 2-1/2 feet in height, measured from the top of the curb or where no curb exists, from the established street center line grade. Trees exceeding this height may be located in this area, provided all branches or foliage are removed to a height of eight (8) feet above grade.*

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.24 – Access Management, the proposal is consistent with this standard. The applicant is required to maintain vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015 which exceeds the clear vision area standard listed under VLDO Section 5.03 –Vision Areas.

Section 5.12 Landscaping

- (3) Minimum Landscaped Area. The minimum percentage of required landscaping is as follows:
 - (a) Residential and Residential-Commercial Zones. 20 percent of each lot of residential developments, 10 percent for commercial or mixed use.**
- (4) Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:
 - (a) One tree, minimum 2” caliper.*
 - (b) Four 5-gallon shrubs or accent plants.**

The proposal is consistent with this standard. Landscaping requirement shall be determined as building permits are issued for individual lots.

Section 5.20 Off-Street Parking Requirements

For each new structure or use, each structure or use increased in area and each change in the use of an existing structure, there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.

(1) Design and improvement requirements for residential parking for single-family and two-family dwellings.

(a) Except where the City Engineer has approved a porous paving system to manage storm water runoff and water quality, all parking areas, driveways and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete or six (6) inches Portland Cement concrete over approved base or other materials approved by the City Engineer. Paved driveways are not required in situations approved by the Planning Commission or Building and Planning Official in which the driveway will be used temporarily until further land divisions or development occur.

As conditioned, the proposal is consistent with this standard.

Prior to final plat approval, the applicant shall sign a development agreement stating that the access will be paved with at least (2) inches of asphaltic concrete or six (6) inches Portland Cement concrete over approved base or other materials approved by the City Engineer to a width of at least twenty (20) feet and all year round surface on roadway able to withstand the weight of fire apparatus (60,000 pounds) per Lane Fire Authority.

Section 5.24 Access Management

(1) Residential driveways shall be located to optimize intersection operation and where possible, to access off the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a minor collector, the driveway shall access from the local street as long as it can be located a sufficient distance from the intersection.

As conditioned, the proposal is consistent with this standard. The applicant is proposing a single private roadway (Sproat Ranch Road) from Jeans Road to serve the proposed partition, as well as a future seven (7) lot subdivision north of the Urban Growth Boundary.

Due to high vehicle speeds and a nearby horizontal bend in Jeans Road, the applicant was required to analyze the proposed access for sight distance by the City Engineer. In response to referral request, the City Engineer provided a memorandum dated July 20, 2015 which provides a review of the sight distance evaluation.

On December 29, 2015, the applicant submitted additional information including Speed Zone and Sight Distance Study as prepared by Access Engineering, LLC. The study concluded that the posted speed of 45 MPH is appropriate based on speeds observed and accident history and the proposed access location will have the minimum required Stopping Sight Distance (SSD) according to the City Engineer. In summary, the study recommends the access be designed as an uncontrolled intersection (without stop signs). The applicant explored several alternative access locations, and found the minimum lot size requirement, wetlands, and the curvature of the roadway east of the site, restrict potential alignments. The applicant also conducted a speed study to determine if the posted speed can be reduced to increase safety. These efforts concluded that the proposed access location is the most reasonable alignment provided the recommendation in the Sproat Ranch Estates Speed Study are implemented.

Prior to final plat approval, the applicant shall include vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015.

Concurrently with construction of the private roadway, the applicant shall furnish and install an intersection warning sign at 360 feet east of the site access intersection as shown in Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study dated December 17, 2015 in accordance with the City Engineer.

In addition, prior to final plat approval, the applicant shall sign a development agreement to permanently maintain the vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015 in accordance with the City Engineer.

The public comment letter received on August 11, 2015 from Mr. and Mrs. Gary and Wanda Campbell whom reside at 25448 Jeans Road (immediately south of the subject site with frontage along Jeans Road) expressed concern with a “blind spot” to the east due to the horizontal bend in Jeans Road.

As a general condition of approval, both lots shall take access via the proposed private road and not directly from Jeans Road in accordance with Veneta Land Development Ordinance No. 493, Section 5.24 – Access Management and the City Public Works Director.

(2) Properties that only front on collector or arterial streets are encouraged to share an access with neighboring properties. The decision making body may require a combined access for two or more developments, and shared driveways between developments, including land divisions, where access spacing standards cannot otherwise be met.

As conditioned above under VLDO Section 5.24(1), the proposal is consistent with this standard.

*Veneta Municipal Code, Chapter 8.10 – Tree Cutting, Destruction and Removal
Chapter 8.10.030 Tree removal permit required.*

No person shall remove or transplant any tree without first obtaining a tree removal permit as required by this chapter. (Ord. 483 § 3, 2008)

A Tree Removal permit has not been submitted. Staff conducted a site visit on June 12, 2015 and concluded that the proposed land division, frontage improvements and access development do not require a tree removal permit at this time.

Prior to building permit approval, the applicant shall obtain tree removal permit approval if regulated trees are proposed to be removed, on a lot by lot basis, in accordance with Veneta Municipal Code, Chapter 8.10 – Tree, Cutting, Destruction and Removal.

- D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Veneta City Council, below. This Council decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 days after the final order has been signed and mailed.**

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Sandra Larson, Mayor

Date

**FINAL ORDER
OF THE
VENETA CITY COUNCIL
SPROAT RANCH ESTATES LOTS 1 & 2,
PARTITION, APPEAL (APP-1-16)**

A. The City Council finds the following:

1. On July 8, 2015, the City of Veneta (City) deemed Applicant's partition application complete.
2. On November 4, 2015, Applicant provided City with a waiver of the 120-Day Rule, extending the deadline for City's final decision to March 9, 2016.
3. On February 2, 2016, the Veneta Planning Commission held a properly noticed meeting on Applicant's partition application and denied that application.
4. On February 10, 2016, the Planning Commission issued an order of denial, signed by the Planning Commission Chair.
5. On February 24, 2016, Applicant properly submitted his appeal of the Planning Commission denial in a timely fashion.
6. On March 7, 2016, the Veneta City Council held a properly noticed public hearing on Applicant's Appeal.
7. The Veneta City Council has reviewed and used as evidence all material relevant to the Appeal that has been submitted by the applicant and general public in creating the findings and conclusions stated in this proposed final order.
8. The Veneta City Council followed the required procedures and standards for taking action on an Appeal as required by 8.03 of Veneta Land Division Ordinance No. 494.

B. IT IS HEREBY ORDERED THAT the Veneta City Council denies the tentative plan for the Sproat Ranch Estates, Lots 1 & 2, Partition (M-1-15) based on the information presented in the staff report and the following findings of fact:

Partition, applicable criteria. Ordinance language is in italics. Findings are in bold.

Veneta Land Division Ordinance No. 494

Article 5 - PARTITIONS

Section 5.04 Categories for Review of Tentative Plan Applications

TRANSPORTATION

- (1) *The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.*

As established by the findings under Articles 6 and 7 of the Land Division Ordinance 494 and applicable criteria under Veneta’s Land Development Ordinance 493, the proposal does not, nor can it be conditioned to, meet this standard.

*Veneta Land Division Ordinance No. 494
Article 6 - DESIGN STANDARDS
Section 6.02 Street Design Standards*

- (6) *Future extensions of streets. Where necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition and the resulting dead-end streets must have a turn-around. Reserve strips may be required to preserve the objective of street extensions.*

The subject parcel and anticipated future subdivision north of the City (currently on hold at Lane County) are bounded by private lanes – Jesse James Lane to the east and Forest Meadows Lane to the west. A dead end private street is proposed to serve the partitioned lots until Sproat Ranch Road is extended to the north to serve 7 proposed lots within Lane County’s jurisdiction. The Lane Fire Authority is recommending an emergency vehicle turn-a-round at the terminus of Sproat Ranch Road for emergency access. The proposed Sproat Ranch Road would create a lengthy private lane, ending in a cul-de-sac.

The City Council finds that the proposed private street (Sproat Ranch Road) extension to the end of city limits/ urban growth boundary to the north fails to promote connectivity. It fails to address the need for a future east/west connector to the nearby Northeast Employment Center. It further fails to promote connectivity as it does not create a connection between the proposed access and the adjacent Forest Meadows Lane.

The City Council also finds that the proposal is speculative in light of Lane County’s inaction on the pending application for Sproat Ranch Estates (Department File: 509-PA15-05335) as it impacts that portion of the subject parcel immediately north of the portion within Veneta City limits

Veneta Land Division Ordinance No. 494

Article 5 - PARTITIONS

Section 5.04 Categories for Review of Tentative Plan Applications

- (7) *The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance) Veneta Land Division Ordinance No. 494.*

As established by the findings under Articles 6 and 7 of the Land Division Ordinance 494 and applicable criteria under Veneta's Land Development Ordinance 493, the proposal does not, nor can it be conditioned to meet this standard.

Veneta Land Division Ordinance No. 494

Article 7 – IMPROVEMENT REQUIREMENTS

Section 7.03 Improvements in Subdivisions

- (1) *Streets. Public Streets, including alleys, within the subdivisions and public streets adjacent but only partially within the subdivision shall be improved. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected as provided in ORS Chapter 92. Traffic impacts to facilities as identified in the TIA and supported by the City's consulting engineer, shall be mitigated by the developer as part of the public improvements of the Site Plan, Subdivision or PUD.*

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City Council under special assessment financing or other facility extension policies of the City.

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Section 5.24 Access Management

(1) Residential driveways shall be located to optimize intersection operation and where possible, to access off the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a minor collector, the driveway shall access from the local street as long as it can be located a sufficient distance from the intersection.

The applicant is proposing a single private roadway (Sproat Ranch Road) from Jeans Road to serve the proposed partition, as well as a future seven (7) lot subdivision north of the Urban Growth Boundary.

Due to high vehicle speeds and a nearby horizontal bend in Jeans Road, the applicant was required to analyze the proposed access for sight distance by the City Engineer. In response to City's referral request, the City Engineer provided a memorandum dated July 23, 2015, which reviewed the sight distance evaluation and recommended moving the proposed access to accommodate the necessary line of sight.

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In a second referral request review, the City Engineer recommended vision clearance areas and installation of an intersection warning sign at 360 feet east of the sight access intersection as proposed in the Speed Study. A public comment letter received on August 11, 2015, from Mr. and Mrs. Gary and Wanda Campbell whom reside at 25448 Jeans Road (immediately south of the subject site with frontage along Jeans Road), expressed concern with a "blind spot" to the east due to the horizontal bend in Jeans Road.

The City Council finds that the City Engineer's initial concerns and the concern expressed by Mr. and Mrs. Campbell are valid. Neither these concerns nor this

applicable criteria are adequately addressed by the proposal and follow-up Speed Study. The City Council finds that the follow-up Speed Study covered an inappropriately narrow area. The City Council acknowledges that the City's Planning jurisdiction extends only to the City limits; but finds that the applicant should have studied a more extensive area in an easterly direction, to the intersection of Houston.

In that more appropriate study area, the record reflects that none of the existing private roads intersecting Jeans Road in the study area (which includes Forest Meadows Lane to the west and Jesse James Lane to the east), have Stop signs controlling movements on the minor approach, with the proposed Sproat Ranch access constituting the third, within the study area. The City Council finds the traffic study, inappropriately failed to review and comment upon the impact of many uncontrolled accesses to a major collector within such a short distance.

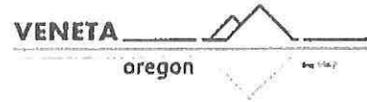
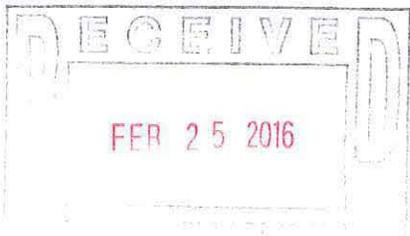
The City Council finds that the Speed Study further failed to account for and discuss any of the existing uncontrolled accesses, in particular Jesse James and the proposed access, each of which will generate significant traffic volume. Finally, the City Council finds significant the study's failure to analyze the impact of placing the proposed access approximately 200 feet east of Forest Meadows Lane. The City Council cannot assess whether the impacts created by this proposal would be significant. For these reasons, the City Council finds this mandatory partition criteria is not met, nor can it be met through the imposition of conditions.

- C. This approval shall become final on the date this decision and supporting findings of fact are signed by the Veneta City Council, below. This Council decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 days after the final order has been signed and mailed.**

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Sandra Larson, Mayor

Date



GENERAL LAND USE APPLICATION

Receipt # 25294
Submission Date 2-25-16
Planning File # M-1-15

Letter of Intent Received
Associated File #

Print Property Owner Name: ATR, LAND LLC Phone: 895-8788
Mailing Address: PO BOX 518 CRESWELL
Print Applicant (if not owner): AGENT PHIL VELLE Phone: 915-8483
Mailing Address: PO BOX 518, CRESWELL OR
Print Agent: Phil Velle
Mailing Address:

Table with 4 columns: Assessor's Map Number (Township, Range, Section, Quarter Section), Tax Lot(s), Acres, Zone. Handwritten entries: 17-05-30-00, 00902, 16.9, R.

Subject property address(es):
Subzone (if applicable):

Check all applicable APPLICATIONS and DEPOSITS below

X Technical Review/Public Notice Deposit (for ALL applications except Property Line Adjustments) \$350

APPLICATION DEPOSITS (Application fees are calculated by ACTUAL PROCESSING COSTS)

Table with 2 columns: SITE PLAN REVIEW and PLANNED DEVELOPMENTS. Includes fees for Site Plan Review/Major Amendment (\$1,350), Minor Amendment (Administrative) (\$350), Minor Amendment (Planning Commission) (\$450), Conceptual Plan (\$350), General Development Plan (\$550+25/unit), and Final Development Plan (\$300).

OTHER APPLICATIONS PROCESSED WITH DEPOSITS

Table with 2 columns: Application Name and Fee. Includes Conditional Use Permits (\$775), Specific Area Plan Amendment - NE Employment Center & Southwest Area Plan (/SDP) (\$7,500), and Variance to the Veneta Wetland Protection Ordinance (\$700).

APPLICATIONS WITH FIXED FEES (These are non-refundable)

Table with 2 columns: Application Name and Fee. Includes Appeals (\$525), Variance (\$425), and Amendments (except Specific Area Plan above) such as Comprehensive Plan (\$800), Ordinance (\$200), Zone Change (\$600), and Plan Designation & Zoning Map (\$1,000).

I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HEREWITH ARE TRUE, COMPLETE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Property Owner Signature:
Applicant Signature:

City of Veneta 88184 8th Street, Veneta, OR 97487 Phone: (541) 935-2191 Fax: (541) 935-1838

APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. They are not intended to cover the cost for interpretation of ordinances or for long-range planning. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits. Applicant acknowledges and agrees that Applicant’s failure to pay City costs over the base fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening Property in the amount owed; prosecution for violation of the City’s current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for Property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. City staff time shall be monitored for applications which require a deposit in lieu of a non-refundable fee. Any unused portion of the deposit shall be returned to Applicant upon completion of the application process, conditions of approval, and any ensuing appeals. Any additional costs incurred beyond the deposit amount shall be charged to and paid by Applicant on a monthly basis. Applicant agrees that Applicant’s failure to pay these amounts triggers City’s option to pursue any or all remedies, as listed above.

Application Fees: Fixed fees are non-refundable and are based on average application processing costs rounded to the nearest \$25.

Technical Review/Publication Deposit: The actual costs charged to the City for technical review of land use applications, including but are not limited to City’s planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing Application, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to Applicant. Such costs shall be adjusted as soon as the specific amounts are known. Applicant agrees that any deficiencies shall be collected from Applicant, and that Applicant’s failure to pay these amounts triggers City’s option to pursue any or all remedies, as listed above.

Applicant _____ Owner(s) _____

REQUEST FOR CONSOLIDATION OF LAND DEVELOPMENT AND/OR LAND DIVISION APPLICATIONS

I hereby request that my applications be consolidated. I understand that by consolidating these applications, any limited land use action (site review, partition, subdivision) that is combined with a quasi-judicial action (variance, conditional use permit, or other action requiring a public hearing) may be subject to a public hearing and the 14-day limitation for written comments will be waived. Wetland Variances requiring a joint decision by the City Council and Veneta Planning Commission may not be combined with any other land use hearing.

Applicant _____ Owner(s) _____

GENERAL INFORMATION FOR LAND USE APPLICATIONS

- (1) Petitions, applications and appeals provided for in this ordinance shall be made on forms prescribed by the City.
- (2) An applicant shall be advised that all permits or zone changes necessary for a development project may be merged into a consolidated review process. Zone changes and permits required through the application of the overlay district and discretionary permit procedures shall be available for a consolidated permit process. For purposes of this ordinance, a consolidated permit process shall mean that the hearing body shall, to the greatest extent possible, apply concurrent notice, public hearing and decision making procedures to the permits and zone changes which have been consolidated for review.
- (3) Applications shall be accompanied by plans and specifications drawn to scale, showing the actual shape and dimensions of the lot to be built upon; the sizes and locations on the lot of all existing and proposed structures; the intended use of each structure; the number of families, if any, to be accommodated thereon; the relationship of the property to the surrounding area and such other information as is needed to determine conformance with this ordinance.
- (4) The failure to raise an issue in person or by letter filed in a timely manner precludes appeal and the failure to specify to which criterion the comment is directed, precludes appeal based on that criterion.
- (5) Approval or denial of a land use regulation or limited land use application shall be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon and explains the justification for the decision based on the criteria standards and facts set forth.
- (6) The decision of the Planning Commission will be issued with a Final Order. If a written Notice of Appeal is not filed within 15 days from the date the Final Order of the Planning Commission is mailed, the decision becomes final.

NOTE: Other permits may be necessary depending on the nature of your application. Required permits may include:

TREE PERMITS: For developments which require the cutting of trees for streets, utilities and/or buildings, a tree removal permit must be submitted at the time of the development application.

RIGHT-OF-WAY PERMITS: Anyone wishing to occupy, encroach on, or construct within a City right-of-way must have an approved right-of-way permit.

COMPLETENESS REVIEW: Upon receipt of a Land Use Application, City planning staff will review the application for completeness within 30 days. If your application is deemed incomplete you will be given 30 days to submit the required information to make it complete. Once the application is complete it will be scheduled for review by the Veneta Planning Commission and public notices will be sent.

BUILDING PERMITS: Building permits are issued by the City of Veneta; 88184 8th Street; Veneta, Oregon (541) 935-2191. If a Site Review is required it must be approved prior to issuance of a building permit.

APPEALS: Any land use decision may be appealed. Planner decisions may be appealed to the Planning Commission. Planning Commission decisions may be appealed by the City Council. Council decisions may be appealed to the State Land Use Board of Appeals.

PRIOR TO PREPARING AN APPLICATION, applicants should check with City Staff to make sure they have the most updated versions of the Veneta Comprehensive Plan, Land Development Ordinance, and Land Division Ordinance. Ordinances are available on the City website, www.venetaoregon.gov .

LAW OFFICE OF BILL KLOOS PC

OREGON LAND USE LAW
375 W. 4TH AVENUE, SUITE 204
EUGENE, OR 97401
TEL: 541.343.8596
WEB: WWW.LANDUSEOREGON.COM

BILL KLOOS
BILLKLOOS@LANDUSEOREGON.COM

February 24, 2016

Veneta City Council
988184 Eighth Street
Veneta, OR 97487

Re: Appeal of Planning Commission denial of Sproat Ranch Estates Partition; M-1-15

Dear Mayor and City Councilors:

Please accept this letter and appeal form and filing fee check as an appeal of the Planning Commission denial in this matter dated February 10, 2016. This appeal is filed on behalf of the applicant.

Contents of this appeal:

This appeal is filed under section 8.03 of the Veneta Land Division Ordinance No. 494. That ordinance requires, among other things, "a brief summary of the material presented to the Building and Planning Official or the Planning Commission upon which the decision which is being appealed was based." In support of this filing requirement, we have attached both a copy of the denial and a copy of the Staff Report dated January 25, 2015.

The Staff Report correctly recommended approval with conditions. The applicant endorses the Staff Report. If the City Council is willing to approve this application, then the applicant consents to all the conditions of approval recommended by in the Staff Report to the Commission.

"Specific statutory citations supporting the appeal shall also be included."

The City decision must be based on the standards set out in the plan and code. ORS 197.195(4).

(4) Approval or denial of a limited land use decision shall be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth.

Because this subject property is residential land in the Buildable Land Inventory, the City may only apply clear and objective standards. ORS 197.307(4).

197.307 Effect of need for certain housing in urban growth areas; approval standards for certain residential development; placement standards for approval of manufactured dwellings. (1) The availability of affordable, decent,

safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

* * * *

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land described in subsection (3) of this section. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

“Include all matters specifically appealed.”

The Commission issued an across the board denial. None of the bases for denial is legally or factually correct. Here, standard by standard, we list the errors of the Commission.

Transportation; Section 5.04; (1):

The Commission erred in finding noncompliance, but referred to findings elsewhere in its decision.

Street Design Standards; Section 6.02; (6):

This standard involves judgments about what access is deemed “necessary” for adjoining land or to allow “satisfactory” future division of land. What is deemed necessary or satisfactory requires subjective value judgments. That makes the standard discretionary, not clear and objective, as required by the statute. Therefore, the standard may not be applied at all.

The Commission decision is based in part on what will happen outside the city limits and outside the UGB. Decision making for that reason is outside the jurisdiction of the City. The City decision must focus only on what happens on city ground.

The Commission makes value judgments, not based on any adopted transportation plan, that an east/west connector road is needed across the partition to adjacent private roads. This is prohibited by ORS 197.307(4).

The Commission denied the application based on the speculative nature of the proposed adjacent subdivision in the county to the north. This is not related to any city approval standard. It is also a value judgment prohibited by ORS 197.307(4).

Tentative Plan Application; Section 5.04; (7):

The Commission erred in finding noncompliance, but referred to findings elsewhere in its decision.

Veneta City Council
February 24, 2016
Page 3

Improvement Requirements; Section 7.03; (1) Streets:

The Commission found noncompliance with this standard by referring to its findings on Street Design Standards in Section 6.02. The connection between these standards and the standards in Section 6.02 is not apparent and not explained.

The Commission found that the application cannot be conditioned to meet this standard. The decision does not explain either what conditions would be necessary to meet the standard or why it believes such conditions cannot be met.

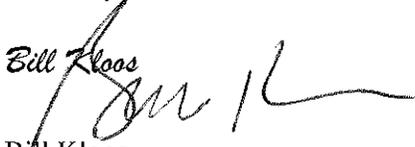
Access Management; Section 5.24; (1):

The operative standard here is to “optimize intersection operation.” This is an inherently subjective standard, as different people will have different judgments about what it means to optimize. Because this is a subjective standard, it may not be applied.

Furthermore, the applicant believes that the report of its traffic engineer shows that the location of the driveway has been optimized.

The applicant looks forward to the hearing on this matter.

Sincerely,

Bill Kloos


Bill Kloos

Encl.

Cc: Client

February 11, 2016

Attn: Phil Velie
Melvin McDougal and Norman McDougal
P.O. Box 518
Creswell, OR 97426

Re: SPROAT RANCH ESTATES, LOTS 1 & 2 Partition (M-1-15)

Dear Mr. Velie,

At the February 2, 2016 meeting, the Veneta Planning Commission denied your application for a partition, Sproat Ranch Estates, Lots 1 & 2 (M-1-15). The adopted findings and final orders dated February 10, 2016, signed by Planning Commission Chairperson James Eagle Eye are attached. The decision of the Planning Commission are final as of February 10, 2016, the day they are signed. An appeal of this decision must be submitted to the City Council within 15 days of the decision becoming final, by February 25, 2016.

If you have any questions concerning this letter or the Planning Commission decision, please contact me at City Hall, 935-2191.

Sincerely,



Lisa Garbett
Associate Planner

Enclosure: Signed Final Order of Denial, M-1-15

cc: Gary and Wanda Campbell
Paul Martin
Lane Branch, P.E., Branch Engineering, Inc.
Planning File

**FINAL ORDER
OF THE
VENETA PLANNING COMMISSION
SPROAT RANCH ESTATES LOTS 1 & 2,
PARTITION (M-1-15)**

A. The Planning Commission finds the following:

- a. The Veneta Planning Commission held a meeting on February 2, 2016 on the Tentative Partition after providing notice as required by Section 2.06 of Veneta Land Division Ordinance No. 494 and Section 2.13 of Veneta Land Development Ordinance No. 493.
- b. The Veneta Planning Commission has reviewed and used as evidence all material relevant to the Partition that has been submitted by the applicant, staff, referral agencies, and the general public in creating the findings and conclusions stated in the proposed final order.
- c. The Veneta Planning Commission followed the required procedures and standards for taking action on a Partition as required by Section 5.03 of Veneta Land Division Ordinance No. 494.
- d. The applicant has submitted information for a tentative plan application required by Section 5.01 of Veneta Land Division Ordinance No. 494.
- e. The Veneta Planning Commission provided proper notice of limited land use action according to Section 2.06 of the Veneta Land Division Ordinance No. 494.
- f. The Veneta Planning Commission followed the required procedure and standards for approving tentative partitions as required by Section 5.04 of Veneta Land Division Ordinance No. 494.

B. IT IS HEREBY ORDERED THAT the Veneta Planning Commission denies the tentative plan for the Sproat Ranch Estates, Lots 1 & 2, Partition (M-1-15) based on the information presented in the staff report and the following findings of fact:

Partition, applicable criteria. Ordinance language is in italics. Findings are in bold.

Veneta Land Division Ordinance No. 494

Article 5 - PARTITIONS

Section 5.04 Categories for Review of Tentative Plan Applications

TRANSPORTATION

(1) The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City

requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

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The Planning Commission finds that the proposed private street (Sproat Ranch Road) extension to the end of city limits/ urban growth boundary to the north fails to promote connectivity. It fails to address the need for a future east/west connector to the nearby Northeast Employment Center. It further fails to promote connectivity as it does not create a connection between the proposed access and the adjacent Forest Meadows Lane.

The Planning Commission also finds that the proposal is speculative in light of Lane County’s inaction on the pending application for Sproat Ranch Estates (Department File: 509-PA15-05335) as it impacts that portion of the subject parcel immediately north of the portion within Veneta City limits

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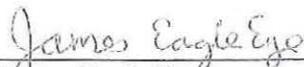
The Planning Commission finds that the City Engineer's initial concerns and the concern expressed by Mr. and Mrs. Campbell are valid. Neither these concerns nor this applicable criteria are adequately addressed by the proposal and follow-up Speed Study. The Planning Commission finds that the follow-up Speed Study covered an inappropriately narrow area. The Planning Commission acknowledges that the City's Planning jurisdiction extends only to the City limits; but finds that the applicant should have studied a more extensive area in an easterly direction, to the intersection of Houston.

In that more appropriate study area, the record reflects that none of the existing private roads intersecting Jeans Road in the study area (which includes Forest Meadows Lane to the west and Jesse James Lane to the east), have Stop signs controlling movements on the minor approach, with the proposed Sproat Ranch access constituting the third, within the study area. The Planning Commission finds the traffic study, inappropriately failed to review and comment upon the impact of many uncontrolled accesses to a major collector within such a short distance.

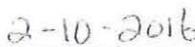
The Planning Commission finds that the Speed Study further failed to account for and discuss any of the existing uncontrolled accesses, in particular Jesse James and the proposed access, each of which will generate significant traffic volume. Finally, the Planning Commission finds significant the study's failure to analyze the impact of placing the proposed access approximately 200 feet east of Forest Meadows Lane. The Planning Commission cannot assess whether the impacts created by this proposal would be significant. For these reasons, the Planning Commission finds this mandatory partition criteria is not met, nor can it be met through the imposition of conditions.

- C. This denial shall become final on the date this decision and supporting findings of fact are signed by the Chairperson for the Veneta Planning Commission. This Planning Commission decision may be appealed to the Veneta City Council within 15 days after the final order has been signed, in conformance with Veneta Land Division Ordinance No. 494, Section 8.03.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.



James Eagle Eye
Planning Commission - Chair



Date

**VENETA PLANNING COMMISSION
STAFF REPORT
SPROAT PARTITION (M-1-15)**

Application Received:	May 27, 2015
Incomplete Notice #1:	June 19, 2015
Supplemental Materials Received:	June 24, 2015
Incomplete Notice #2:	July 1, 2015
Additional Materials Received:	July 7, 2015
Additional Information Received	November 30, 2015
Supplemental Information Submittal	December 29, 2015
Application Complete:	July 8, 2015
Notice Mailed and Posted:	July 9, 2015
60-day waiver signed to 120-day rule:	August 14, 2015
Waiver to 120-day signed (not to exceed 245 days):	November 4, 2015
245-days from completeness:	March 9, 2016
Staff Report Date:	January 25, 2016

Referrals Sent: Veneta City Engineer
Veneta Public Works
Veneta Building Official
Lane Fire Authority
Lane County Land Management
Lane County Assessor
Oregon Department of State Lands, Wetlands Program
U.S. Army Corps of Engineers (Eugene Field Office)
Emerald Public Utilities District (EPUD)
Sanipac
Veneta Post Office

BASIC DATA

Applicant: ATR, Land LLC (Melvin McDougal and Norman McDougal)
P.O. Box 518
Creswell, Oregon 97426

Print Agent: McDougal Brothers (Attn: Phil Velie)
P.O. Box 518
Creswell, Oregon 97426

Location: North side of Jeans Road, east of Territorial Highway

Assessor's Map: 17-05-30-00
Tax lot: 00902

Area: 16.90 acres total (2.04 acres within the Veneta city limits/ UGB)

Plan Designation: Rural Residential (R)
Zoning: City: Rural Residential (R), County: Rural Residential 2-acre min. (RR2)

REQUEST

Partition

The request before the Planning Commission is for a two (2) lot partition of the portion of tax lot 00902 that lies within the city limits and Urban Growth Boundary (UGB) of Veneta. The two (2) lots within the City are proposed to be one (1) acre with private wells and septic systems. The partition would also create a third lot outside of the UGB, within Lane County jurisdiction.

TIMELINE

The applicant signed a request for a waiver (not to exceed 245 days) to the 120-day processing and decision rule. The application was deemed complete on July 8, 2015. Therefore, the deadline for a decision is March 9, 2016.

PROPERTY CHARACTERISTICS

The property is bounded on the south side by Jeans Road, a major collector, on the east and west by single family residences within the Rural Residential (RR) zone, and on the north side by undeveloped county property zoned RR2. The subject site is fairly level.

Wastewater Service

The subject site is not connected to city sewer. The two proposed lots within city limits will be required to provide private septic systems in accordance with Veneta Land Development Ordinance No. 493, Section 5.04(1) and the City Public Works Director and approved by Lane County.

Stormwater

Stormwater from Jeans Road currently flows generally towards the Fern Ridge Reservoir.

Water Service

The applicant is proposing private wells for the two proposed lots within city limits. An existing City water line is a 10-inch main that is located over two-hundred (200) feet to the west on Jeans Road from the subject site and on the opposite side of the street.

Natural Resources

The site contains a ‘non-significant’ wetland in the southwest corner of proposed Parcel 1. Since the wetland has been deemed ‘non-significant’ by the City’s Local Wetland Inventory, (Sheet L4 and associated Natural Resource Study), the wetland is not governed by the requirements of Veneta’s Wetland Protection Ordinance (Veneta Municipal Code, Chapter 18.10).

A wetland delineation was not required as the wetland is considered non-significant in the City’s wetland inventory and Natural Resources Study, and therefore, is not governed by the requirements of Veneta’s wetland protection ordinance. A wetland delineation will be required by the Department of State Lands (DSL) and a removal/fill permit may be required by the Department of State Lands, prior to building permit approval. In summary, State and Federal protections and permitting requirements still apply.

The site contains fir trees but a tree removal permit has not been provided. The applicant performed tree removal around the same time of submitting the proposed partition. Staff conducted a site visit on June 12, 2015 and concluded that a tree removal permit was not required at the time due to the trees removed were not regulated by the tree code. Specifically,

the small diameter at breast height (DBH) and species of the trees that were removed are not regulated by VMC, Chapter 8.10 – Tree Cutting, Destruction and Removal. However, tree permit submittal and approval prior to removing regulated trees, will be required on a lot-by-lot basis, prior to building permit approval, for removal of any regulated ‘significant’ or ‘heritage’ trees, in accordance with VMC Chapter 8.10, if applicable.

SUBMITTAL REQUIREMENTS

Tentative Plan (M-1-15)

The applicant has submitted the application, plans, and other supplementary data as required by Section 5.01 of Veneta Land Division Ordinance No. 494.

AGENCY COMMENTS

Branch Engineering, Lane Branch, P.E., City Engineer

Two memorandums were provided (attached as Exhibit). The first memorandum dated July 23, 2015 addresses review and recommended conditions for a submitted intersection sight distance evaluation provided by EGR & Associates. The second memorandum dated January 25, 2016 addresses all engineering comments and recommended conditions including the submitted Speed Zone and Sight Distance Study prepared by Access Engineering, LLC.

Lane Fire Authority, Dean Chappell, Fire Inspector:

Driveways longer than 150-feet shall have a Fire Apparatus turn around at the end per Oregon Fire Code, Appendix D, Section D103.4. The Fire department access road and driveway shall be at minimum, twenty (20) feet wide with a year round surface on roadway able to withstand the weight of fire apparatus (60,000 pounds).

Veneta Public Works, Kyle Schauer, Public Works Director:

Recommends lots 1 and 2 be required to take access from the proposed easement and not have direct access to Jeans Road. Extension of an existing 10-inch water main that is located over 200 feet to the west on Jeans Road will be necessary to provide City service to these lots, if desired. No City sewer exists in this area and the proposed lots will be required to provide private septic systems. In terms of drainage, detention for all runoff created by the installation of impermeable surfaces is required. City Engineer’s approval required for drainage plan including detention, prior to construction of driveways or structures.

Veneta Building Official, David Mortier, The Building Official, LLC:

We are not affected by the proposal.

Veneta Post Office, Richard Smith, Post Master:

We have reviewed the proposal and have no comments.

PUBLIC COMMENTS

Two public comments were received. The first comment was only verbally provided via a phone call to staff from resident, Mr. Paul Martin who resides at 88433 Jesse James Lane. Mr. Martin expressed concerned with the impact on the water supply in the area given he has a well and the applicant is proposing on-site wells for the two proposed lots.

A second public comment was provided in writing and attached as Exhibit by Mr. and Mrs. Campbell who reside at 25448 Jeans Road. The comment letter expressed concern with potential

effect on the water table given the two proposed wells, location of proposed Sproat Ranch Road in terms of lights (headlights) shining in bedroom windows, and a “blind spot” due to the sharp curve of Jeans Road to the east.

ISSUES

Water/Sewer

An existing City water main is over 200-feet to the west of the subject site in Jeans Road. As the City does not allow private utilities in the right-of-way, the applicant has three options for obtaining water:

1. Extend the ten (10) inch water main to the property, a distance of approximately two hundred (200) feet to the center of the frontage, including the crossing of Jeans Road.
2. Obtain approval for private residential wells, as the applicant is proposing.
3. Obtain easements to extend private water lines over other private properties to the west.

No city sewer exists in the area of the proposed lots according to the City Public Works Director. The lots will be required to provide private septic systems.

Right-of-Way Dedication

The applicant is proposing a private easement rather than a public street. Veneta Land Development Ordinance 493, Section 4.01(5) states:

- (a) *The minimum legal lot size is one (1) acre, or larger as needed to permit compliance with the requirements of the Department of Environmental Quality for the location of on-site disposal systems and domestic wells. Determination of minimum legal lot size and land division approval will be made on a case-by-case basis by the Planning Commission based on the carrying capacity of the land, availability of sewage disposal systems and type of water supply.*

If the City were to require dedication of public right-of-way for the proposed Sproat Ranch Road, the lots may not meet the one (1) acre minimum for the zone and the application would have to be denied.

In addition, requiring a dedication of public right-of-way would create a small section of a dead-end road which the City would be responsible for maintaining. At this time, it is recommended that the Commission approve the access easement as proposed. The northern area outside of the City has been submitted to Lane County for review and a decision will likely be issued by September 7, 2015, according to the assigned Lane County Planner. The proposed private road (Sproat Ranch Road) will be required to meet the requirements of Lane Code 15.055 and 15.706 per Lane County staff. Lane Code 15.706 requires a minimum right-of-way easement width of forty (40) feet and a minimum roadway width of eighteen (18) feet when the easement/road serves four or more parcels. The applicant is proposing a 40-foot easement with 20-feet of paved width for Sproat Ranch Road.

Sight Distance

The alignment of Jeans Road to the east features a right-hand curve when approaching the site. The City Engineer expressed concern during the completeness review period with the proposed driveway location in terms of vision clearance due to the horizontal alignment of Jeans Road. In

response. the applicant submitted an intersection sight distance evaluation prepared by EGR & Associates and has proposed a vision clearance easement of twenty-five (25) feet along the east property boundary, from the north right-of-way of Jeans Road and to be shared by the subject site and the adjacent neighboring property to the east (25503 Jeans Road). The proposed vision clearance easement is intended to ensure that the appropriate line of sight is in accordance with the American Association of State Highway and Transportation Officials (AASHTO) recommended intersection sight distance. The City Engineer responded to the sight distance evaluation that the proposed vision clearance easement may be difficult to enforce considering it involves adjacent property owners and therefore recommends that the applicant consider moving the proposed access to a location nearer the east or west property line in order to accommodate the necessary departure sight triangle's line of sight. The applicant then submitted a Speed Zone and Sight Distance Study. The City Engineer reviewed the study and is recommending the final plat include the proposed vision clearance easements illustrated on Figure 4 of the Speed Zone and Sight Distance Study.

STAFF RECOMMENDATIONS

Partition M-1-15

Based on the information in this staff report and the findings and conditions stated in the Proposed Final Order, staff recommends conditional approval of the Partition.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Approve the Tentative Plan with specified conditions of approval based on the findings in the Proposed Final Order.
- b. Modify the proposed findings or conditions of approval in the Proposed Final Order.
- c. Deny the Tentative Plan based on the Commission's findings.
- d. Continue deliberations on the Tentative Plan if more information is needed.

EXHIBITS

- A. Proposed Final Order
- B. Applicants Submittal
 - Applicant's Submittal (Received 5/27/15)
 - Supplemental Information (Received 6/24/15)
 - Additional Information (Received 7/7/15)
 - Additional Information (Received 11/30/15)
 - Additional Information (Received 12/29/15)
- C. Public Comment (Gary and Wanda Campbell)
- D. Veneta Public Works Director - Memorandum
- E. Veneta City Engineer (Branch Engineering, Inc.) - Sight Distance Letter (Dated 7/23/15)
- F. Veneta City Engineer (Branch Engineering, Inc.) - Memorandum (Dated 1/25/16)
- G. Veneta Building Official - Referral Response
- H. Veneta Post Office - Referral Response
- I. Lane Fire Authority - Referral Response

- J. Department of State Lands. Wetland Land Use Notification Response
- K. Veneta Local Wetland Inventory (Map L4)
- L. Excerpt from Natural Resource Study (Table 3)

**FINAL ORDER
OF THE
VENETA PLANNING COMMISSION
SPROAT RANCH ESTATES LOTS 1 & 2,
PARTITION (M-1-15)**

A. The Planning Commission finds the following:

1. The Veneta Planning Commission held a meeting on December 1, 2015 on the Tentative Partition after providing notice as required by Section 2.06 of Veneta Land Division Ordinance No. 494 and Section 2.13 of Veneta Land Development Ordinance No. 493.
2. The Veneta Planning Commission has reviewed and used as evidence all material relevant to the Partition that has been submitted by the applicant, staff, referral agencies, and the general public in creating the findings and conclusions stated in the proposed final order.
3. The Veneta Planning Commission followed the required procedures and standards for taking action on a Partition as required by Section 5.03 of Veneta Land Division Ordinance No. 494.
4. The applicant has submitted information for a tentative plan application required by Section 5.01 of Veneta Land Division Ordinance No. 494.
5. The Veneta Planning Commission provided proper notice of limited land use action according to Section 2.06 of the Veneta Land Division Ordinance No. 494.
6. The Veneta Planning Commission followed the required procedure and standards for approving tentative partitions as required by Section 5.04 of Veneta Land Division Ordinance No. 494.

B. The Veneta Planning Commission approves with conditions the Sproat Ranch Estates Lots 1 & 2, Partition (M-1-15) in order to allow division of the existing parcel into three parcels (two parcels inside Veneta city limits/Urban Growth Boundary). The applicant shall comply with the following conditions of approval:

GENERAL CONDITIONS OF APPROVAL:

1. Install a street sign at the intersection indicating Sproat Ranch Road is private per Veneta Land Division Ordinance No. 494, Section 7.03(2) – Street Name Signs.
2. Parcels 1 and 2 shall take access via the proposed easement, not directly from Jeans Road in accordance with Veneta Land Development Ordinance No. 493, Section 5.24 – Access Management and the City Public Works Director.

3. The access easement and approach to Jeans Road shall be paved to a minimum width of twenty (20) feet and constructed to support loads of 60,000 pounds per the Lane Fire Authority.
4. Concurrently with construction of the private roadway, the applicant shall furnish and install an intersection warning sign at 360 feet east of the site access intersection as shown in Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study dated December 17, 2015 in accordance with the City Engineer.

PRIOR TO FINAL PLAT APPROVAL:

5. The applicant shall widen the north side of Jeans Road along the site frontage to full urban standards; alternatively, the applicant may construct a five (5) foot wide asphalt shoulder along the site frontage, and execute an Irrevocable Petition for public improvements to be held against Parcels 1 and 2 for future street and sidewalk improvement costs in accordance with Veneta Land Development Ordinance No. 493, Section 6.02 – Street Design Standards and the City Engineer.
6. An Irrevocable Petition for public improvements held against Parcels 1 and 2 for future sewer improvement costs shall be recorded. Parcels 1 and 2 shall connect to the public sewer when available in accordance with Veneta Land Division Ordinance No. 494, Section 5.04(2) – Categories for Review of Tentative Plan Applications and the City Engineer.
7. An Irrevocable Petition for Public Improvements held against Parcels 1 and 2 for future water improvement costs shall be recorded in accordance with the City Engineer.
8. The applicant shall provide emergency vehicle turn-a-round's on the north end of Sproat Ranch Road in accordance with Lane Fire Authority and Oregon Fire Code Appendix D, Section D103.4.
9. The applicant shall submit utility plans coordinated with the appropriate agencies.
10. The applicant shall make payment to the city in the amount of \$3,916.08 for required parkland dedication in accordance with Veneta Land Development Ordinance No. 493, Section 5.26(4) - Cash in Lieu of Dedication.
11. The applicant shall include vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015.
12. Submit, sign and record an irrevocable development agreement stating:
 - a. Parcels 1 and 2 shall take access via a shared easement and shall not take access directly from Jeans Road.
 - b. Vision clearance easements as illustrated on the approved Final Plat shall be permanently maintained.

- c. A tree removal permit shall be obtained, if applicable, in accordance with Veneta Municipal Code, Chapter 8.10 – Tree Cutting, Destruction and Removal.
 - d. If sewer and/or water become reasonably available to Parcels 1 and 2, those residences shall connect to City services.
13. Submit a final plat for approval within one year of tentative approval. The final plat shall be prepared in accordance with Veneta Land Division Ordinance No. 494 and Oregon Revised Statutes (ORS) Chapter 92 and shall include the following:
- a. Vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study dated December 17, 2015, shall be permanently maintained.
 - b. All easements including those for utilities and access to storm water drainages shall be shown with dashed lines.
 - c. Plat notes shall include language stating that no fences, trees, structures, or other obstructions shall be placed within the proposed public drainage easement.
 - d. The entire area outside the Urban Growth Boundary and city limits platted as a single parcel.

PRIOR TO ISSUANCE OF BUILDING PERMITS

14. As an information item, in regards to Parcel 1, a wetland delineation will be required by the Oregon Department of State Lands (DSL) and a removal/fill permit may be required by DSL.
15. An easement agreement between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements where necessary may be required in accordance with VLDO Section 5.14(5) – Utility and Drainage Easements.
16. The applicant shall obtain city approval of public improvement plans including the following:
- a. DRAINAGE PLANS including:
 - (1) A stormwater management plan prepared in accordance with the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and Veneta Land Development Ordinance No. 5.16 – Stormwater Detention and Treatment.
 - b. STREETS
 - (1) Required improvements (i.e. widening the north side of Jeans Road along the site frontage to full urban standards or a 5-foot widening asphalt shoulder along the site frontage) as required by the City Engineer.
 - (2) Emergency vehicle turn-a-round on the north end of Sproat Ranch Road in accordance with Lane Fire Authority and Oregon Fire Code, Appendix D, Section D103.4.
 - (3) Minimum paved width of 20-feet for approach and proposed private access road with a year round surface on roadway able to withstand the weight of fire apparatus (60,000 pounds).

- c. EROSION CONTROL and GRADING plans which:
 - (1) Address erosion and run-off during and after construction including a 1200C permit from DEQ.
 - (2) Show existing and proposed cut and fill slopes, type of fill materials, finish grade elevations at property boundaries, and existing elevations of neighboring parcels at the property lines.
 - d. UNDERGROUND UTILITY PLANS including
 - (1) Telephone, electric, and cable. Installation of utilities must be coordinated with the appropriate regulatory agencies.
17. The applicant shall obtain tree removal permit approval if regulated trees are proposed to be removed in accordance with Veneta Municipal Code, Chapter 8.10 – Tree, Cutting, Destruction and Removal.
18. Provide the City with a recorded copy of the Final Plat.
19. Provide the City with recorded copies of all deeds, easements, development covenants, and Irrevocable Petitions for Public Improvements required as conditions of approval.
20. The applicant shall provide the City with proof of permit approval from Lane County for wells and septic systems.

C. IT IS HEREBY ORDERED THAT the Veneta Planning Commission approves with conditions the tentative plan for the Sproat Ranch Estates, Lots 1 & 2, Partition (M-1-15) based on the information presented in the staff report and the following findings of fact:

Partition, applicable criteria. Ordinance language is in italics. Findings are in bold.

*Veneta Land Division Ordinance No. 494
 Article 5 - PARTITIONS
 Section 5.04 Categories for Review of Tentative Plan Applications*

TRANSPORTATION

(1) The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

As conditioned in the detailed findings under Article 6 and 7 below, the proposal is consistent with this standard.

Veneta Land Division Ordinance No. 494

Article 6 - DESIGN STANDARDS

Section 6.02 Street Design Standards

(2) Standard right-of way and street widths.

The width of streets shall be adequate to fulfill city specifications as provided for in SECTION 7.02 of this Ordinance, and, unless otherwise indicated on a development plan or approved by the Planning Commission, streets shall have:

<u>Standard</u>	<u>Standard</u>		
<u>Type of Street</u>	<u>Right-of-Way</u>	<u>Paved Width</u>	<u>Sidewalks</u>
Major Collector	60'*	34' (11' travel lanes, 6' bike lanes, no parking)	yes

(9) Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided in accordance with the Veneta Transportation System Plan at the time of the land division.

As conditioned, the proposal is consistent with this standard. Along the site frontage, Jeans Road is a narrow two-lane roadway without any shoulders, bike lanes or sidewalks and contains a 60-foot right-of-way, typical of a Major Collector. The roadway widens just west of the site with curb and gutter on both sides and sidewalk on the south side. The posted speed is forty-five (45) miles per hour. Widening of the roadway will be needed to accommodate pedestrian and bicycle traffic. Jeans Road, contains a 60-foot right-of-way typical of a major collector, and at full build out will be improved to urban standards including two travel lanes, bike lanes and sidewalks. The applicant is not proposing any street improvements to Jeans Road as part of this request.

Prior to final plat approval, the applicant shall widen the north side of Jeans Road along the site frontage to full urban standards; alternatively, the applicant may construct a 5-foot wide asphalt shoulder along the site frontage, and execute an Irrevocable Petition for public improvements to be held against Parcels 1 and 2 for future street and sidewalk improvement costs in accordance with Veneta Land Development Ordinance No. 493, Section 6.02 – Street Design Standards and the City Engineer. Additionally, the applicant is proposing a single private roadway (Sproat Ranch Road) from Jeans Road to serve the proposed partition, as well as a future seven (7) lot subdivision north of the urban growth boundary.

UTILITIES

(2) Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land

Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.

Sewer

Public gravity sewer service is currently unavailable to the site. The nearest public sewer is a pressure line approximately five-hundred (500) feet west of the site in Jeans Road at the Cornerstone intersection.

Prior to final plat approval, an Irrevocable Petition for public improvements held against Parcels 1 and 2 for future sewer improvement costs shall be recorded. Parcels 1 and 2 shall connect to the public sewer when available in accordance with Veneta Land Division Ordinance No. 494, Section 5.04 – Categories for Review of Tentative Plan Applications and the City Engineer.

Water

The applicant is proposing private on-site wells for water service to each parcel. The nearest public water main is located on the south side of Jeans Road approximately 130-feet west of the site.

Prior to final plat approval, an Irrevocable Petition for Public Improvements held against Parcels 1 and 2 for future water improvement costs shall be recorded in accordance with the City Engineer.

SURFACE WATER DRAINAGE

- (3) The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.16 – Stormwater Detention and Treatment, the proposal is consistent with this standard.

TOPOGRAPHY, FLOODPLAIN, WETLANDS, AND VEGETATION

- (4) Topography, floodplain, wetlands, and vegetation have been incorporated into the partition design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*

As conditioned, the proposal is consistent with this standard. Prior to final plat, the applicant shall sign a development agreement stating that a tree removal

permit shall be obtained if regulated trees are proposed to be removed from a single parcel in accordance Veneta Municipal Code (VMC), Chapter 8.10. The City's Local Wetland Inventory indicates the presence of a non-significant wetland on the site. A wetland that has been deemed non-significant is not regulated by VMC 18.10.030 - Procedures for identifying significant wetlands which states, "The wetland regulations contained in this chapter apply to those areas identified as significant wetlands on the comprehensive plan wetlands map exhibit, and wetland sites meeting Division of State Lands criteria." The wetland identified on the Veneta Local Wetland Inventory and associated Table 3 of the Natural Resource Study is considered "non-significant" and therefore is not protected by VMC 18.10 - Wetland Protection Ordinance. State and Federal protections and permitting requirements still apply. The Department of State Lands (DSL) - Wetlands Program indicates that the proposed parcel division may create a lot that is largely wetland and would create future development problems for Parcel 1 and a wetland delineation is required before development.

Prior to building permit approval for Parcel 1, a wetland delineation will be required by DSL and a removal/fill permit may be required by DSL. As an information item, depending upon the wetland delineation results, a site plan review application and process may be required with building permit application review for Lot 1. In addition, as an informational item, a variance request and approval application may be necessary prior to building permit approval, if the wetland delineation reveals the parcel has no useable building site per Veneta Municipal Code, Chapter 8.10.060(1).

- (5) *Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.*

Not applicable, as any remainder property is not within city limits.

- (6) *Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.*

The proposal is consistent with this standard. Property to the east contains a single family residence, property immediately to the west of proposed Lot 1 and 2 is undeveloped although there are single family homes to the northwest within Lane County jurisdiction. Property to the north is also undeveloped and within Lane County jurisdiction.

- (7) *The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).*

As conditioned in the detailed findings under Article 6 and 7, the proposal is consistent with this standard.

Veneta Land Division Ordinance No. 494
Article 6 - DESIGN STANDARDS
Section 6.02 Street Design Standards

- (3) Reserve Strips. *The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Commission or Building and Planning Official. One foot reserve strips are used across the ends of stubbed streets adjoining undivided land or along half streets adjoining undivided land, and they shall be designated as such. Reserve strips may also be parallel to the right-of-way as a means of access control (prohibiting driveway access). Reserve strips shall have separate legal descriptions and documentation, and dedication shall be identified on the plat.*

This standard is not applicable as there are no public streets proposed with this request.

- (6) Future extensions of streets. *Where necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition and the resulting dead-end streets must have a turn-around. Reserve strips may be required to preserve the objectives of street extensions.*

As conditioned, the proposal is consistent with this standard. According to the Veneta Transportation System Map Plan, Map 9 – Proposed Street, there are no planned streets that would affect the proposal. The proposal includes extensions of a private street (Sproat Ranch Road) to the end of city limits/ urban growth boundary to the north.

A dead end private street will occur until Sproat Ranch Road is extended to the north to serve lots within Lane County jurisdiction. The Lane Fire Authority is recommending an emergency vehicle turn-a-round at the terminus of Sproat Ranch Road for emergency access.

Prior to final plat approval, the applicant shall provide emergency vehicle turn-a-round's on the north end of proposed Sproat Ranch Road in accordance with Lane Fire Authority and Oregon Fire Code Appendix D, Section D103.4.

- (7) Division of property. *Property with frontage onto two or more streets shall not be divided in a manner that would preclude access to a portion of the property from the road(s) with the lesser functional class. Access could be provided via an access easement.*

This standard is not applicable. The subject site has frontage on only one public street, Jeans Road.

Veneta Land Division Ordinance No. 494
Article 6 - DESIGN STANDARDS
Section 6.03 Blocks

- (2) Size. In residential zones, block lengths shall not exceed 600 feet and block perimeters shall not exceed 1800 feet except where topography, natural features, or existing development creates conditions requiring longer blocks.

The proposal is consistent with this standard. The two lots within City limits will not exceed a block length of six-hundred (600) feet as they are proposed to be approximately two-hundred and nineteen (+/-219) feet deep. The third lot created with this partition immediately to the north is proposed to be divided into seven (7) lots as a Preliminary Subdivision application has been submitted to Lane County (Lane County Department File# 509-PA15-05335). In correspondence with the assigned Lane County Planner, a decision on the Preliminary Subdivision will likely be issued after the lots, including access is approved by City of Veneta. In addition, the assigned Lane County Planner indicated that Lane County has no applicable block length standard at this time.

(4) Easements.

- (a) Utility lines. Easements for sewers, water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be at least fourteen (14) feet wide and located adjacent to lot or parcel lines, except for easements adjacent to the right-of-way which may be reduced to six (6) feet in width.

The proposal is consistent with this standard. No sewer or water easements are necessary at this time.

- (b) Water courses. If a tract 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 with the lines of the water course, and such further width as will be adequate for the purpose in accordance with the adopted drainage plan. Streets or parkways parallel to the major water courses may be required.

The proposal is consistent with this standard. The applicant is proposing a twenty (20) foot public drainage easement as depicted on the Tentative Partition Plan.

Veneta Land Division Ordinance No. 494
Article 5 - PARTITIONS
Section 5.04 Categories for Review of Tentative Plan Applications

ALL APPLICABLE CITY REQUIREMENTS

(7) *The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance) Veneta Land Division Ordinance No. 494.*

*Veneta Land Division Ordinance No. 494
Article 6 – DESIGN STANDARDS
Section 6.04 Building Sites*

(1) *Size and shape. The size, width, shape and orientation of building sites shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall comply with the following standards:*

(a) *Width. Each lot or parcel shall have an average width between the lot side lines as specified in the Land Development Ordinance.*

This standard is not applicable as the subject site is located within the Rural Residential (RR) zone which has no minimum lot width requirement.

(b) *Depth. Each lot or parcel shall have an average depth between the front line and lot or parcel rear line of not less than 80 feet and not more than 2-1/2 times the average width between the side lines. Exceptions are allowed for lots designed for single-family attached dwellings.*

The proposal is consistent with this standard. Proposed Parcels 1 & 2 are +/- 208/209 feet in depth which are not less than eighty (80) feet and not more than 2 1/2 times the average width between the side lines.

(c) *Area. Each lot or parcel shall comprise a minimum area as specified in the Land Development Ordinance.*

The proposal is consistent with this standard. The minimum lot area in the Rural Residential (RR) zone is one (1) acre. Both proposed parcels meet the minimum lot area standard.

(f) *The minimum lot size for flag lots shall be calculated for the area exclusive of the portion of the lot that provides access.*

This standard is not applicable as the applicant is not proposing any flag lots as part of this partition request.

(2) *Access. Each lot and parcel (except those in the GR and RC zones intended for single-family attached housing) shall abut upon a street other than an alley for a width of at least 50 feet and 35 feet for a cul-de-sac. Flag lots shall be allowed in*

accordance with Section 6.04 (5) below. A shared access and maintenance agreement between all lots within a flag lot partition is required prior to the application for Final Plat.

The proposal is consistent with this standard. Parcels 1 & 2 abut Jeans Road for an approximate distance of two-hundred and eight (208) feet.

(3) Through lots and parcels. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide and across, to which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

This standard is not applicable as no through lots are proposed as part of this partition request. The parcels will have frontage on only one public street, Jeans Road. Forest Meadows Lane, to the west, is a series of easements and is not considered a street.

(4) Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

The proposal is consistent with this standard. All proposed parcel lines as depicted on the Tentative Partition Plan as prepared by EGR & Associates, Inc. run at right angles to Jeans Road.

*(5) Flag Lots.
(a) The Building and Planning Official may approve a flag lot that creates three (3) lots or less in conformance with the subdivision or partition requirements in this ordinance. Partition or subdivision requirements apply unless a more specific flag lot provision conflicts. Flag lot development of a unit of land possessing any one of the following characteristics shall be referred to the Planning Commission:*

This standard is not applicable, as the applicant is not proposing any flag lots as part of this tentative partition request.

Section 6.05 Grading of Building Sites

(4) All sites shall be graded to direct stormwater to City storm sewers or to natural drainage ways as required by City Ordinances.

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.16 – Stormwater Detention and Treatment, the proposal is consistent with this

standard.

Section 6.06 Building Lines

If special building setback lines are to be established in a land division, they shall be shown on the subdivision plat or partition map or, if temporary in nature, they shall be included in the deed restrictions.

This standard does not apply, as there are no special building setback lines to be established. Plans submitted for lot building permits will be required to adhere to yard standards of Veneta Land Development Ordinance No. 493, Section 4.01(6) – Yards.

Section 7.03 Improvements in Subdivisions

(1) Streets. Public Streets, including alleys, within the subdivisions and public streets adjacent but only partially within the subdivision shall be improved. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected as provided in ORS Chapter 92. Traffic impacts to facilities as identified in the TIA and supported by the City's consulting engineer, shall be mitigated by the developer as part of the public improvements of the Site Plan, Subdivision or PUD.

Section 7.04 Improvements in Partitions

The same improvements required to serve a subdivision shall be required to serve each building site of a partition. However, if the Planning Commission or Building and Planning Official finds that the nature of development in the vicinity of the partition makes installation of some improvements, such as street width expansions, sidewalks or storm drainage unreasonable, the Planning Commission or Building and Planning Official may except those improvements. Exceptions to these improvements may be made only if a street grade has not been established or if installing such improvements could make traveling or walking dangerous due to the intermittence of the improvements. A recorded irrevocable petition will be required for excepted improvements. In conjunction with the irrevocable petition, the developer may be required to deposit with the City a cash payment, surety bond, or letter of credit in an amount not to exceed the cost of improvement construction, as based upon an estimate approved by the City Engineer. The irrevocable petition shall reference the deposit and cover future improvement installation to the extent actual installation costs exceed the deposit amount. In lieu of excepting an improvement, the Planning Commission may recommend the installation of the improvements to the City Council under special assessment financing or other facility extension policies of the City.

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02 -

Street Design Standards above, the proposal is consistent with this standard.

Section 7.03 Improvements in Subdivisions

- (2) *Surface drainage and storm sewer system.* Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage ways or storm sewers outside the subdivision. Detention and treatment within the subdivision shall be designed and sized according to the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and shall take into account the capacity and grade necessary to maintain unrestricted flow from areas drainage through the subdivision and allow extension of the system to serve such area as per adopted Drainage Plan. This plan shall be approved by the City Engineer.

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.16 - Stormwater Detention and Treatment, the proposal is consistent with this standard.

- (3) *Sanitary Sewers.* Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains and shall take into account the capacity and grade to allow for desirable extension beyond the subdivision. In the event it is impractical to connect the subdivision to the City sewer system, the Planning Commission may authorize the use of septic tanks if lot areas are adequate considering the physical characteristics of the area.

If sewer facilities will, without further sewer construction, directly serve property outside the subdivision, and the area outside the subdivision to be directly served by the sewer line has reached a state development to justify sewer installation at the time, the City Council may construct as an assessment project with such arrangements as are desirable with the subdivider to assure financing his share of the construction. If the City Council chooses not to construct the project as an assessment project the sub-divider shall be solely responsible for the cost of improvements in accordance with City approved plans.

As conditioned, the proposal is consistent with this standard. Sanitary sewer is currently unavailable to the site. The nearest public sewer is a pressure line approximately five-hundred (500) feet west of the site in Jeans Road. The applicant is proposing private septic systems on each lot.

Prior to final plat approval, an Irrevocable Petition for Public Improvements held against Parcels 1 and 2 for future sewer improvement costs shall be recorded. Parcels 1 and 2 shall connect to the public sewer when available. Prior to issuance of building permits, the applicant shall provide proof of septic approval from Lane County.

- (4) Water system. *Water lines and fire hydrants serving each building site in the subdivision and connecting the subdivision to existing mains shall be installed to the standards of the City, taking into account provisions for extension beyond the subdivision.*

As conditioned, the proposal is consistent with this standard. The applicant is proposing private wells for water service on each parcel. The nearest public water main is located along the south side of Jeans Road over two-hundred (200) feet west of the site.

Prior to final plat approval, an Irrevocable Petition shall be held against Lots 1 and 2 for future water improvement costs shall be recorded.

- (5) Sidewalks. *Sidewalks shall be installed on both sides of a public street and in any special pedestrian way within the subdivision at the time a building permit is issued, except that in the case of arterials, or special type industrial districts, the Planning Commission may approve a subdivision without sidewalks if alternative pedestrian routes are available; and provided further, that in the case of streets serving residential areas having single-family dwellings located on lots equivalent to two and one-half or less dwellings per gross acres, the requirement of sidewalks shall not apply, provided there is no evidence of special pedestrian activity along the streets.*

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02(9) - Existing Streets above, the proposal is consistent with this standard.

- (6) Bicycle routes. *If appropriate to the extension of a system of bicycle routes, existing or planned, the Planning Commission may require the installation of separate bicycle lanes within streets or separate bicycle paths.*

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02(9), the proposal is consistent with this standard. The Veneta Transportation System Plan, Map 15 – Proposed Bicycle Pedestrian Network indicates that there is a proposed bike lane along Jeans Road.

As described under Veneta Land Division Ordinance No. 494, Section 6.02(9), the applicant is required to either widen the north side of Jeans Road along the site frontage to full urban standards OR construct a 5-foot wide asphalt should along the site frontage and execute an Irrevocable Petition for public improvements to be held against Parcels 1 and 2 for future street and sidewalk improvement costs.

- (7) Street name signs. *Street name signs shall be installed at all street intersections to approved City standards.*

As conditioned, the proposal is consistent with this standard. As a general

condition of approval, the applicant install a street sign at the intersection indicating that Sproat Ranch Road is private in accordance with Veneta Land Division Ordinance No. 494, Section 7.03(7) – Street Name Signs.

- (8) *Street lights.* Street lights shall be installed and shall be served from an underground source of supply.

As conditioned above under Veneta Land Division Ordinance No. 494, Section 6.02(9) - Existing Streets, the proposal is consistent with this standard.

- (9) *Other.* The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.

As conditioned, the proposal is consistent with this standard.

Prior to final plat approval, the applicant shall submit utility plans coordinated with the appropriate agency in accordance with Veneta Land Division Ordinance No. 494, Section 7.03(9) - Other.

Section 7.05 Agreements for Improvements

Before final approval of a subdivision plat or partition map, the land divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the City an agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for reimbursement of the City for the cost of inspection by the City in accordance with Section 7.06.

The applicants' plan shows that they already have sufficient right-of-way. If the city were to require dedication of public right-of-way along Jeans Road, the proposed lots would not meet the one (1) acre minimum for the zone and the application would be denied. Requiring dedication of public right-of-way would create a small section of a dead-end road which the City would be responsible for maintaining. At this time, it is recommended that the Commission approve the access easement as proposed.

Veneta Land Development Ordinance No. 493

Article 4 – Use Zones

Section 4.01 Rural Residential (RR)

(1) Purpose. To maintain areas outside the city's services boundary for limited rural development within the carrying capacity of the natural resources until conversion to urban residential uses.

The proposal is consistent with this standard. The proposed partition meets the purpose of the land use designation identified in Veneta Land Development Ordinance No. 493, Section 4.01 – Rural Residential (RR) zone, by providing limited rural development (one acre parcels) until conversion to urban residential uses.

(5) Lot Size. Except as provided in Articles 5, 6 and 8, in an RR zone, yards shall be as follows:

(a) The minimum legal lot size is one (1) acre, or larger as needed to permit compliance with the requirements of the Department of Environmental Quality for the location of on-site disposal systems and domestic wells. Determination of minimum legal lot size and land division approval will be made on a case-by-case basis by the Planning Commission based on the carrying capacity of the land, availability of sewage disposal systems and type of water supply.

The proposal is consistent with this standard. The minimum lot area in the Rural Residential (RR) zone is one (1) acre. Both proposed parcels meet the minimum lot area requirements.

(b) When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities, including the minimum yard setbacks and future street extensions.

This standard is not applicable, as the two proposed lots are not twice the minimum lot size.

*Veneta Land Development Ordinance No. 493
Article 5 – Supplementary Provisions
Section 5.02 Access*

All lots shall be provided with access according to the standards of Article 6, Section 6.04 of the Veneta Land Division Ordinance.

The proposal is consistent with this standard. Both proposed parcels have more than fifty (50) feet of frontage on Jeans Road.

Section 5.07 Future Development Potential

Buildings must be placed on a site to allow for future street extensions and appropriate setbacks. When a residential property is larger than twice the minimum

lot size and has potential for division, the applicant must submit a shadow plat showing how that future land division could take place and site the residence(s) accordingly.

The proposal is consistent with this standard. The applicant has provided a Partition Plan that depicts potential future land division on the lot created to the north that is within Lane County jurisdiction. The applicant submitted a Preliminary Subdivision request to Lane County and county staff has indicated that a decision for the Preliminary Subdivision will likely occur after the City of Veneta's decision on this partition request due to the proposed access is in city jurisdiction.

Section 5.14 Improvement Requirements

(1) Water and Sewer connections. All developments requiring water within the SFR, GR, CR, CC, IC, and I zones shall be connected to City water and sanitary sewers.

As conditioned under Veneta Land Division Ordinance No. 494, Section 5.04(2) - Utilities, the proposal is consistent with this standard.

(2) Agreement for Improvements. Before approval of a building permit, the land developer may be required to install required street, sidewalk, water, sewer, storm sewer, drainage and other required public facilities and shall repair existing streets and other public utilities damaged in the development or execute and file with the city an agreement between the owner of the land and the city specifying the period within which required improvements and repairs shall be completed. If the improvements are not installed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land developer.

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02(9) - Existing Streets, the proposal is consistent with this standard.

(3) Dedication of Street Right-of-Way. Before approval of a building permit, the City may require dedication of additional public right-of-way in order to obtain adequate street widths, in accordance with the Veneta Comprehensive Plan, Land Division Ordinance and any adopted street plans. Dedication shall be considered whenever the existing street width adjacent to or within a development is of inadequate width.

As conditioned under Veneta Land Division Ordinance No. 494, Section 6.02 - Street Design Standards, the proposal is consistent with this standard.

- (5) *Utility and Drainage Easements.* Before approval of a building permit, the City may require that an easement agreement be executed between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements wherever necessary. The easements shall be at least fourteen (14) feet wide and located adjacent to lot or parcel lines, except for utility pole tieback easements which may be reduced to six (6) feet in width.

As conditioned, the applicant is consistent with this standard.

Prior to building permit approval, an easement agreement between the city and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements where necessary may be required in accordance with VLDO Section 5.14(5) – Utility and Drainage Easements.

Section 5.16 Stormwater Detention and Treatment

For all projects that create greater than or equal to 1000 square feet of new impervious surface, stormwater detention and treatment facilities shall be provided. Detention and treatment facilities shall be designed and sized according to the City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 which is adopted as the City's Stormwater Management Manual. Where the manual and this section conflict, this section shall prevail.

The intent of these requirements is as follows:

- (a) To maintain runoff peak flows at predevelopment levels*
- (b) To provide treatment of runoff to limit the transport of pollutants to area Waterways.*
- (c) To limit accumulation of ponded water by discouraging the use of detention ponds and other centralized stormwater facilities through the dispersal of small detention and treatment facilities throughout a development. Preference shall be given to detention and treatment systems designed to drain completely within 24 hours to limit standing water.*
- (d) To encourage the use of vegetated treatment systems over structural pollution control devices.*

As conditioned, the proposal is consistent with this standard. The applicant is proposing to maintain drainage as currently exists with sheet flow draining towards Fern Ridge Reservoir until the time of individual lot development. The City of Veneta's adopted stormwater manual is the City of Portland Stormwater Management Manual, Revision #4, August 1, 2008. The applicant's written statement indicates stormwater detention and treatment facilities will be provided for new impervious surface in conformance with the requirements of Land Development Ordinance No. 493.

Prior to building permit issuance, the applicant shall submit and obtain

approval of a stormwater management plan prepared in accordance with the adopted City of Portland Stormwater Management Manual, Revision #4, August 1, 2008 and Veneta Land Development Ordinance No. 493, Section 5.16 – Stormwater Detention and Treatment.

Section 5.26 Parkland Dedication Requirements

(2) Minimum Parkland Dedication Requirements

Parkland Dedication: New residential subdivisions, planned unit developments (including plans implementing the Specific Development Plan (SDP) subzone), multi-family or manufactured home park developments shall be required to provide parkland to serve existing and future residents of those developments...

(a) The required parkland shall be dedicated as a condition of approval for the following:

- 1. Tentative plat for a subdivision or partition;*

As conditioned below, the proposal is consistent with this standard.

(b) Calculation of Required Dedication: The required parkland acreage to be dedicated is based on a calculation of the following formula rounded to the nearest 1/100 (0.01) of an acre: Required parkland dedication (acres) = (proposed units) x (persons/unit) x 0.0084 (per person parkland dedication factor).

- 1. Minimum Park Land Standards*

As conditioned, the proposal is consistent with this standard. Required parkland dedication is .05 acres based upon the following formula: Required parkland dedication; 2 (proposed units) x 3 (persons/unit) x 0.0084 (per person land dedication factor) = .0504 acres. Given the amount of land that would be dedicated (.0504 acres) as calculated per Veneta Land Development Ordinance No. 493, Section 5.26(2)(b), it would not be large enough to accommodate active park use facilities in order to fulfill the purpose Veneta Land Development Ordinance No. 493, Section 5.26(3) – Minimum Park Land Standards.

Prior to final plat approval, the applicant shall pay cash in lieu of dedication per Veneta Land Development Ordinance No. 493, Section 5.26(2)(b) – Parkland Dedication Requirements as conditioned below.

(b) The required dedication shall be contained as a contiguous unit and not separated into pieces or divided by roadways.

As conditioned below, cash in lieu of parkland dedication is required.

(4) Dedication Procedures

Lands required for dedication by this section shall be dedicated at the time of Final Plat. Dedication of land in conjunction with multi-family development shall be required prior to issuance of permits and commencement of construction.

(d) Prior to acceptance of required parkland dedications, the applicant/developer shall complete the following items for all proposed dedication areas:

- 1. The developer shall clear, fill, and/or grade all land to the satisfaction of the City, install sidewalks on the park land adjacent to any street, and seed the park land; and*

Not applicable; cash in lieu of parkland dedication is conditioned below.

(e) Additional Requirements

- 1. In addition to a formal dedication on the plat to be recorded, the sub-divider shall convey the required lands to the city by general warranty deed. The developer of a multi-family development or manufactured home park shall deed the lands required to be dedicated by a general warranty deed. In any of the above situations, the land so dedicated and deeded shall not be subject to any reservations of record, encumbrances of any kind or easements which, in the opinion of the Planning Official, will interfere with the use of the land for park, open space or recreational purposes.*

Not applicable; cash in lieu of parkland dedication is conditioned below.

- 2. The sub-divider or developer shall be required to present to the City a title insurance policy on the subject property ensuring the marketable state of the title.*

Not applicable; cash in lieu of parkland dedication is conditioned below.

(5) Cash in lieu of dedication

At the city's discretion only, the city may accept payment of a fee in lieu of land dedication. The city may require payment in lieu of land when the park land to be dedicated does not meet the standards stated above, or when a fee is determined to be in the best interest of the City as determined by the Planning Commission. A payment in lieu of land dedication is separate from Park Systems Development Charges (SDC), and is eligible for a credit only for that portion of the SDC attributable to land acquisition. The amount of the fee in lieu of land dedication (in dollars per acre) shall be set by City Council Resolution, and it shall be based on the average market value of undeveloped city lots of between 1 and 10 acres in size. The required fee-in-lieu-of shall be

calculated by multiplying the acres required for dedication by the dollar/acre amount set by resolution.

(a) The following factors shall be used in the choice of whether to accept land or cash in lieu:

1. The topography, geology, access, parcel size, and location of land in the development available for dedication;

As conditioned below, the proposal is consistent with this standard.

4. The City's current park and open-space needs

In terms of current city park and open-space needs, the subject site is an 'unserved residential area' as depicted on the city's 1998 Park and Recreation Master Plan. Given the required dedication size of .0504 acres as addressed under Veneta Land Development Ordinance No. 493, Section 5.26(2)(b) – Calculation of Required Dedication, cash in lieu of dedication is appropriate.

5. The feasibility of dedication.

(b) Cash in lieu of parkland dedication shall be paid prior to approval of the final plat unless the developer provides a binding financial instrument acceptable to the City.

As conditioned, the proposal is consistent with this standard.

Prior to final plat approval, the applicant shall make payment to the city in the amount of \$3,916.08 for required parkland dedication in accordance with Veneta Land Development Ordinance No. 493, Section 5.26(4) - Cash in Lieu of Dedication. The required fee in lieu of land dedication (in dollars per acre) has been established in the amount of \$77,700 per acre as set by City Council Resolution No. 937. The required fee in lieu of land dedication is based on the average market value of undeveloped city lots of between 1 and 10 acres in size per VLDO, Section 5.26(4) - Cash in Lieu of Dedication.

*Veneta Land Development Ordinance No. 493
Article 5-Supplementary Provisions
Section 5.03 Clear Vision Areas*

In all zones except the C zone a clear vision area shall be maintained on the corners of all property at the intersections of two (2) streets, a street-alley or street-railroad.

(1) Corner lots shall maintain a triangular area at street intersections, railroad-street intersections alley-street intersections, and flag lot - street intersections for safety vision purposes. Two (2) sides of the

triangular area shall be exterior property lines, 20 feet in length at street intersections and fifteen (15) feet leg lengths at alley-street intersections and flag lot -street intersections. When the angle of the portion of the intersection between streets is less than 30 degrees, the visual distance shall be 20 feet along the property line from the point of intersection. The third side of the triangle shall be an interior line connecting the two (2) exterior sides.

- (2) *A clear vision area shall contain no plantings, driveways, fences, walls, structures or temporary or permanent obstruction exceeding 2-1/2 feet in height, measured from the top of the curb or where no curb exists, from the established street center line grade. Trees exceeding this height may be located in this area, provided all branches or foliage are removed to a height of eight (8) feet above grade.*

As conditioned under Veneta Land Development Ordinance No. 493, Section 5.24 – Access Management, the proposal is consistent with this standard. The applicant is required to maintain vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015 which exceeds the clear vision area standard listed under VLDO Section 5.03 –Vision Areas.

Section 5.12 Landscaping

- (3) *Minimum Landscaped Area. The minimum percentage of required landscaping is as follows:*
 - (a) *Residential and Residential-Commercial Zones. 20 percent of each lot of residential developments, 10 percent for commercial or mixed use.*
- (4) *Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:*
 - (a) *One tree, minimum 2" caliper.*
 - (b) *Four 5-gallon shrubs or accent plants.*

The proposal is consistent with this standard. Landscaping requirement shall be determined as building permits are issued for individual lots.

Section 5.20 Off-Street Parking Requirements

For each new structure or use, each structure or use increased in area and each change in the use of an existing structure, there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.

- (1) *Design and improvement requirements for residential parking for single-family and two-family dwellings.*

(a) *Except where the City Engineer has approved a porous paving system to manage storm water runoff and water quality, all parking areas, driveways and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete or six (6) inches Portland Cement concrete over approved base or other materials approved by the City Engineer. Paved driveways are not required in situations approved by the Planning Commission or Building and Planning Official in which the driveway will be used temporarily until further land divisions or development occur.*

As conditioned, the proposal is consistent with this standard.

Prior to final plat approval, the applicant shall sign a development agreement stating that the access will be paved with at least (2) inches of asphaltic concrete or six (6) inches Portland Cement concrete over approved base or other materials approved by the City Engineer to a width of at least twenty (20) feet and all year round surface on roadway able to withstand the weight of fire apparatus (60,000 pounds) per Lane Fire Authority.

Section 5.24 Access Management

(1) Residential driveways shall be located to optimize intersection operation and where possible, to access off the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a minor collector, the driveway shall access from the local street as long as it can be located a sufficient distance from the intersection.

As conditioned, the proposal is consistent with this standard. The applicant is proposing a single private roadway (Sproat Ranch Road) from Jeans Road to serve the proposed partition, as well as a future seven (7) lot subdivision north of the Urban Growth Boundary.

Due to high vehicle speeds and a nearby horizontal bend in Jeans Road, the applicant was required to analyze the proposed access for sight distance by the City Engineer. In response to referral request, the City Engineer provided a memorandum dated July 20, 2015 which provides a review of the sight distance evaluation.

On December 29, 2015, the applicant submitted additional information including Speed Zone and Sight Distance Study as prepared by Access Engineering, LLC. The study concluded that the posted speed of 45 MPH is appropriate based on speeds observed and accident history and the proposed access location will have the minimum required Stopping Sight Distance (SSD) according to the City Engineer. In summary, the study recommends the access be designed as an uncontrolled intersection (without stop signs). The applicant explored several alternative access locations, and found the minimum lot size requirement,

wetlands, and the curvature of the roadway east of the site, restrict potential alignments. The applicant also conducted a speed study to determine if the posted speed can be reduced to increase safety. These efforts concluded that the proposed access location is the most reasonable alignment provided the recommendation in the Sproat Ranch Estates Speed Study are implemented.

Prior to final plat approval, the applicant shall include vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015.

Concurrently with construction of the private roadway, the applicant shall furnish and install an intersection warning sign at 360 feet east of the site access intersection as shown in Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study dated December 17, 2015 in accordance with the City Engineer.

In addition, prior to final plat approval, the applicant shall sign a development agreement to permanently maintain the vision clearance easements as illustrated on Figure 4 of the Sproat Ranch Estates, Jeans Road Speed Study dated December 17, 2015 in accordance with the City Engineer.

The public comment letter received on August 11, 2015 from Mr. and Mrs. Gary and Wanda Campbell whom reside at 25448 Jeans Road (immediately south of the subject site with frontage along Jeans Road) expressed concern with a “blind spot” to the east due to the horizontal bend in Jeans Road.

As a general condition of approval, both lots shall take access via the proposed private road and not directly from Jeans Road in accordance with Veneta Land Development Ordinance No. 493, Section 5.24 – Access Management and the City Public Works Director.

(2) Properties that only front on collector or arterial streets are encouraged to share an access with neighboring properties. The decision making body may require a combined access for two or more developments, and shared driveways between developments, including land divisions, where access spacing standards cannot otherwise be met.

As conditioned above under VLDO Section 5.24(1), the proposal is consistent with this standard.

*Veneta Municipal Code, Chapter 8.10 – Tree Cutting, Destruction and Removal
Chapter 8.10.030 Tree removal permit required.*

No person shall remove or transplant any tree without first obtaining a tree removal permit as required by this chapter. (Ord. 483 § 3, 2008)

A Tree Removal permit has not been submitted. Staff conducted a site visit on

June 12, 2015 and concluded that the proposed land division, frontage improvements and access development do not require a tree removal permit at this time.

Prior to building permit approval, the applicant shall obtain tree removal permit approval if regulated trees are proposed to be removed, on a lot by lot basis, in accordance with Veneta Municipal Code, Chapter 8.10 – Tree, Cutting, Destruction and Removal.

- D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Veneta Planning Commission, below. A Planning Commission decision may be appealed to the Veneta City Council within 15 days after the final order has been signed and mailed.**

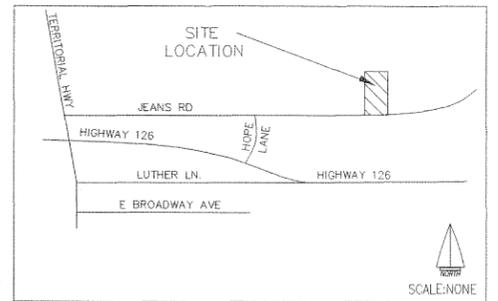
Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

James Eagle Eye
Planning Commission - Chair

Date

Tentative Partition Plan Sproat Ranch Estates Lots 1 & 2

SE 1/4, SEC. 30, T. 17S, R. 5W, W.M.
CITY OF VENETA AND
LANE COUNTY, OREGON



SITE LOCATION

OWNER
MELVIN MCDUGAL
NORMAN MCDUGAL
PO BOX 518
CRESWELL, OR 97426

ENGINEER
EGR & ASSOCIATES, INC.
2535B PRAIRIE ROAD
EUGENE, OR 97402
PHONE: (541) 688-8322

SURVEYOR
PACIFIC SURVEYING, INC.
75506 BLUE MOUNTAIN SCHOOL ROAD
COTTAGE GROVE, OR 97424
PHONE: (541) 767-0790

ASSESSOR'S PARCEL NUMBER
17-05-30-00-902

LEGAL DESCRIPTION
BEGINNING AT THE SOUTHEAST CORNER OF THE HARRIET GLASS DONATION LAND CLAIM NO. 51 IN TOWNSHIP 17 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN; THENCE RUN ALONG THE SOUTH LINE OF THE HARRIET GLASS DONATION LAND CLAIM SOUTH 89° 56' WEST 417.42 FEET; THENCE NORTH 0° 40' 05" WEST 1748.37 FEET TO A POINT OF INTERSECTION WITH THE TRAVERSE LINE ALONG THE 377 FOOT CONTOUR, U.S.C. & G.S. DATUM, OF THE FERNRIDGE RESERVOIR; THENCE ON THE TRAVERSE LINE ALONG SAID 377 FOOT CONTOUR LINE AS FOLLOWS: NORTH 55° 12' 20" EAST 3.90 FEET TO A U.S.E.D. MONUMENT (Y-153); THENCE NORTH 88° 45' 50" EAST 213.79 FEET TO A U.S.E.D. MONUMENT (Z-153); THENCE SOUTH 72° 15' 30" EAST 211.18 FEET TO AN INTERSECTION WITH AN EXISTING FENCE LINE; THENCE ALONG OR NEARLY ON THE EXISTING FENCE LINE AS FOLLOWS: SOUTH 0° 02' 20" EAST 280.19 FEET; THENCE SOUTH 0° 20' 35" EAST 603.58 FEET; THENCE SOUTH 0° 38' 50" EAST 593.41 FEET; THENCE SOUTH 2° 28' 10" EAST 213.31 FEET TO THE POINT OF BEGINNING, BEING IN SECTION 30 AND SECTION 31, TOWNSHIP 17 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN, LANE COUNTY,

ZONING
PRESENT: CITY = RURAL RESIDENTIAL
PROPOSED: CITY = RURAL RESIDENTIAL

LOT SIZES
ONE ACRE MINIMUM

NUMBER OF LOTS:
PRESENT: 1
PROPOSED: 2 (CITY)
PROPOSED: 1 (COUNTY)

AREA:
PARCEL: 16.47 ± AC NET: 2.09 ± AC (CITY)

DENSITY:
2 LOTS AC=2.09± LOTS/AC = 1.0 LOTS PER ACRE

USES:
PRESENT: VACANT
PROPOSED: RESIDENTIAL

SCHOOL DISTRICT:
FERN RIDGE

PARK & RECREATION
CITY OF VENETA

SOURCE OF WATER:
PRIVATE WELLS

FIRE DISTRICT
LANE COUNTY FIRE DISTRICT #1

SANITATION FACILITIES
PRIVATE SEPTIC SYSTEMS

DRAINAGE FACILITIES
PRIVATE ON-SITE PER CITY OF VENETA STANDARDS

FLOOD ZONE INFORMATION
ZONE X

IMPROVEMENT REQUIREMENTS:
20' WIDE PAVED PRIVATE ACCESS ROAD, NO PUBLIC IMPROVEMENTS ARE PROPOSED.



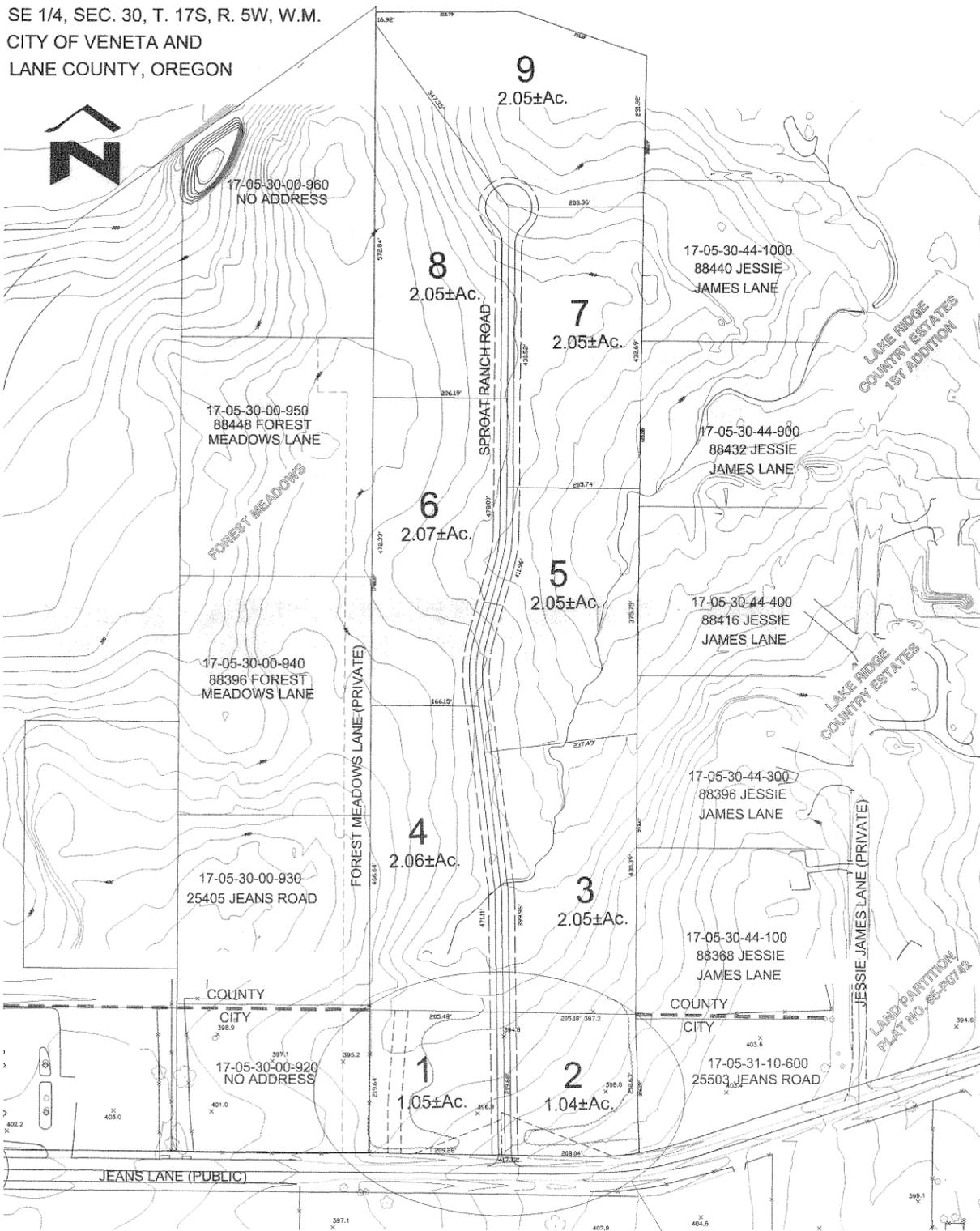
RENEWS: 01/01/18

CITY OF VENETA
TENTATIVE PARTITION PLAN
SPROAT RANCH ESTATES
DECEMBER 29, 2015

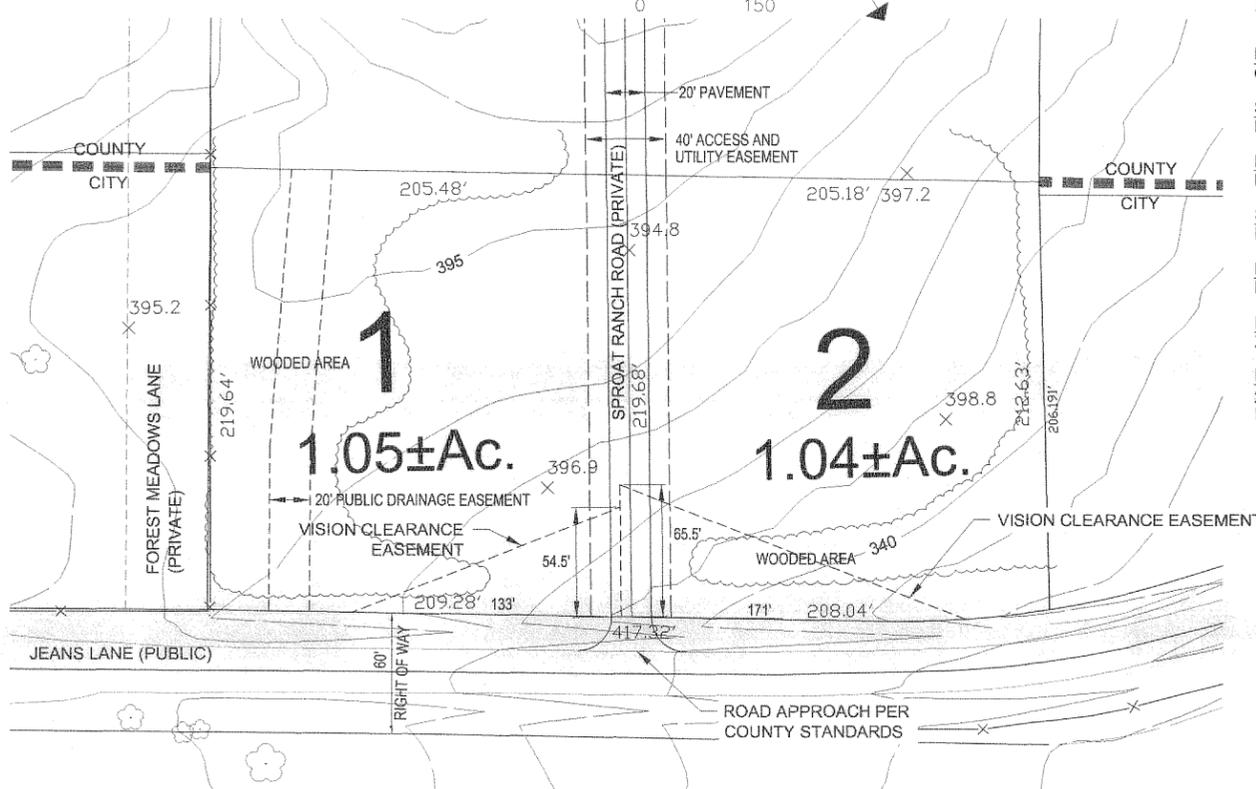
EGR & Associates, Inc.
Engineers, Geologists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

(541) 688-8322
Fax (541) 688-8087



VICINITY MAP
SCALE: 1"=150'



SITE PLAN
SCALE: 1"=60'

CONTOUR INTERVAL SHOWN IS ONE FOOT.
TOPOGRAPHIC BASE MAP PROVIDED BY PEABODY
ENGINEERING AND PACIFIC SURVEYING INC.



Access Engineering LLC

134 E. 13th Ave. Suite 2

Eugene, Oregon 97401

Phone & Fax

541-485-3215

info@accesseng.com

Transportation Engineering

Traffic Design

Trip Generation

Access Management

Traffic Counts

Street Lighting

Sproat Ranch Estates Jeans Road Speed Study

Veneta, Oregon



December 17, 2015

Sproat Ranch Estates Jeans Road Speed Study

Veneta, Oregon



RENEWS 6/30/16

December 17, 2015

**Sproat Ranch Estates
Jeans Road Speed Study
Veneta, Oregon**

I. Background

1. Introduction

The purpose of this report is to provide an engineering study to determine and recommend the appropriate speed zone for a section of Jeans Road from Cornerstone Drive east to the city limits of Veneta, Oregon. The reason that a speed study is needed is to determine the required intersection sight distance for the proposed access driveway to Sproat Ranch Estates, a 16.47 acre parcel (tax lot 902 on Map 17053000). The proposed access is located 820 feet east of Cornerstone Drive and approximately 200 feet west of the center of a curve to the northeast on Jeans Road.

2. Location and Vicinity Map

Jeans Road is an east-west street located north of Highway 126 in north Veneta. Figure 1 in Appendix A shows the location of Jeans Road within the city limits of Veneta. Jeans Road runs east from Territorial Highway a distance of approximately 5000 feet to the Veneta city limits and then continues northeast 2.75 miles to Fern Ridge Reservoir.

3. Study Area Street Conditions

The speed study has been requested for the east end of Jeans Road within the City of Veneta; from Cornerstone Drive to the city limits. Figure 2 in Appendix A shows the location of the Sproat Ranch Estates proposed access at the center of their frontage on Jeans Road and the location of the speed study.

Jeans Road within the Veneta city limits is classified as a Major Collector. The right-of-way is 60 feet in width and the roadway is 24 feet in width with no shoulders. Lane County Maps shows Jeans Road as an Urban Minor Collector under Lane County jurisdiction north and east of the city limits. Lane County Maps show an Average Daily Traffic (ADT) volume on Jeans Road of 3000 vehicles counted in 2011 just east of Territorial Highway and an ADT of 1350 vehicles just west of Huston Road or ~1100 feet east of the city limits.

Jeans Road has a current posted speed of 45 MPH. There are also two curves with warning signs located as shown in Figure 2. The study area, centered on the first curve located ~1000 feet east of Cornerstone Drive, ~210 feet east of the proposed driveway access, and ~300 feet west of Jessie James Lane, has a 40 MPH advisory speed. The second curve, with a 35 MPH advisory speed, is located ~600 feet east of the city limits and outside of the study area.

4. Existing Conditions

All tax lots within the Veneta city limits from 320 feet east of Cornerstone Drive on the north side of Jeans Road and from 500 feet west of Cornerstone Drive on the south side are zoned Single-Family Residential. All parcels north and east of the city limits in Lane County are zoned Rural Residential.

The zoning to the west of the residential zone along Jeans Road consists of mostly Light Industrial and Commercial-Industrial with some Community Commercial and General Residential zones near the Territorial Highway intersection.

5. Crash History

Crash records for Jeans Road from Territorial Highway to the east city limits of Veneta for the five-year period from 2010 through 2014 were obtained from ODOT's Crash Analysis and Reporting Unit (see Appendix B). Table 1 shows the crashes involving Jeans Road traffic during the five-year period.

Table 1: Crash History - Jeans Road; Territorial Hwy. to City Limits

Collision	Year	2010	2011	2012	2013	2014	Total	Injury	PDO
Turning Movement		1	1	1	1	0	4	3	1
Angle		2	1	2	1	1	7	3	4
Fixed Object		1	0	0	0	0	1	1	0
Other (Animal)		0	0	0	1	0	1	0	1
Total		4	2	3	3	1	13	7	6
AADT Vehicles		2,250	2,250	2,300	2,350	2,400	11,550		
Crash Rate (#/mvm)		1.03	0.52	0.76	0.74	0.24	0.65		

* - mvm = million vehicle miles

The crash rate on Janes Road varied between 0.24 and 1.03 crashes per million vehicle miles. The average crash rate for state highway roads classified as Major Collectors in Rural Cities from 2010 through 2013 ranged from 1.04 to 1.49 crashes per million vehicle miles. We do not have access to statewide average crash rates for non-state highways.

Only four of the 13 crashes did not occur at the Janes Road at Territorial Highway intersection:

- On February 28, 2010 **at 1 AM**, a single eastbound passenger car ran off the road ~450 feet east of Cornerstone Drive an hit a tree resulting in injuries. The report stated that the driver was ill and ran off the road.
- On August 28, 2011 a passenger car leaving a driveway opposite Cornerstone Drive struck an eastbound vehicle on Jeans Road. The angle collision resulted in property damage only.
- On June 17, 2012 a westbound passenger car turned left into a driveway 750 feet east of Territorial Highway (not in speed study area) and struck an eastbound passenger car resulting in injuries.
- On February 2, 2013 a westbound passenger car on Jeans Road struck a deer near the Cornerstone Drive intersection resulting in property damage only to the car. Improper driving was not indicated.

The three crashes on Jeans Road in five years in the study area between Cornerstone Drive and the city limits, a distance of ~1300 feet, calculates to a crash rate of 2.44 crashes per million vehicle miles. However, none of the crashes on Jeans Road were the result of speeding.

II. Speed Study Results

1. Data Collection

Speed and traffic volume data for Jeans Road was collected using mechanical traffic counters. Since sight distance to the east from the driveway is limited by the curve, speed data was collected at the center of the curve and 140 feet in advance of the curve to the east. The counters were set out on Wednesday December 9, 2015. Counters were operational from Noon Wednesday until Noon Thursday. The speed and volume data collected are shown in Table 1. An hourly breakdown of speed and volumes data can be found in Appendix B.

Table 1: Speed and Volume Data

Counter #	Location	Direction	Speed Data				Volume	
			Average Speed	85 th -tile Speed	10 MPH Pace	% in Pace	ADT	% > 35 MPH
1	Center of Curve	Eastbound	40	47	35-44	60%	732	79%
		Westbound	40	46	35-44	60%	623	79%
2	140' in Advance of Curve to East	Eastbound	40	47	36-45	57%	731	77%
		Westbound	41	47	36-45	58%	621	80%

2. Data Analysis

The data collection verified that the posted speed of 45 MPH is the appropriate speed for the road, with the 85th percentile speed just slightly above it. Vehicles showed no appreciable slowing through the ~15 degree curvature. All brush and trees have been removed on the north side of Jeans Road to several feet beyond the right-of-way line on the Sproat Ranch Estates property providing good visibility entering the curve in both directions. In addition, the volume of traffic on Jeans Road is relatively low at ~1350 vehicles per day. The highest hourly volumes were 113 vehicles between 9-10 AM and 122 vehicles between 4-5 PM. That equates to about 1.9 to 2.0 vehicles per minute so there is only a slight chance of meeting an oncoming vehicle at or near the curve. Even though the speeds through the curve are the same as in the straight section, the 40 MPH rider on the curve helps to alert drivers to the change of direction and is appropriate for the situation. As traffic levels increase as the area develops with additional driveways and intersections, a more appropriate urban speed limit may be called for.

3. Sight Distance Requirements

The current planned driveway access to Sproat Ranch Estates is located at the center of the Jeans Road frontage. The AASHTO Policy on Geometric Design of Highways and Streets states that Stop controlled intersections at grade shall be provided with at least minimum stopping sight distance (SSD) and preferably intersection sight distance (ISD) for the speed of the highway. We have determined above that the speed for determining the appropriate sight distance should be 45 MPH. However, section 2B.06 "STOP Sign Applications" in the 2009 Manual on Uniform Traffic Control Devices (MUTCD) provides the following guidance for Stop sign applications:

Guidance:

02) *The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:*

- *The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;*
- *A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or*
- *Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.*

The speed study found the ADT on Jeans Road at the site is 1350 vehicles per day. The five-year crash analysis records do not meet the conditions described above. The view to the east is restricted, however there is sufficient unobstructed vision to the east to allow a westbound vehicle traveling at 45 MPH to stop if a vehicle has entered the intersection from the site access (see the photo, Figure 3 in Appendix A.) The *Stopping Sight Distance (SSD)* is based on the speed of traffic on the major road and is the minimum distance for a vehicle on the major road to safely come to a stop to avoid a collision. For this situation entering and leaving the site access road, the speed on Jeans Road is 45 MPH. Exhibit 3-1 in the Fourth Edition of the AASHTO Manual lists the SSD for speeds of 45 MPH is 360 feet. The photo in Figure 3 is taken at 360 feet east of the site access intersection, indicated by the arrow pointing to the end of the red line, and shows that a vehicle at that point is visible. That sight line just touches the Jeans Road right-of-way. Since the access location does not meet any of the conditions for a Stop sign placement, our engineering judgement is that none is required. In addition, none of the existing private roads intersecting Jeans Road in the study area have Stop signs controlling movements on the minor approach.

4. Existing Sight Distance

For the Sproat Ranch Estates access, AASHTO Case A - Intersections with No Control would apply. For intersections not controlled by yield signs, stop signs, or traffic signals, the driver of a vehicle approaching an intersection should be able to see potentially conflicting vehicles in sufficient time to stop before reaching the intersection. AASHTO states that field observations show that motorists slow down to some extent on approaches to uncontrolled intersections therefore provision of a clear sight triangle with legs equal to the full stopping sight distance is not essential.

Exhibit 9-51 in the AASHTO Manual provides the length of sight triangles for intersections with no control for various approach speeds. For Jeans Road with a speed of 45 MPH the sight triangle leg is 220 feet. For the Site access approach with an assumed an approach speed of 20 MPH, the triangle leg would be 90 feet. The 90' by 220' triangle must be clear of all sight obstructions in both directions. The triangle legs are measured from the intersection of the center of the approach lanes. Sight distance requirements for the Site access intersection with no control is shown in Figure 4 in Appendix A.

Figure 4 shows the areas on Lots 1 and 2 that must be clear of sight obstructions. There are no sight obstructions in the Jeans Road right-of-way. Since the proposed access is around the curve for westbound vehicles, we propose to add an Intersection Warning Sign at the SSD distance (360 feet) east of the intersection. The photo in Figure 3 in Appendix A shows the view from the SSD distance. The intersection is at the end of the red line and a vehicle could be visible from this location, but the warning sign will be a positive indication in advance of the situation.

III. Conclusions and Recommendations

The Speed Study has verified that the posted speed of 45 MPH is appropriate for the existing roadway.

There are no sight obstructions to the west from the Site access since the road is straight and slightly downhill. Sight distance for drivers leaving the site looking for oncoming westbound vehicles is limited by the need for a sight line easement on the adjacent property to the east. However, the sight line for westbound vehicles looking from 360 feet east of the intersection toward the intersection is unobstructed and is within the right of way.

The crash analysis indicates that the only westbound crash during the 5-year period 2010 through 2014 occurred near the Cornerstone Drive intersection and involved striking an animal.

The latest edition of the MUTCD does not require a Stop sign on a minor road (Site access) intersecting a low volume major road (under 6,000 ADT) when the intersection is visible at or beyond the stopping sight distance of the major road, and there is no crash history involving angle collisions or failing to yield the right of way in the study area. The major road, Jeans Road, has an ADT of 1350 vehicles per day, the intersection is visible at the stopping sight distance for 45 MPH, and the only one angle collision has occurred in the past 5 years and it was at the Cornerstone Drive intersection involving an eastbound vehicle.

Based on this analysis, we recommend:

- No changes to the existing speed zoning in the area.
- No control for the Site access intersection with Jeans Road.
- The sight triangles shown in Figure 4 for the Site access approach must be kept clear of sight obstructions: Jeans Road, 220 feet based on 45 MPH; Site access 90 feet based on 20 MPH, measured from the center of approach lanes.
- Install an Intersection warning sign at 360 feet east of the Site access intersection as shown in Figure 4.

Appendix A

Figures

Figure 1

Sproat Ranch Estates Jeans Road Speed Study Vicinity Map

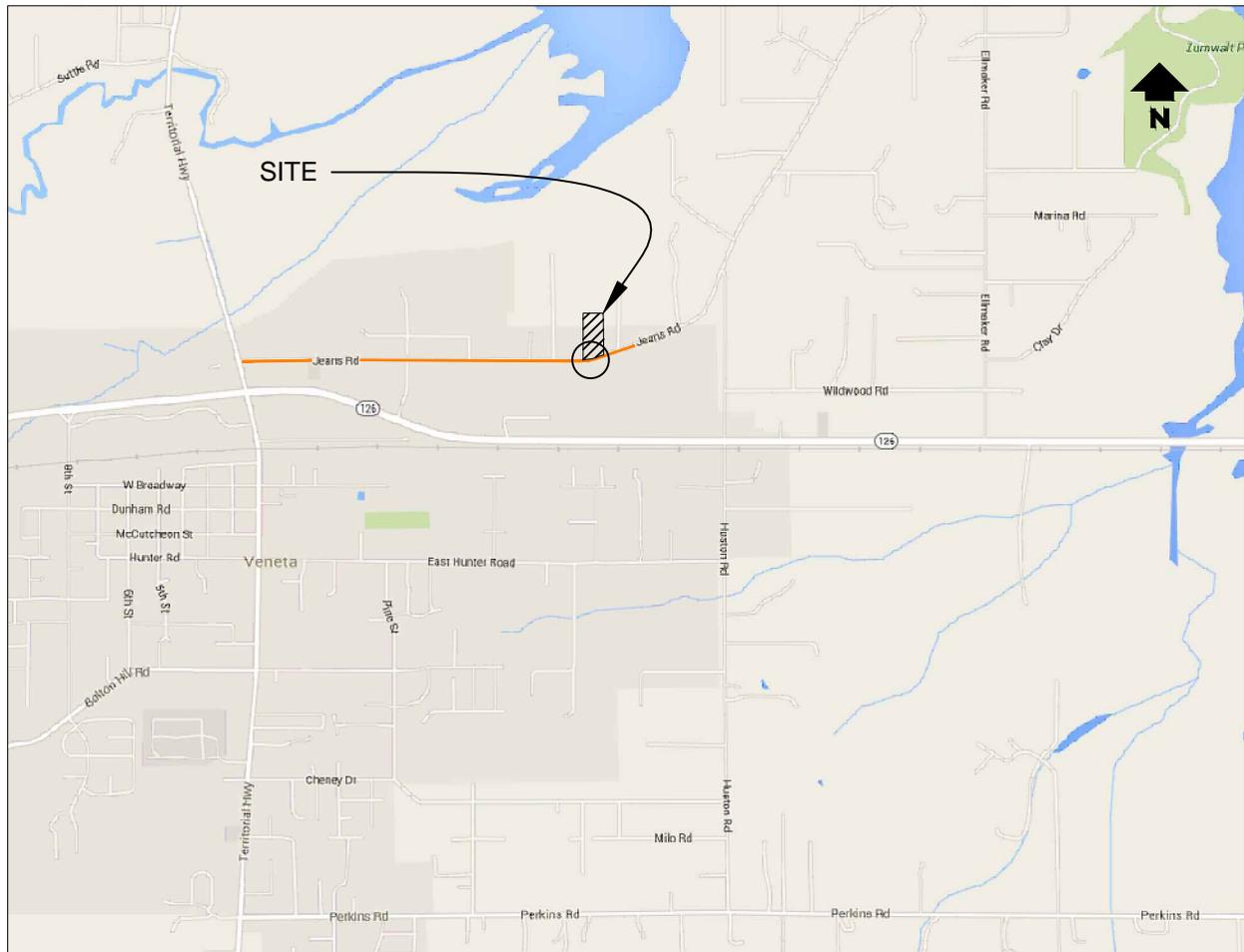


Figure 2

Sproat Ranch Estates Jeans Road Speed Study Existing Conditions Cornerstone Dr. to City Limits

- ① - Curve Speed data
- ② - Approach Speed data
- ↓ - Posted Speed
- ↘ - Curve Warning Sign w/ Speed Advisory
- 40



Figure 3

Sproat Ranch Estates Jeans Road Speed Study Vision Approaching Curve

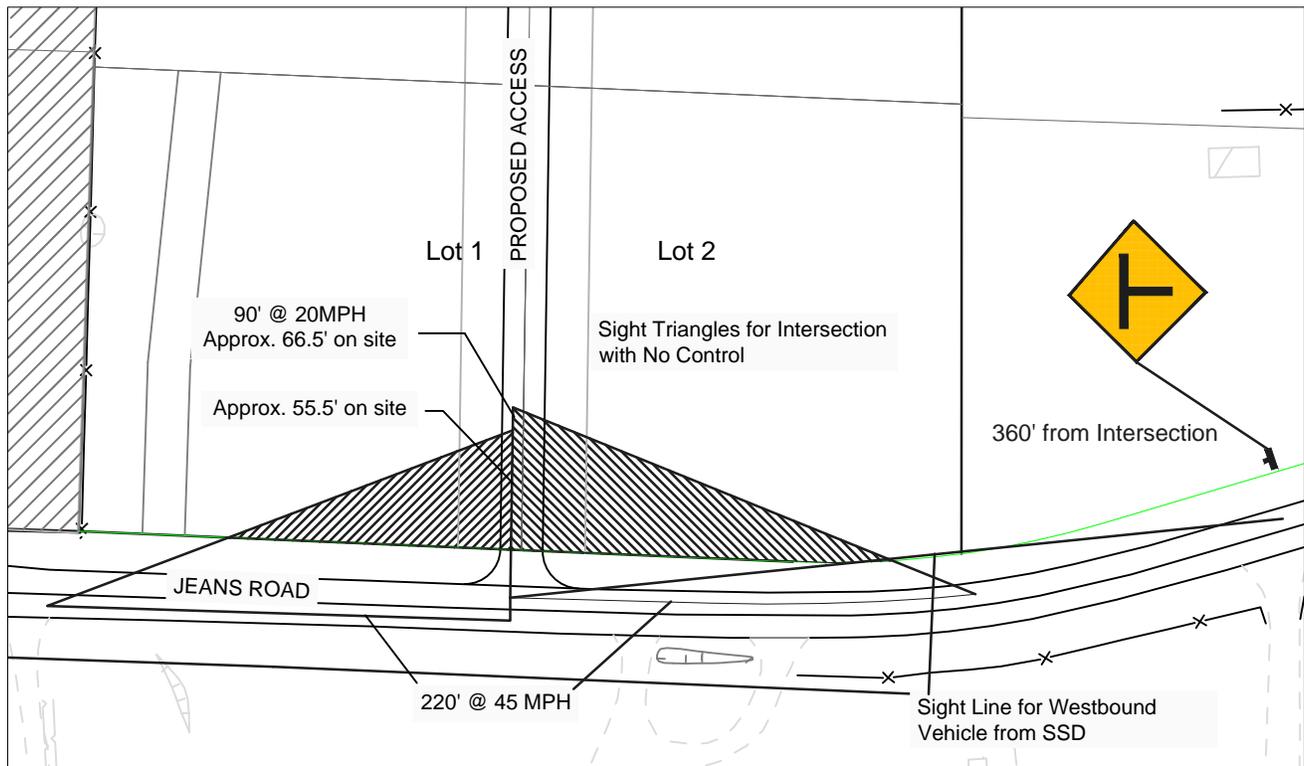
Intersection Location



View from SSD location 360' East of Intersection

Figure 4

Sproat Ranch Estates Jeans Road Speed Study Sight Lines for No Control



Appendix B

Speed & Crash Data

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
URBAN NON-SYSTEM CRASH LISTING

JEANS RD and Intersectional Crashes at JEANS RD, city of Veneta, Lane County, 01/01/2010 to 12/31/2014

Total crash records: 14

SPCL USE	TRLR QTY	OWNER	PH TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE
02606	07	08/28/2011	0	07	0	07	0	07	0	07	0	07
02606	07	08/28/2011	0	07	0	07	0	07	0	07	0	07
00343	02	02/02/2013	02	02	02	02	02	02	02	02	02	02
00536	07	02/28/2010	07	07	07	07	07	07	07	07	07	07
00858	06	04/02/2010	06	06	06	06	06	06	06	06	06	06
03993	06	12/06/2013	06	06	06	06	06	06	06	06	06	06
00375	06	02/12/2010	06	06	06	06	06	06	06	06	06	06
01989	06	07/07/2010	06	06	06	06	06	06	06	06	06	06

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submission of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

OREGON.. DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
 URBAN NON-SYSTEM CRASH LISTING

JEANS RD and Intersectional Crashes at JEANS RD, City of Veneta, Lane County, 01/01/2010 to 12/31/2014

Total crash records: 14

SPCL USE	TRLR QTY	OWNER	PH TYPE	SVRTY	E X RES	LOC	ERROR	ACT_EVENT	CAUSE						
01	DRVR	NONE	25	F	OR-Y	028	000	02							
02703	N N N	09/04/2010	06	SA	11A	INTER	CN	01	DRVR	INJC	52	F	OR-Y	000	00
NONE															
02536	N N N	08/21/2011	06	SU	3P	INTER	CN	01	DRVR	NONE	76	M	OR-Y	000	00
NONE															
02432	N N N	08/09/2012	06	TH	2P	INTER	CN	01	DRVR	INJC	49	F	OR-Y	028	02
COUNTY															
03793	N N N	11/24/2012	06	SA	11A	INTER	CN	02	DRVR	INJC	17	F	OR-Y	000	00
COUNTY															
01064	N N N	04/10/2013	06	WE	2P	INTER	CN	04	DRVR	INJC	60	M	OR-Y	000	00
NO RPT															

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 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
 URBAN NON-SYSTEM CRASH LISTING

JEANS RD and Intersectional Crashes at JEANS RD, city of Veneta, Lane County, 01/01/2010 to 12/31/2014
 Total crash records: 14

S P E R E S E I N V E S T	D A T E	C L A S S	C I T Y S T R E E T	R D C H A R	I N T - T Y P E (M E D I A N)	I N T - R E L (L E G S)	C O N T I L (# L A N E S)	D R I V E R L I C E N S E	W H E A T H E R	C R A S H C O L L	S P E C I A L U S E	T R A F F I C S I G N	S T O P S I G N	N O T E	D R I V E R L I C E N S E	P A R T I C I P A N T S	I N J U R Y	E V E N T	C A U S E	
																				NO RPT
03798	11/20/2014	06	JEANS RD TERRITORIAL HY	INTER CN	3-LEG	N	N	0	RAIN	ANG-OTH	01 NONE	0	STRGHT	S -N	01 DRVR	NONE	50 F	OR-Y	028	00
				04	0				WET	ANG	PRVTE									
									DAY	PDO	PSNGR CAR									
											02 NONE	0	STRGHT	W -E	01 DRVR	NONE	50 F	OR-Y	028	00
											PSNGR CAR									
01810	06/17/2012	07	JEANS RD TERRITORIAL HY	ALLEY E	(NONE)	N	N	0	CLR	O-1TURN	01 NONE	0	TURN-L	E -S	01 DRVR	NONE	29 M	OR-Y	004,028	02
				07	(02)				DAY	INJ	PSNGR CAR									
											02 NONE	0	STRGHT	W -E	01 DRVR	INJC	28 M	OR-Y	000	00
											PSNGR CAR									
											02 NONE	0	STRGHT	W -E	02 PSNG	INJC	32 F	OR<25	000	00
											PSNGR CAR									

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NOTES:

DECISION POINT OF THE DEPARTURE SIGHT TRIANGLE IS 14.5 FEET FROM EDGE OF TRAVELED WAY.

FUTURE JEANS ROAD IMPROVEMENTS BASED ON MAJOR COLLECTOR: 34' WIDTH (11' TRAVEL LANES, 6' BIKE LANES, NO PARKING) WITH SIDEWALKS

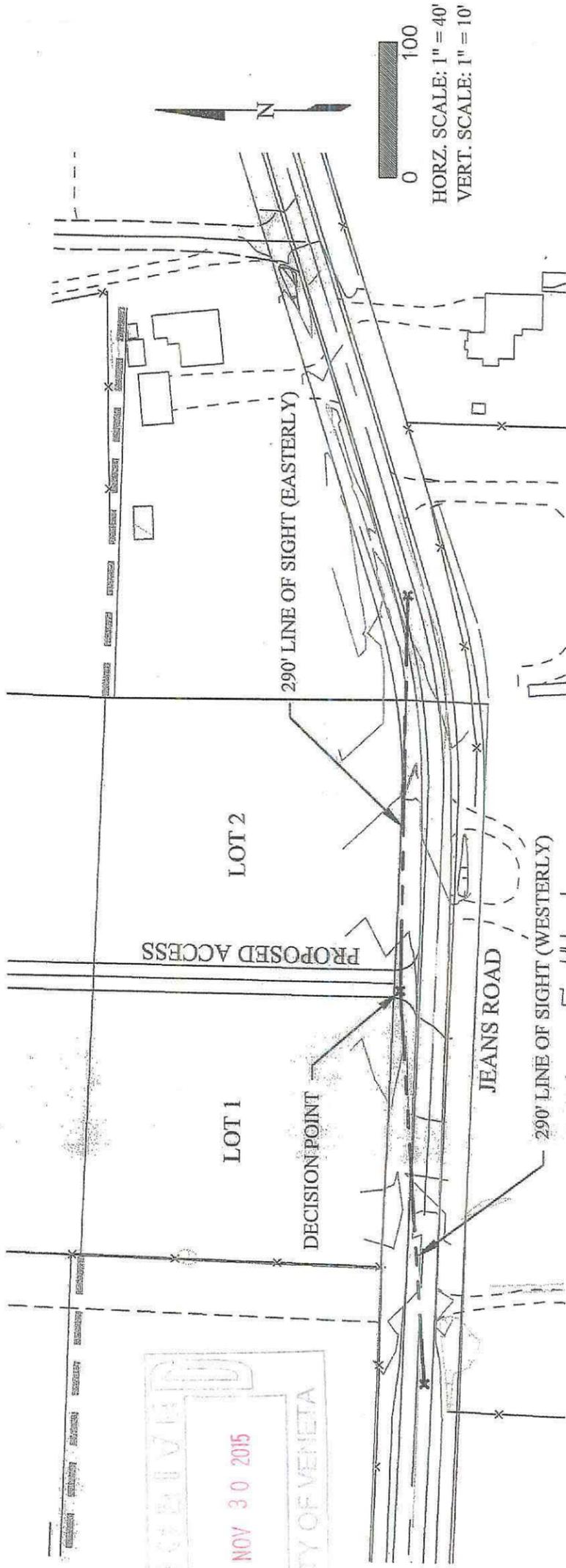
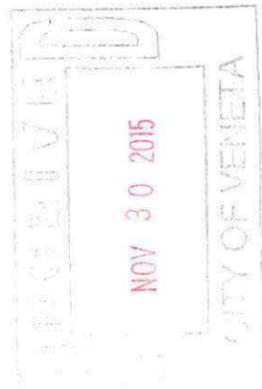
PROPOSED POSTED SPEED = 30 MPH

DESIGN INTERSECTION SIGHT DISTANCE (AASHTO):

RIGHT TURN FROM STOP = 290'

EYE HEIGHT = 3.5'

OBJECT HEIGHT = 3.5'



PROPOSED ACCESS

LOT 2

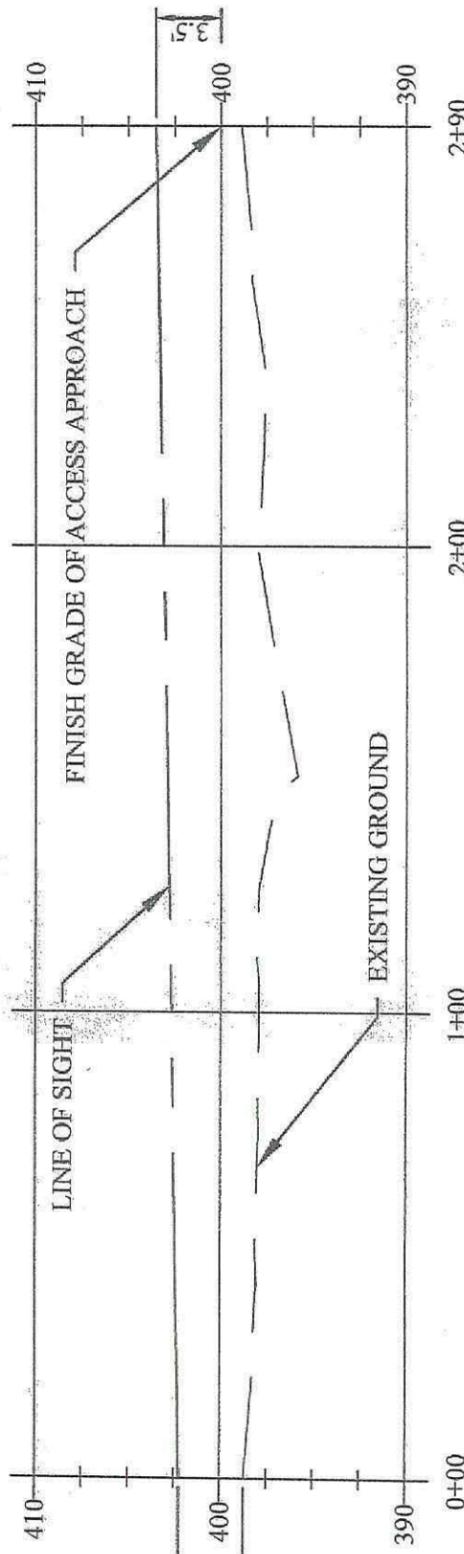
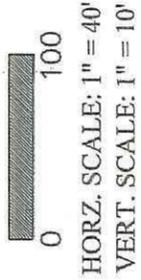
LOT 1

DECISION POINT

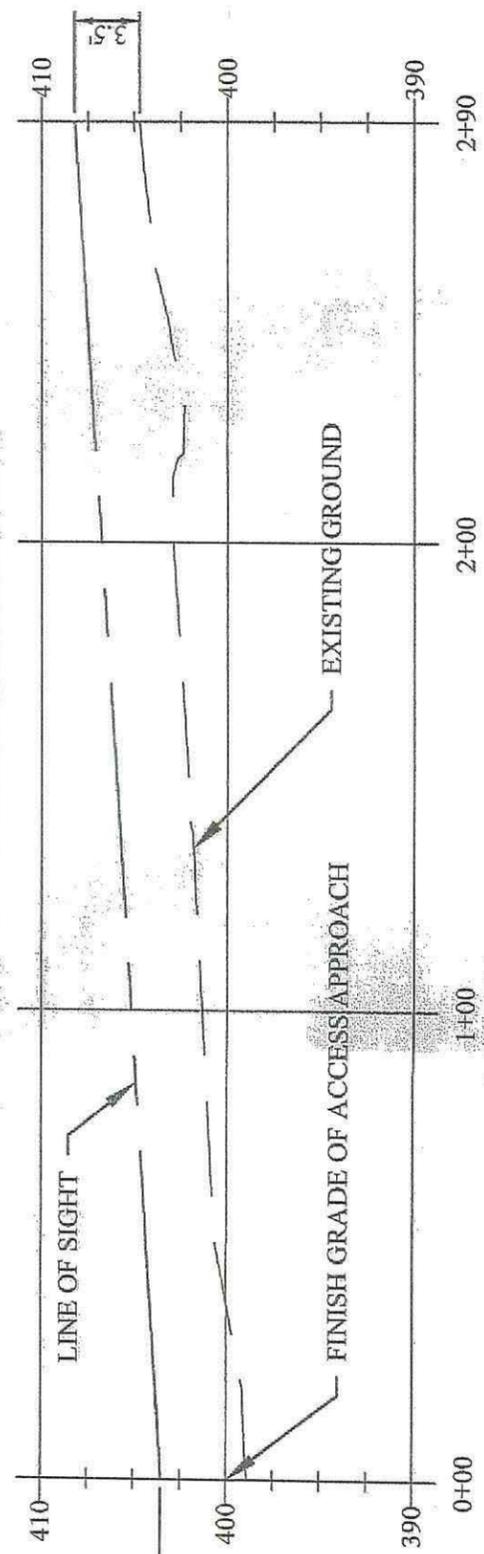
290' LINE OF SIGHT (EASTERLY)

JEANS ROAD

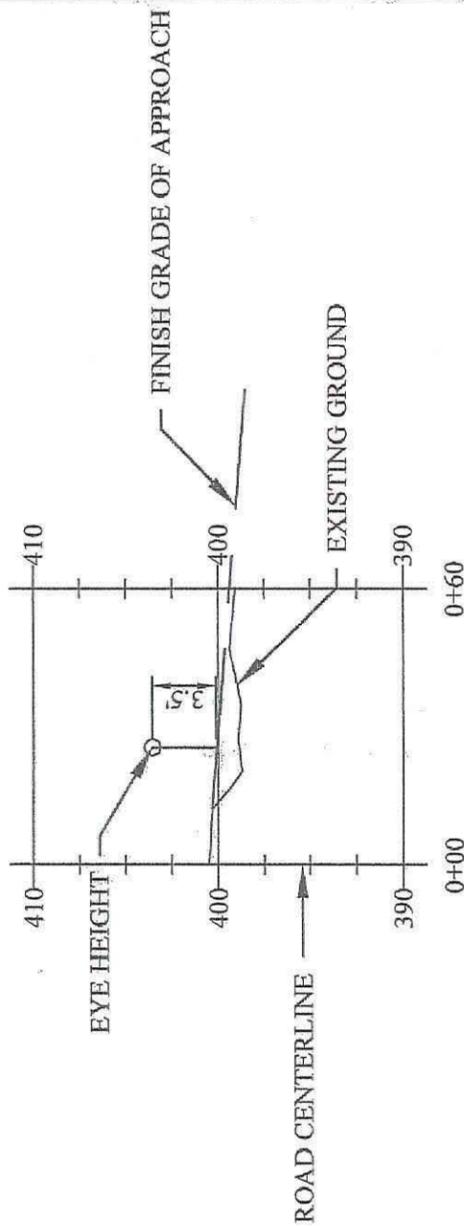
290' LINE OF SIGHT (WESTERLY)



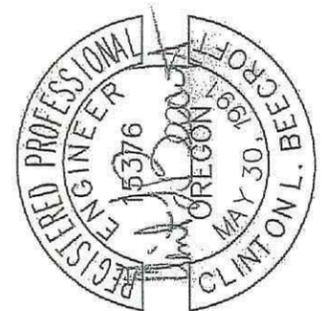
WESTERLY LINE OF SIGHT PROFILE



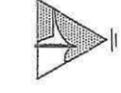
EASTERLY LINE OF SIGHT PROFILE



ACCESS APPROACH PROFILE



SPROAT RANCH ESTATES
SIGHT DISTANCE EVALUATION
VENETA, OREGON
NOVEMBER 30, 2015



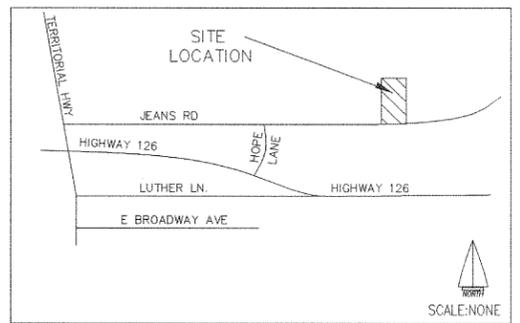
EGR & Associates, Inc.
Engineers, Geologists, and Surveyors

2535B Prallie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

RENEWS: 1/1/2016

Tentative Partition Plan Sproat Ranch Estates Lots 1 & 2

SE 1/4, SEC. 30, T. 17S, R. 5W, W.M.
CITY OF VENETA AND
LANE COUNTY, OREGON



SITE LOCATION

OWNER
MELVIN MCDUGAL
NORMAN MCDUGAL
PO BOX 518
CRESWELL, OR 97426

ENGINEER
EGR & ASSOCIATES, INC.
2535B PRAIRIE ROAD
EUGENE, OR 97402
PHONE: (541) 688-8322

SURVEYOR
PACIFIC SURVEYING, INC.
75506 BLUE MOUNTAIN SCHOOL ROAD
COTTAGE GROVE, OR 97424
PHONE: (541) 767-0790

ASSESSOR'S PARCEL NUMBER
17-05-30-00-902

LEGAL DESCRIPTION
BEGINNING AT THE SOUTHEAST CORNER OF THE HARRIET GLASS DONATION LAND CLAIM NO. 51 IN TOWNSHIP 17 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN; THENCE RUN ALONG THE SOUTH LINE OF THE HARRIET GLASS DONATION LAND CLAIM SOUTH 89° 56' WEST 417.42 FEET; THENCE NORTH 0° 40' 05" WEST 1748.37 FEET TO A POINT OF INTERSECTION WITH THE TRAVERSE LINE ALONG THE 377 FOOT CONTOUR, U.S.C. & G.S. DATUM, OF THE FERNRIDGE RESERVOIR; THENCE ON THE TRAVERSE LINE ALONG SAID 377 FOOT CONTOUR LINE AS FOLLOWS: NORTH 55° 12' 20" EAST 3.90 FEET TO A U.S.E.D. MONUMENT (Y-153); THENCE NORTH 88° 45' 50" EAST 213.79 FEET TO A U.S.E.D. MONUMENT (Z-153); THENCE SOUTH 72° 15' 30" EAST 211.18 FEET TO AN INTERSECTION WITH AN EXISTING FENCE LINE; THENCE ALONG OR NEARLY ON THE EXISTING FENCE LINE AS FOLLOWS: SOUTH 0° 02' 20" EAST 280.19 FEET; THENCE SOUTH 0° 20' 35" EAST 603.58 FEET; THENCE SOUTH 0° 38' 50" EAST 593.41 FEET; THENCE SOUTH 2° 28' 10" EAST 213.31 FEET TO THE POINT OF BEGINNING, BEING IN SECTION 30 AND SECTION 31, TOWNSHIP 17 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN, LANE COUNTY,

ZONING
PRESENT: CITY = RURAL RESIDENTIAL
PROPOSED: CITY = RURAL RESIDENTIAL

LOT SIZES
ONE ACRE MINIMUM

NUMBER OF LOTS:
PRESENT: 1 PROPOSED: 2 (CITY)
PROPOSED: 1 (COUNTY)

AREA:
PARCEL: 16.47 ± AC NET: 2.09 ± AC (CITY)

DENSITY:
2 LOTS AC=2.09± LOTS/AC = 1.0 LOTS PER ACRE

USES:
PRESENT: VACANT
PROPOSED: RESIDENTIAL

SCHOOL DISTRICT:
FERN RIDGE

PARK & RECREATION
CITY OF VENETA

SOURCE OF WATER:
PRIVATE WELLS

FIRE DISTRICT
LANE COUNTY FIRE DISTRICT #1

SANITATION FACILITIES
PRIVATE SEPTIC SYSTEMS

DRAINAGE FACILITIES
PRIVATE ON-SITE PER CITY OF VENETA STANDARDS

FLOOD ZONE INFORMATION
ZONE X

IMPROVEMENT REQUIREMENTS:
20' WIDE PAVED PRIVATE ACCESS ROAD, NO PUBLIC IMPROVEMENTS ARE PROPOSED.



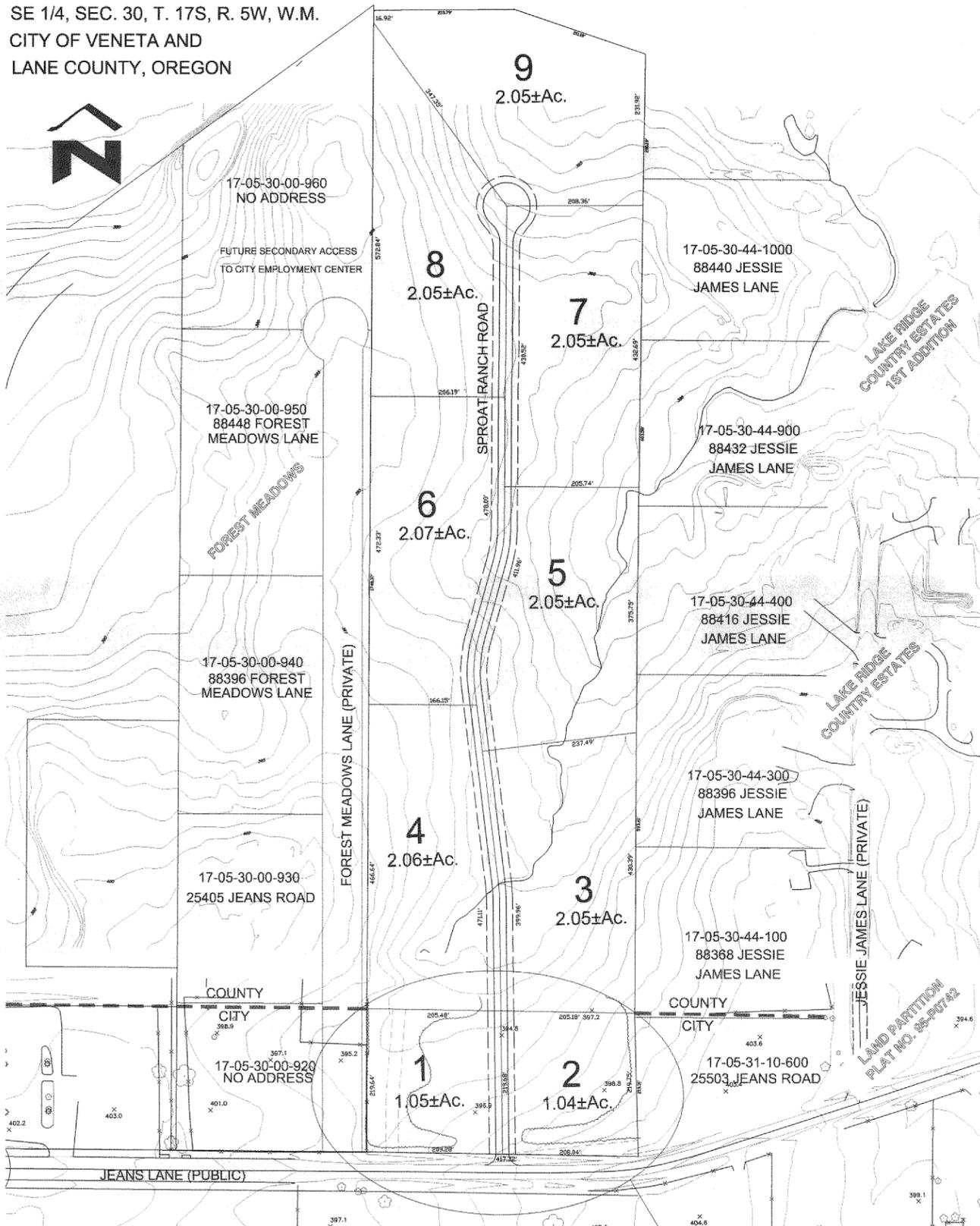
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CITY OF VENETA
TENTATIVE PARTITION PLAN
SPROAT RANCH ESTATES
JULY 7, 2015

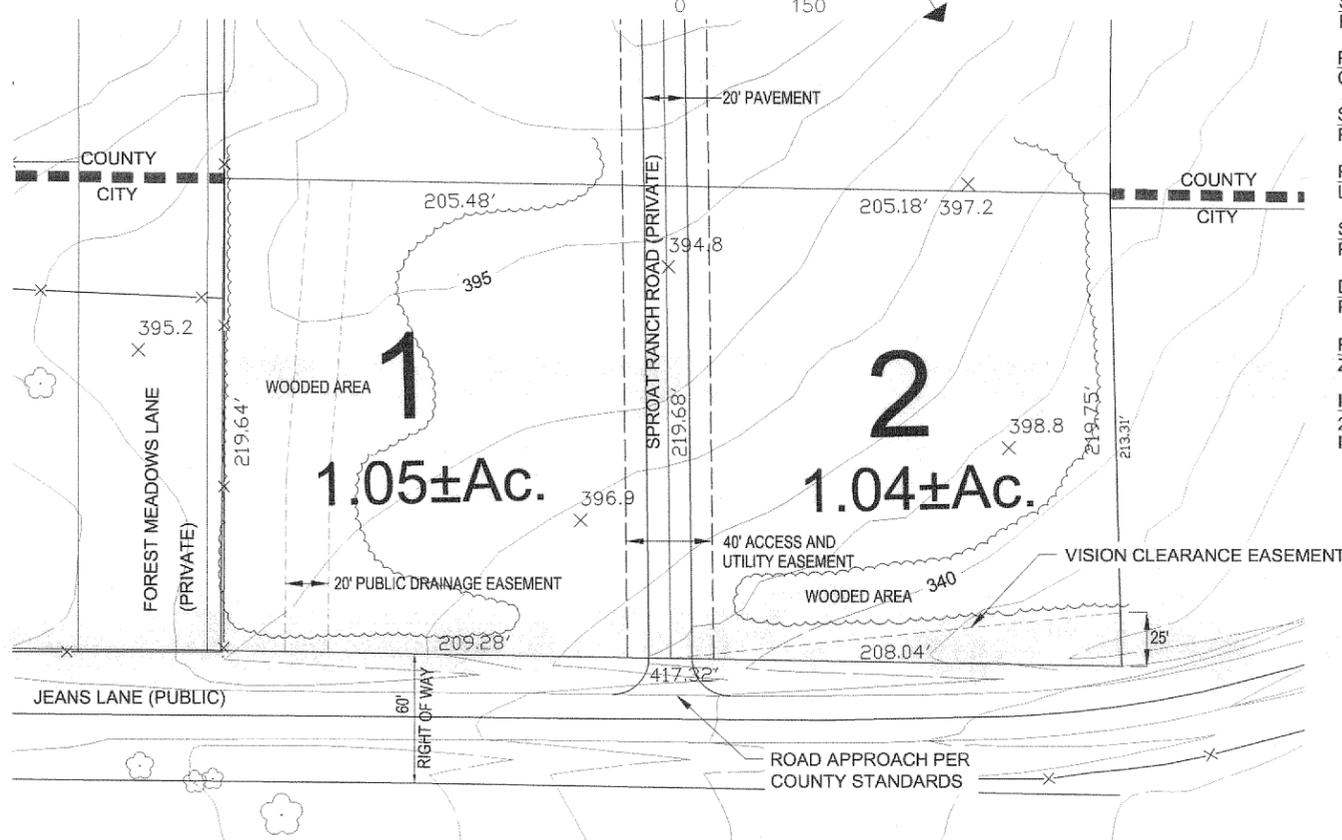
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VICINITY MAP
SCALE: 1"=150'

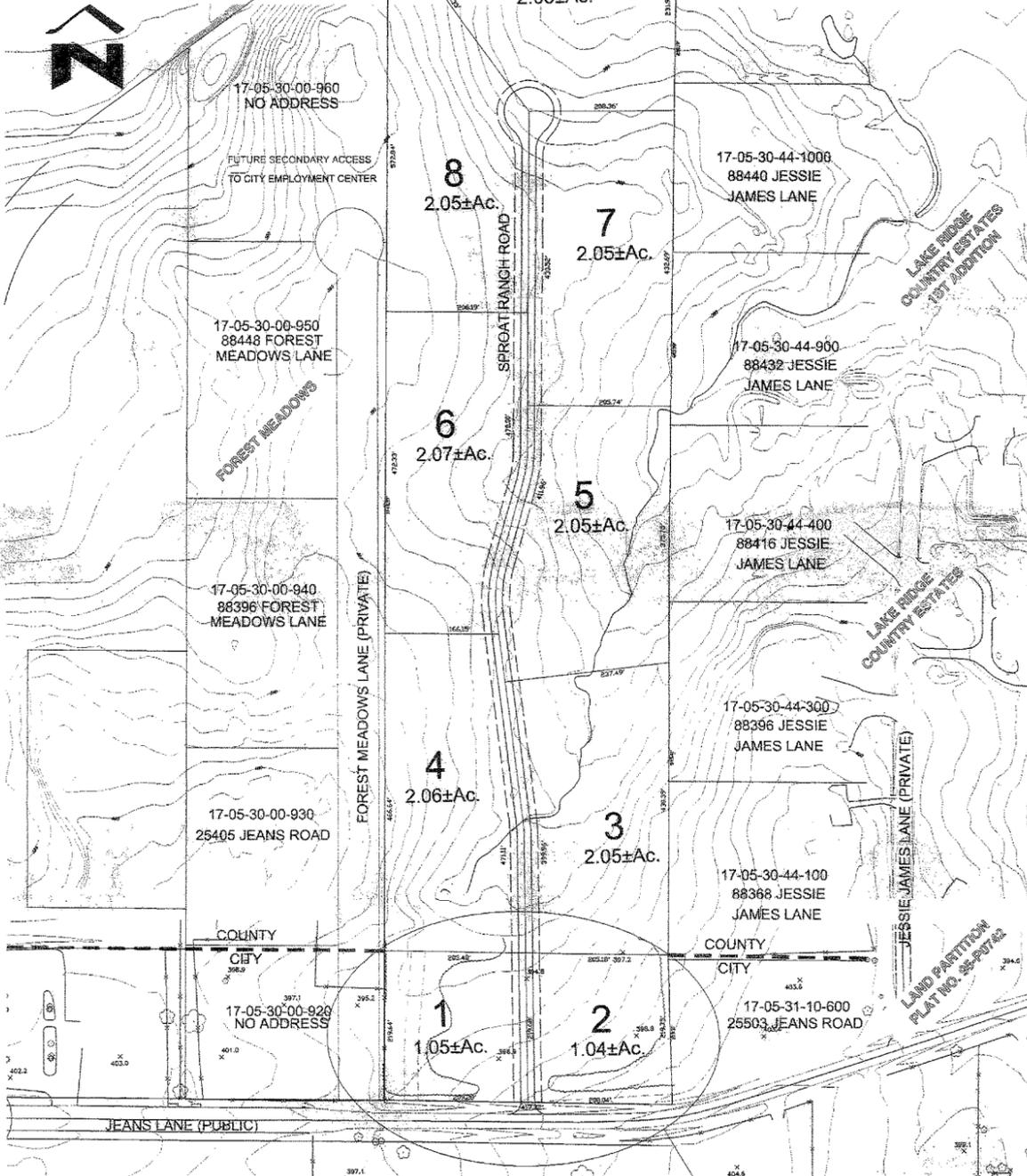
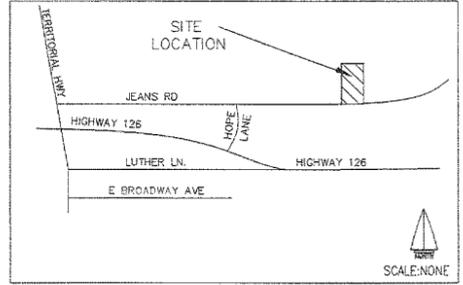


SITE PLAN
SCALE: 1"=60'

CONTOUR INTERVAL SHOWN IS ONE FOOT.
TOPOGRAPHIC BASE MAP PROVIDED BY PEABODY
ENGINEERING AND PACIFIC SURVEYING INC.

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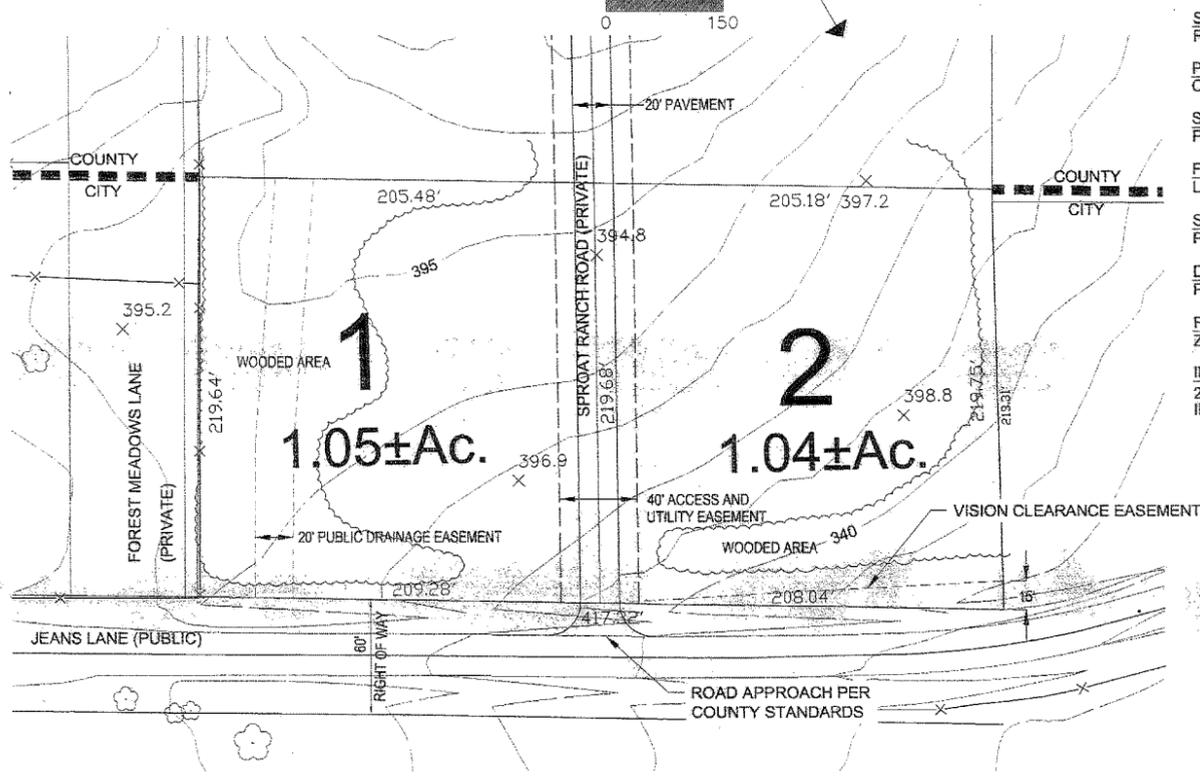
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CITY OF VENETA
TENTATIVE PARTITION PLAN
SPROAT RANCH ESTATES
JUNE 24, 2015

EGR & Associates, Inc.
Engineers, Geologists, and Surveyors

2535B Prairie Road Eugene, Oregon 97402 (541) 688-8322 Fax (541) 688-8087

Applicant's Statement and Findings of Fact for Tentative Partition Plan:
Sproat Ranch Estates Lots 1 & 2, City of Veneta, Oregon

Application Date: May 26, 2015

Applicant: Melvin McDougal
Norman McDougal
PO Box 518
Creswell, OR 97426

Location: Assessor's Map 17-05-30-00 Tax Lot 902

Request: Tentative Partition Plan Approval for a two-lot partition inside the City Limits of Veneta as provided by Veneta Land Division Ordinance No. 494, Article 5

I. Background

The applicant is requesting approval of a tentative partition plan for a two-lot partition of the portion of tax lot 902 that lies within the city limits and Urban Growth Boundary (UGB) of Veneta. The proposal includes a partition of two acres into two one-acre lots including a 40' wide access easement and private road for lot access. This partition will allow access to a proposed subdivision of the remaining portion of tax lot 902 that lies outside the UGB. The two-lot land partition and seven-lot subdivision together encompass the nine-lot Sproat Ranch Estates development project. A tentative subdivision plan for Sproat Ranch Estates is currently being processed by Lane County that proposes seven two-acre minimum lots. This proposed partition includes only the portion of the tax lot that lies in the limits of the City of Veneta and is in accordance with the zoning designation assigned for the area.

A. Site Location and Description

Sproat Ranch Estates is located north of Jeans Road, east of the Forest Meadows subdivision and west of the Lake Ridge Country Estates subdivision. Fern Ridge Reservoir adjoins the north side of the property. The tax lot straddles two local jurisdictions with approximately 220-feet of the southerly portion of the tax lot located in the City of Veneta's limits and the remaining portion of the tax lot located in the Lane County jurisdiction. The proposed partition is less than one mile from the intersection of Territorial Highway and the Florence-Eugene Highway.

B. Zoning

The area of tax lot 902 is approximately 16.47 gross acres of which approximately 2.09 acres are in the City limits of Veneta. The acreage within the City limits is zoned as Rural Residential which allows one-acre minimum lot sizes. The remaining 14.38 acres of the lot is zoned Rural Residential-2 according to Lane County Zoning code which allows two-acre minimum lot sizes.

C. Subzones / Overlays

No subzones or overlays exist for the subject property.

D. Site Access and Traffic Patterns

The site takes access from Jeans Road, County Road Number 847. Proposed lots will take access from a private road that will access Jeans Road near the mid-point of the property fronting Jeans Road. Jeans Road is classified as a major collector street in the City of Veneta's transportation system and a rural minor collector road in the Lane County transportation system plan. A minimum 40-foot wide access easement will be provided for the private road. The private road will be approximately 1,500 feet in length, of which approximate 220 feet is inside the UGB, and terminate with a cul-de-sac turnaround.

E. Existing and Proposed Utilities

Sewer/Wastewater:	Existing – None	Proposed: Private Septic
Water:	Existing – None	Proposed: Private Wells
Storm Drain:	Existing/Proposed	Natural drainage towards Fern Ridge Reservoir

F. Previous Approvals:

1. Report and Verification of a Legal Lot, PA 06-6378, September 26, 2006.
2. County Approval of a Preliminary Subdivision, PA 06-6363, March 26, 2007.
3. City Approval of a Partition Tentative Plan, M-6-06, February 12, 2007.

The proposed land partition within the City limits of Veneta and the proposed preliminary subdivision in the County were previously approved in 2007. The conditions of the tentative partition and subdivision approvals were not completed within the approval timeline resulting in expiration of the tentative approvals for the project. The project is being resubmitted as approved in 2007 for re-approval.

II. Submission Requirements for Tentative Partition Plan - Section 5.01 of Veneta Land Division Ordinance Number 494

Section 5.01 Tentative Plan Submission Requirements

All tentative plan maps shall include the following when applicable:

- (1.) Form and Scale - The tentative plan shall be clearly and legibly drawn or printed in ink to a scale of not less than one inch equals 100 feet or multiples of ten thereof.**

The tentative partition plan has a scale of 1" equals 60'.

- (2.) General Information. The following information must be presented as part of the application for a tentative partition:**

a) Date, north arrow, scale of drawing.

Date, north arrow, and scale of drawing all noted on the plan.

b) Appropriate identification clearly stating the plan is a tentative partition plan.

Title of plan states tentative partition plan.

c) Location of the land division by section, township and range sufficient to define the location and boundaries of the proposed subdivision and a legal description of record of the proposed site.

The map number including township, range, section, and tax lot (17-05-30-00-00902) and the legal description of the property are shown on the plan.

d) Names and addresses of the owners and anyone who has an interest in the property, as verified by a title company, and the applicant, engineer, or surveyor or other parties involved in preparation of the documents.

All parties of interest are noted on the plan (owner and applicant/engineer).

e) The approximate acreage of land under single ownership or, if more than one ownership is involved, the total contiguous acreage of the owners directly involved in the partition.

The total acreage of the tax lot is approximately 16.47 acres of which 2.09 acres are located in the City of Veneta UGB and the remaining 14.38 acres are located outside the UGB in the County. These approximate areas are shown on the plan.

f) Any other information as required to comply with all provisions of State Law Chapter ORS 92.

Not applicable. All applicable information contained herein.

(3.) Information required on the tentative plan maps. The tentative plan shall include the following information where applicable. At the discretion of the City the information listed below may be required to be on individual maps.

a) Existing Conditions

1. A scaled vicinity map clearly showing the relationship of the proposed partition to surrounding developments, tax lots, streets, storm drainage(s), sewer, water and utility services. All vicinity maps shall address all applicable requirements of the Veneta Land Development Ordinance.

A scaled vicinity map showing the required information is shown on the tentative partition plan.

2. The location, widths and names of streets within or adjacent to the land division, together with easements, other right-of-way and other important features such as section lines, corners, city boundary lines and monuments.

The applicable information is shown on the tentative partition plan.

- 3. Existing uses on the property, including the location of all existing structures (with dimensions from the property lines) on the property and the access points of any existing public utilities, septic, sewage, wells or drainage lines or channels.**

The property is currently vacant and there are no known existing public utilities, septic, sewage, wells or drainage lines or channels on the property.

- 4. The location of at least one bench mark within the tract boundaries.**

No bench marks have been established on the property.

b) Proposed Tentative Plan

- 1. Proposed improvements required in Articles 7 and 8 such as pavement, curbs and gutters, sidewalks, grading and filling, utilities and other major improvements to develop the parcels. This requirement may be waived if the applicant will have to file a site plan including all of this information in order to further improve or develop the property. These include:**

- a. The location, width, name and approximate grade and radii of street curves. If a significant grade change is anticipated vertical taper required to provide for street extension beyond the proposed land division. The relationship of streets to any existing or proposed streets as shown on the City's Transportation System Plan maps. The relationship of the proposed land division to future streets on adjacent land.**

No public improvements are proposed at this time. The proposed 40' access easement will be used to gain access to a private road, Sproat Ranch Road, which will serve the two proposed partition lots and the proposed seven subdivision lots to the north.

- b. The location, width, and purpose of proposed easements.**

A 40' access easement is proposed between Lots 1 and 2 for future residents of Lots 3-9 to the north to access their lots.

- c. The approximate width and location of all existing and proposed reserve strips.**

Not applicable. No reserve strips are proposed.

- 2. The approximate dimensions and area in square feet of all proposed parcels.**

Proposed Lot 1 is approximately 45,738 +/- square feet (1.05 acres)

Proposed Lot 2 is approximately 45,302 +/- square feet (1.04 acres)

- 3. Sites, if any, allocated for purposes other than single-family dwellings.**

Applicant's Statement and Findings of Fact for Tentative Partition Plan:
Sproat Ranch Estates Lots 1 & 2, City of Veneta, Oregon

Not applicable. No sites will be allocated as part of the partition for uses other than single-family dwellings.

4. The location, approximate acreage and approximate dimensions of areas proposed for public use.

No areas for public use are proposed with the partition.

5. The location and approximate dimensions of proposed parcels and the proposed parcel numbers.

Location, approximate dimensions and parcel numbers of proposed lots are shown on the tentative partition plan.

6. An outline of the area proposed for partial recording of a final plat or map if phased recording is proposed.

Not applicable. The project is not phased.

7. Traffic Impact Analysis (TIA) Review as required by Section 5.27 of the Land Development Ordinance.

None of the conditions listed in Section 5.27(1) of the Land Development Ordinance exist for this proposal. A Traffic Impact Analysis is not required.

c) Significant Natural Features

1. Contour lines related to an established bench mark or other datum approved by the City Engineer and having contour intervals as follows:

- a. For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed.**
- b. For slopes of five (5) percent to ten (10) percent: two (2) feet.**
- c. For slopes over ten (10) percent: five (5) feet.**

Contour lines are shown as appropriate to address above intervals.

2. The location and direction of all water courses and the location of all areas subject to inundation or 100 year floodplain including identification of the base flood elevation for development in floodplains. Evidence of contact with National Flood Insurance Program to initiate a flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. Elevation certificates are required for all construction in floodplains prior to occupancy.

There is a drainage located adjacent and parallel to the west property boundary. A 20-foot public drainage easement is shown over this drainage. The proposed partition does not lie in the 100 year flood plain.

3. Natural features such as rock outcroppings, wetlands, wooded areas and isolated preservable trees with a trunk diameter of 6 inches or greater.

Most of the site is covered by small firs less than six-inches in diameter. There is a wetland located on the southwest corner of the property which is deemed to be nonsignificant in the City's wetland inventory. No other natural features exist for the proposed partitioned lots.

4. Elevation, slope and view data for commercial, industrial and development sites with more than 4000 square feet of building space.

Not applicable to the proposed project.

d) Utilities. Any proposed public and private utilities within the development, shall be shown on the tentative plan, including but not limited to:

1. The location and size of water service facilities, including fire hydrants.

Water service is to be provided by a private well on each lot.

2. Connection points and size of sanitary sewer facilities.

Sewer service is to be provided by a private septic system on each lot.

3. Street light locations, sizes, and specifications.

No street lights are proposed at this time.

4. Location and preliminary design of all proposed stormwater facilities including sizing of pipes, inlet and outfall locations and elevations, and section details and planting plans for all swales or other open features.

The proposed partition will maintain drainage as currently exists with sheet flow draining towards Fern Ridge Reservoir. At the time of individual lot development, stormwater detention and treatment facilities will be provided for new impervious surfaces in conformance with the requirements of the Land Development Ordinance.

e) Tree Removal Plans: If development of the proposed plan will require tree removal permit in accordance with Veneta Municipal Code 8.10, detailed tree removal plans are required. Plans shall be drafted in conformance with the requirements of VMC 8.10.

Tree removal is not needed as part of the land division. Tree permits will be obtained as needed on a lot-by-lot basis prior to removal of more than three trees in a calendar year.

(4.) Statements to Accompany Tentative Plan. The tentative plan shall be accompanied by written statements from the applicant giving essential information regarding the following matters:

Applicant's Statement and Findings of Fact for Tentative Partition Plan:
Sproat Ranch Estates Lots 1 & 2, City of Veneta, Oregon

a) Adequacy and source of water supply and compliance with the city's Water System Plan.

Water supply will be serviced by private wells for each of the lots.

b) A statement detailing the storm water runoff and drainage impact the new development will have on areas beyond the land division and compliance with the City's Stormwater Master Plan and Section 5.16 of the Veneta Land Development Ordinance. The developer, city and impacted property owners shall work closely with each other so that adverse impacts of storm water runoff (in terms of both quantity and quality) from the new development are alleviated or avoided and that all necessary storm sewer and drainage facilities will be installed prior to or concurrent with the land division.

The proposed partition will maintain drainage as currently exists with sheet flow and shallow concentrated flow draining towards Fern Ridge Reservoir. Runoff from impervious drives and roof areas will be directed into private on-site stormwater facilities for water quality enhancement and flow control in accordance with Veneta standards.

c) Proposed method of sanitary sewage disposal and compliance with the City of Veneta Wastewater Master Plan.

Sanitary sewage disposal will be serviced by a private septic system on each of the lots.

d) Protective covenants and deed restrictions to be recorded, if any.

Not applicable. No covenants or deed restrictions will be recorded.

e) The time the proposed improvements are to be made or installed.

Improvements are scheduled to be installed summer 2015.

f) A statement of how the traffic impacts to facilities as identified in the Traffic Impact Analysis (TIA) and supported by the City's Traffic Engineer, shall be mitigated by the developer as part of the improvements for the Site Plan, Partition, Planned Development (PD) or Specific Development Plan (SDP).

None of the conditions listed in Section 5.27(1) of the Land Development Ordinance exist for this proposal. A Traffic Impact Analysis is not required.

g) A statement of how the lot or parcel was created and proof that the parcel is a legal lot created with City approval. Recorded deeds after July 8, 1969 without proper city approval will not be accepted as proof that the lot(s) of parcel(s) were legally created.

The property was created as a separate parcel on May 13, 1964 per warranty deed reel 605R instrument #21044 dated May 13, 1964, as determined by Lane County Report and Verification of a legal lot PA 06-6378.

Applicant's Statement and Findings of Fact for Tentative Partition Plan:
Sproat Ranch Estates Lots 1 & 2, City of Veneta, Oregon

(5.) Supplementary Information. The following supplemental information may be required.

a) If any portion of the proposed partition is located within the steep slope subzone, the applicant shall submit on-site and adjacent off-site data to insure that proposed developments are within the carrying capacity of the natural resources as required by the land Development Ordinance.

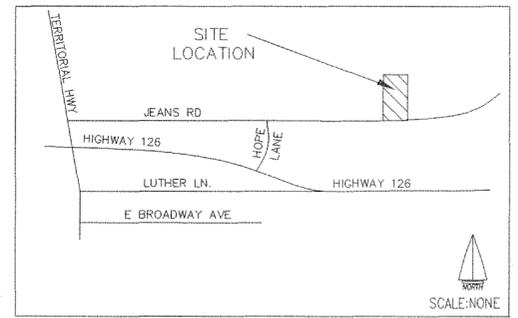
Not applicable. No portion of the proposed partition lies in an area of steep slopes.

b) The applicant is required to submit any additional information as may be required by the Building and Planning Official or Planning Commission to assist in evaluating the request.

Any additional information required by City staff will be provided upon request.

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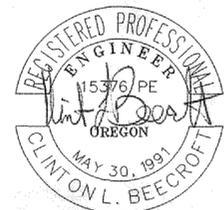
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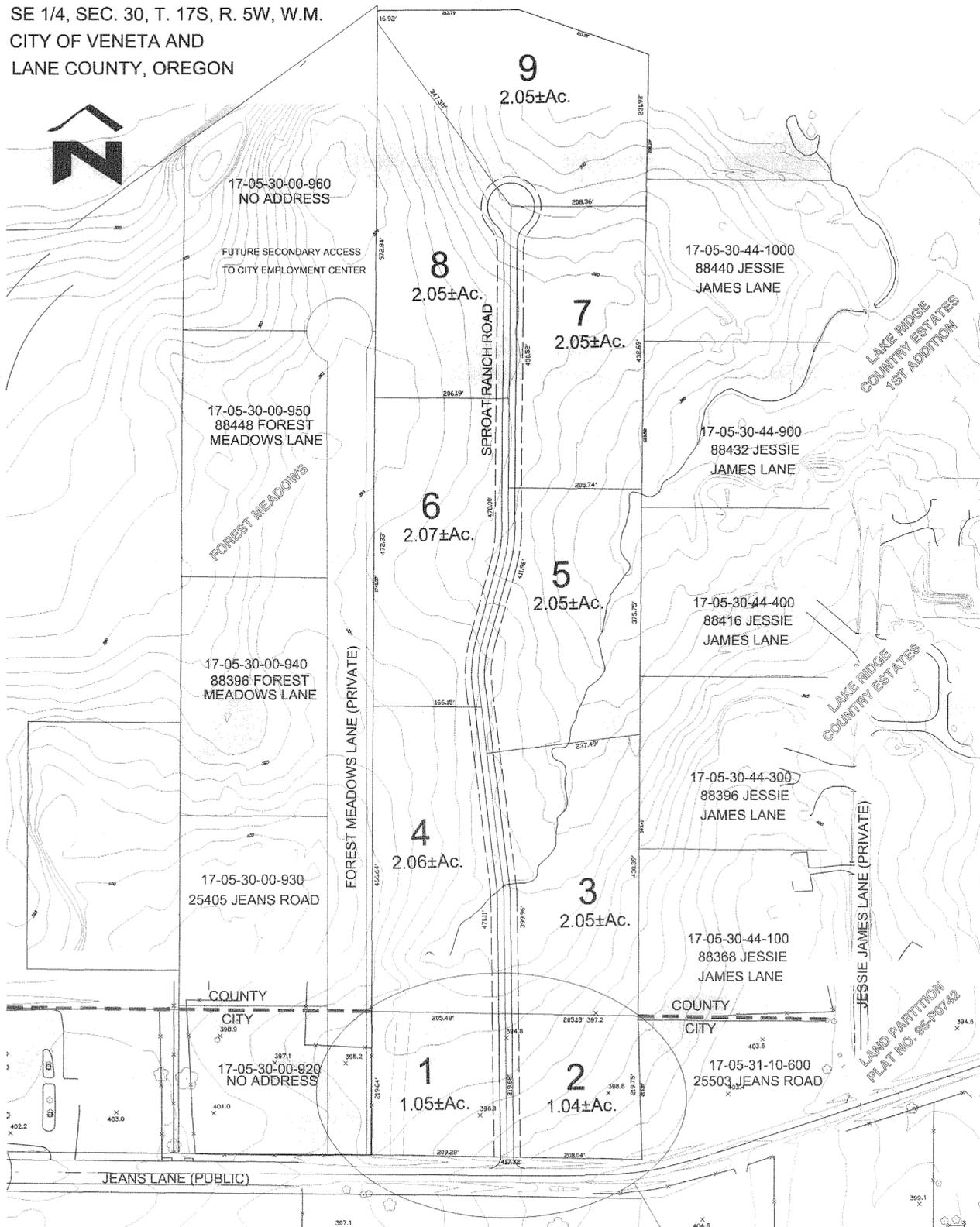


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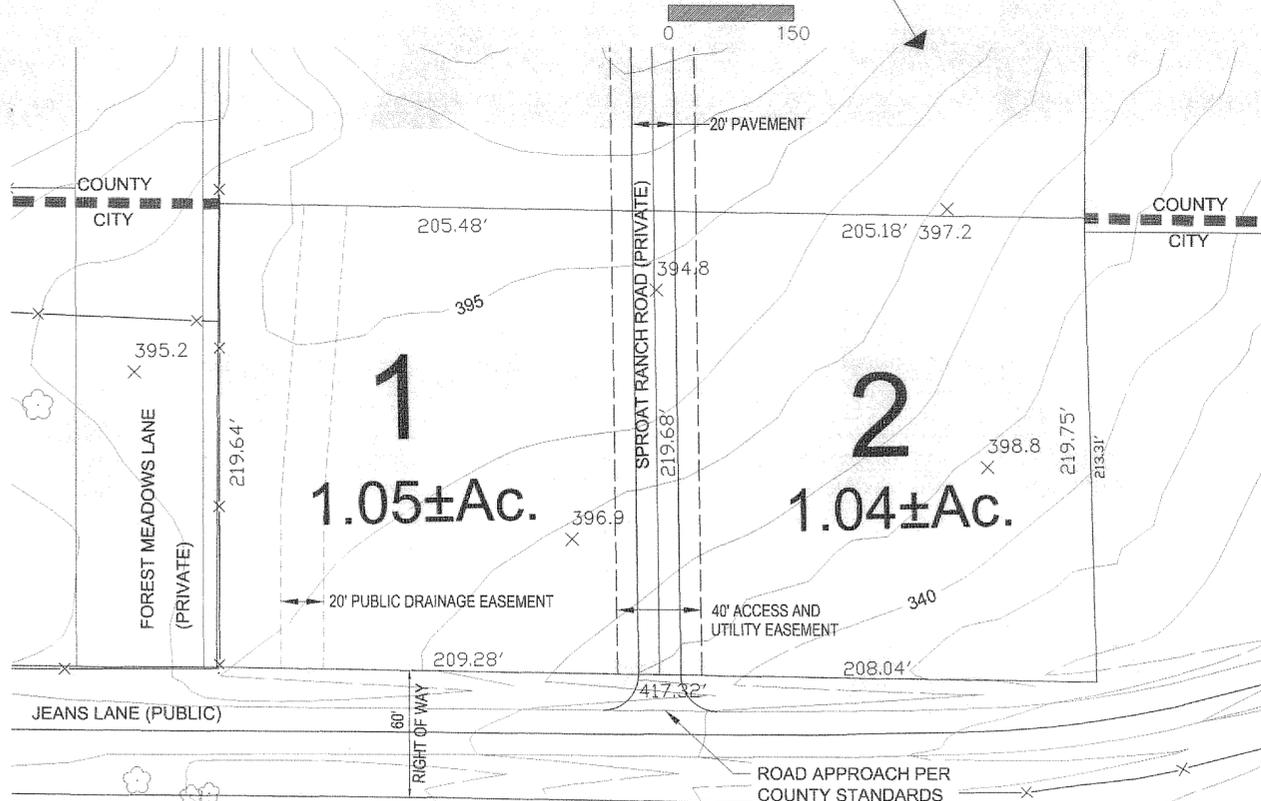
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Engineers, Geologists, and Surveyors

2535B Prairie Road Eugene, Oregon 97402 (541) 688-8322 Fax (541) 688-8087

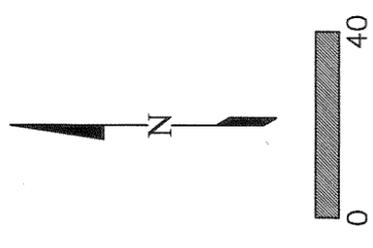
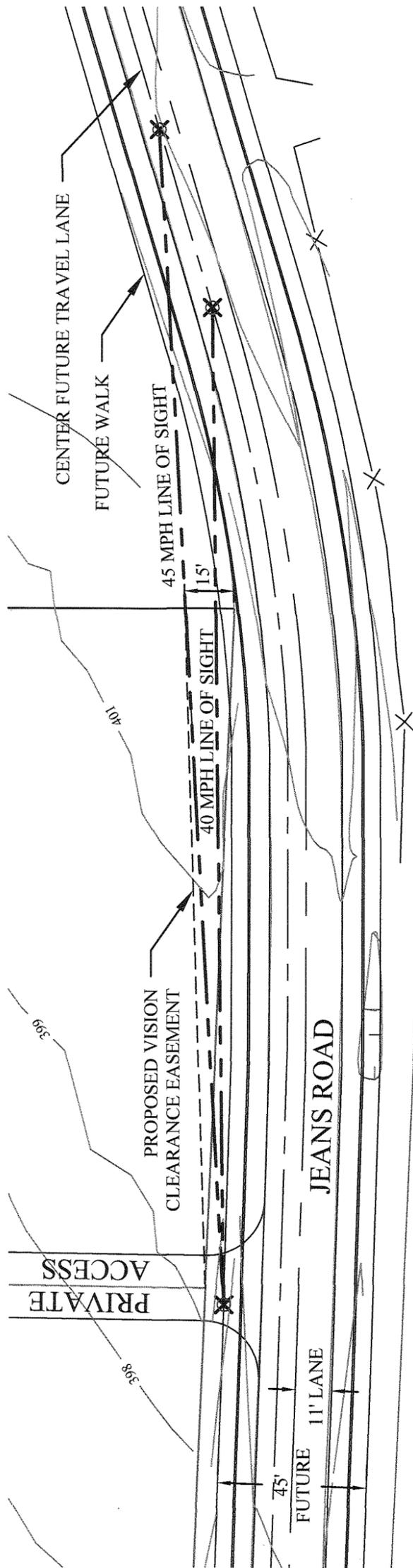


VICINITY MAP
SCALE: 1"=150'



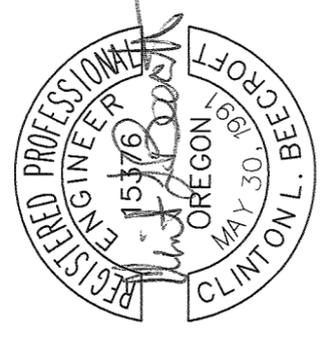
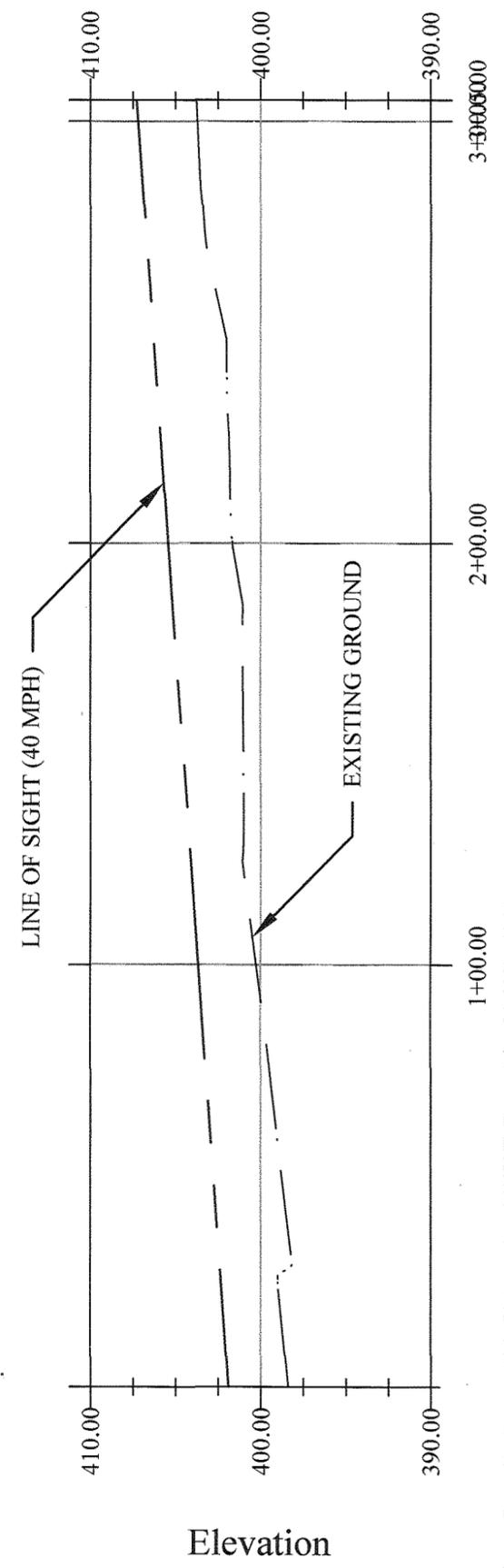
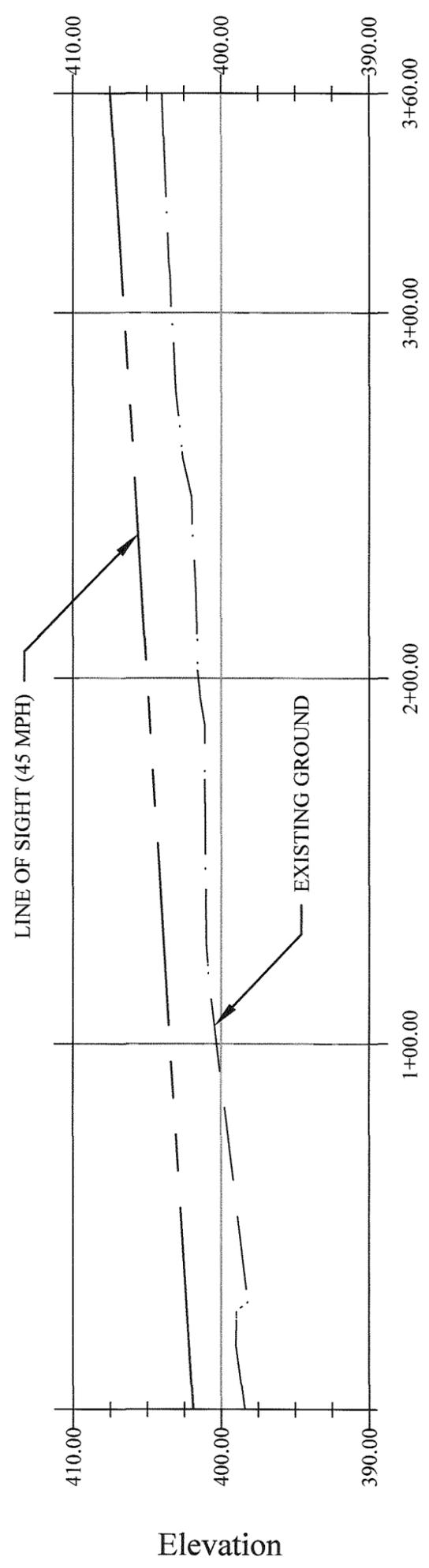
SITE PLAN
SCALE: 1"=60'

CONTOUR INTERVAL SHOWN IS ONE FOOT.
TOPOGRAPHIC BASE MAP PROVIDED BY PEABODY
ENGINEERING AND PACIFIC SURVEYING INC.



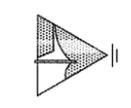
NOTES:

- POSTED SPEED = 45 MPH
- STOPPING SIGHT DISTANCE (45 MPH) = 360'
- POSTED CURVE CAUTION SPEED = 40 MPH
- STOPPING SIGHT DISTANCE (40 MPH) = 305'
- EYE HEIGHT = 3.5'
- FUTURE JEANS ROAD IMPROVEMENTS BASED ON MAJOR COLLECTOR: 34' WIDTH (11' TRAVEL LANES, 6' BIKE LANES, NO PARKING) WITH SIDEWALKS



RENEWS: 1/1/2016

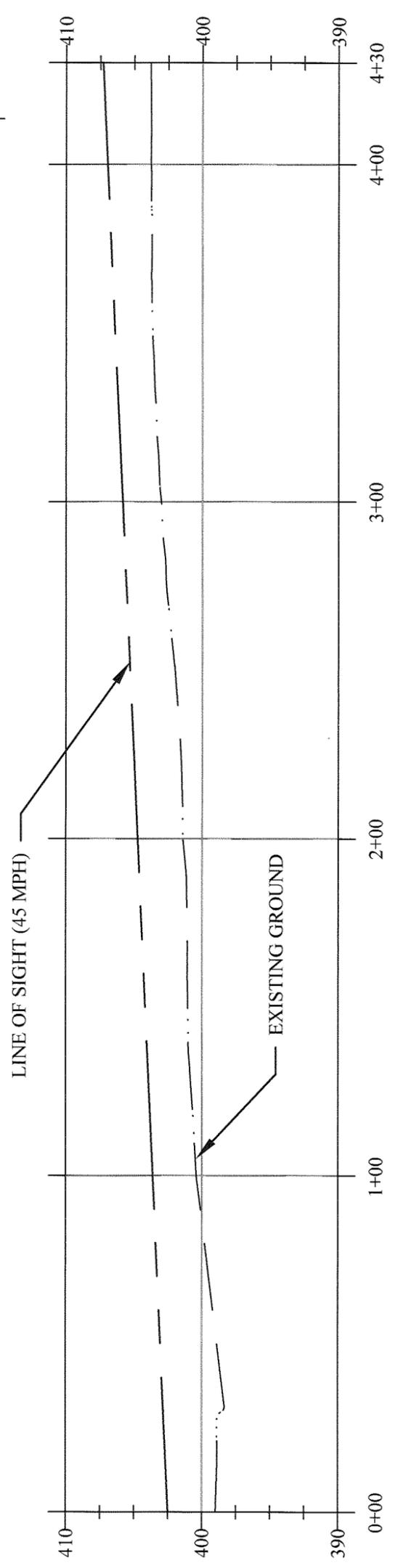
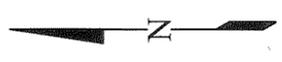
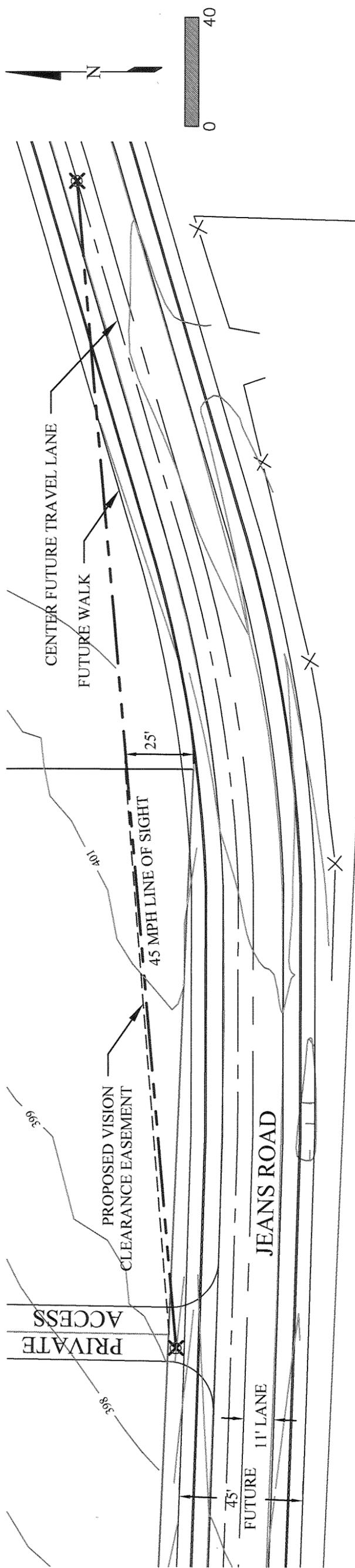
**SPROAT RANCHESTATES
SIGHT DISTANCE EVALUATION**
VENETA, OREGON
JUNE 24, 2015



EGR & Associates, Inc.
Engineers, Geologists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

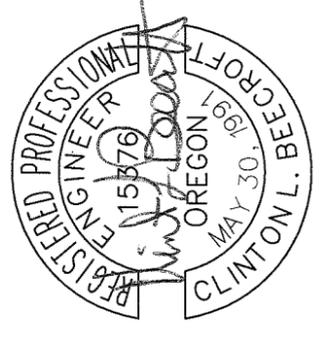
(541) 688-8322
Fax (541) 688-8087



Elevation

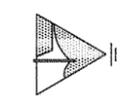
NOTES:

- POSTED SPEED = 45 MPH
- DESIGN INTERSECTION SIGHT DISTANCE - RIGHT TURN FROM STOP = 430'
- DECISION POINT OF THE DEPARTURE SIGHT TRIANGLE IS 14.5 FEET FROM EDGE OF TRAVELED WAY.
- EYE HEIGHT = 3.5'
- FUTURE JEANS ROAD IMPROVEMENTS BASED ON MAJOR COLLECTOR: 34' WIDTH (11' TRAVEL LANES, 6' BIKE LANES, NO PARKING) WITH SIDEWALKS



RENEWS: 1/1/2016

SPROAT RANCH ESTATES
SIGHT DISTANCE EVALUATION
 VENETA, OREGON
 JULY 1, 2015



EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors
 2535B Prairie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

MEMORANDUM



DATE: January 25, 2016

TO: Lisa Garbett, Associate Planner
City of Veneta

FROM: Lane Branch, P.E., City Engineer

RE: Public Works Engineering Comments
M-1-15 Sproat Partition

Thank you for the opportunity to assist the City and provide comments for the proposed Sproat Partition M-1-15.

My findings and recommended conditions of approval are as follows:

Finding: The city of Veneta's adopted stormwater manual is the 2008 City of Portland Stormwater Management Manual (SWMM).

Finding: The applicant's written statement indicates stormwater detention and treatment facilities will be provided for new impervious surfaces in conformance with the requirements of the Land Development Ordinance.

Recommended Condition: Prior to building permit issuance the applicant shall submit and obtain approval of a stormwater management plan prepared in accordance with 2008 City of Portland Stormwater Management Manual (SWMM).

Finding: Along the site frontage Jeans Road is a two-lane roadway without shoulders, bike lanes or sidewalks. The roadway widens just west of the site with curb and gutter on both sides and a sidewalk on the south side. The posted speed is 45 MPH. Widening of the roadway is needed to accommodate pedestrian and bicycle traffic.

Finding: Jeans Road is classified as a major collector, and is planned to be improved to urban standards including two travel lanes, bike lanes and sidewalks. The applicant is not proposing any street improvements to Jeans Road with the partition.

Recommended Condition: Prior to Final Plat approval, the applicant shall widen the north side of Jeans Road along the site frontage to full urban standards; alternatively, the applicant may construct a 6 foot wide asphalt shoulder along the site frontage, and execute an Irrevocable Petition for Public Improvements to be held against Lots 1 and 2 for future street and sidewalk improvement costs.

Finding: Applicant is proposing a private roadway from Jeans Road to serve the proposed partition, as well as a future 7 lot subdivision north of the urban growth boundary. Due to high vehicle speeds and a nearby horizontal bend in Jeans Road, the applicant was required to analyze the access for

sight distance. The applicant retained Access Engineering to complete a speed zone and sight distance study, which was submitted as part of the application.

The study concluded the posted speed of 45 MPH is appropriate based on the speeds observed and accident history. Regarding access sight distance, the study states:

The current planned driveway access to Sproat Ranch Estates is located at the center of the Jeans Road frontage. The AASHTO Policy on Geometric Design of Highways and Streets states that Stop controlled intersections at grade shall be provided with at least minimum stopping sight distance (SSD) and preferably intersection sight distance (ISD) for the speed of the highway.

The study concludes the proposed access location will have the minimum required SSD. The recommended ISD depends on the intersection control type (stop sign controlled or uncontrolled). The study recommends the access be designed as an uncontrolled intersection (without stop signs) based on the following:

The latest edition of the MUTCD does not require a Stop sign on a minor road (Site access) intersecting a low volume major road (under 6,000 ADT) when the intersection is visible at or beyond the stopping sight distance of the major road, and there is no crash history involving angle collisions or failing to yield the right of way in the study area. The major road, Jeans Road, has an ADT of 1350 vehicles per day, the intersection is visible at the stopping sight distance for 45 MPH, and the only one angle collision has occurred in the past 5 years and it was at the Cornerstone Drive intersection involving an eastbound vehicle.

In addition, none of the existing private roads intersecting Jeans Road in the study area have Stop signs controlling movements on the minor approach.

The analysis provides the following intersection design recommendations:

- *No changes to the existing speed zoning in the area.*
- *No control for the Site access intersection with Jeans Road.*
- *The sight triangles shown in Figure 4 for the Site access approach must be kept clear of sight obstructions: Jeans Road, 220 feet based on 45 MPH; Site access 90 feet based on 20 MPH, measured from the center of approach lanes.*
- *Install an Intersection warning sign at 360 feet east of the Site access intersection as shown in Figure 4.*

As stated in the analysis, the proposed access location will provide the minimum SSD as well as the recommended ISD for an uncontrolled access. Efforts were made to also provide the recommended ISD for a stop controlled approach. The applicant explored several alternative access locations, and found the minimum lot size requirement, wetlands, and the curvature of roadway east of the site severely restrict potential alignments. The applicant also conducted a speed study to determine if the posted speed can be reduced to increase safety. These efforts concluded the proposed access location is the most reasonable alignment provided the recommendations in the Sproat Ranch Estates Jeans Road Speed Study are implemented.

Recommended Condition: The Final Plat shall include the vision clearance easements illustrated on Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study.

Recommended Condition: Concurrently with construction of the private roadway, the applicant shall furnish and install an intersection warning sign at 360 feet east of the site access intersection as shown in Figure 4 of the Sproat Ranch Estates Jeans Road Speed Study.

Finding: The applicant is proposing private on-site wells for water service to each parcel. The nearest public water main is located on the south side of Jeans Road over 200 feet west of the site.

Recommended Condition: Prior to Final Plat approval, an Irrevocable Petition for Public Improvements held against Lots 1 and 2 for future water improvement costs shall be recorded.

Finding: Public gravity sewer service is currently unavailable to the site. The nearest public sewer is a pressure line approximately 500 feet west of the site in Jeans Road at the Cornerstone intersection.

Recommended Condition: Prior to Final Plat approval, an Irrevocable Petition for Public Improvements held against Lots 1 and 2 for future sewer improvement costs shall be recorded. Lots 1 and 2 shall connect to the public sewer when available.

END OF COMMENTS

25448 JEANS Rd
 VENETA OR 97487
 WASH PA - 541-915-9324 - 511-790-7909 - Gary

To Whom it may concern,
 I am writing in regards to the new
 develp. going in on the north side of
 Jean Rd.

I am sorry for the delay in
 response. We were at Baker Bay.

I must say, I am worried
 about the Water Table. When the Develp...
 which the name Jarmaine went in the
 neighbors, to the right and left had to
 deal with the cost of getting their well
 dug deeper. Because their well would no
 longer pump.

I Also am concerned with
 the fact that the way the plans
 are drawn up, car coming and going
 will be skimming in our living room and
 daughter's room.

Most important: there is a big
 Blind spot to the left of new said Develp.
 or to the east.

Gary, Elvina Campbell



NORTH

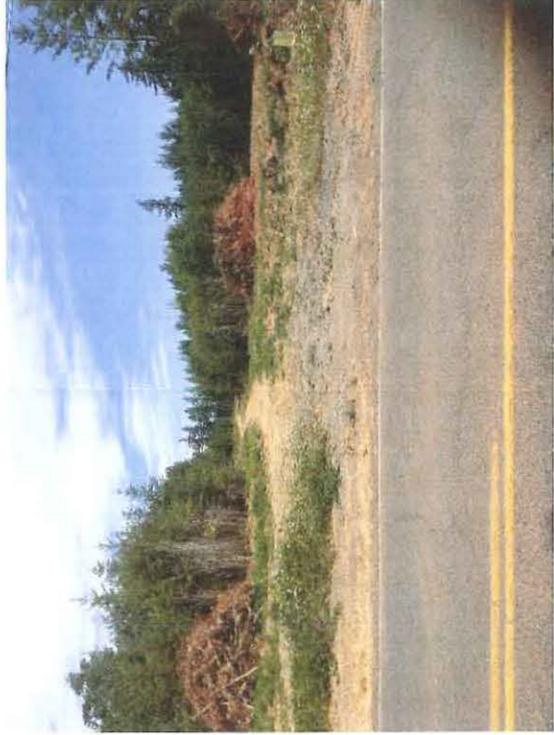




SOUTH - HEADLIGHTS IN BEDROOM & LIVING ROOM



NORTH



NORTH



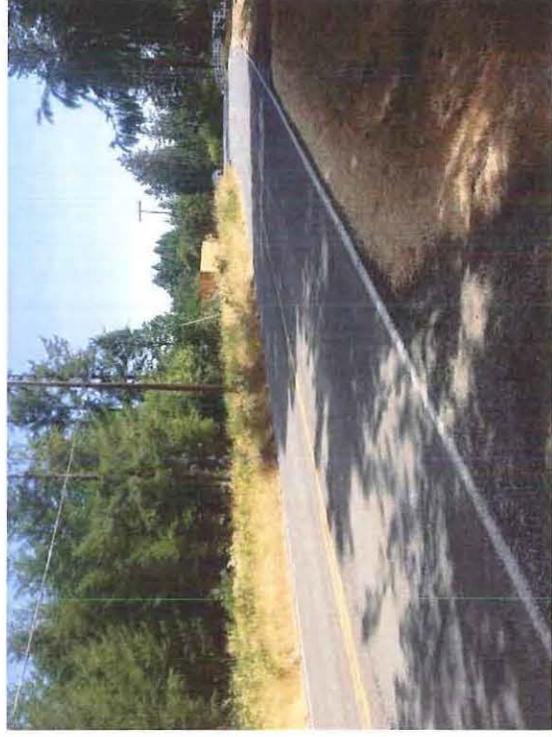
EAST

VIEW LOOKING EAST – COMING OUT OF PROPOSED DEVELOPMENT





EAST VIEW – JEANS ROAD



City of Veneta MEMORANDUM

DATE: July 9, 2015

TO: Veneta Public Works
Kyle Schauer

FROM: Lisa Garbett, City of Veneta

RE: *Partition – Sproat (M-1-15)*
Assessors Map No. 17-05-30-00, Tax Lot 00902

The City has received a request for a 2 lot partition of the portion of Tax Lot 00902 that lies within the city limits and Urban Growth Boundary (UGB) of Veneta. The 2 lots within the City are proposed to be one (1) acre with private wells and septic systems. The partition would also create a third lot outside of the UGB.

This request is being forwarded for your review, comment and conditioning. If you have conditions of approval you would like incorporated into the City's consideration of this request, please list them and return to this office **no later than** July 22, 2015.

Please reference file number M-1-15 your reply.

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments.
- Our comments are attached. 
- Our comments are:

City of Veneta – P.O. Box 458 – Veneta, Oregon 97487
Phone (541) 935-2191 – Fax (541) 935-1838

DATE: July 23, 2015

PROJECT: Sproat Ranch Estates Intersection Sight Distance

TO: Lisa Garbett, Associate Planner
City of Veneta

FROM: Damien Gilbert, P.E.

RE: Sproat Partition

We have reviewed the intersection sight distance evaluation provided by EGR & Associates for the Sproat Ranch Estates Tentative Partition Plan's proposed access on Jeans Road and have provided comments below. The sight distance evaluation was recommended through the plan review process due to the horizontal alignment of Jeans Road to the east that features a right-hand curve from southwest to west approaching the site that prohibits adequate intersection sight distance from being achieved at the site driveway to an approaching vehicle to the east and the reverse.

The provided intersection sight distance evaluation included a proposed vision clearance easement of 25 feet along the east property boundary from the north right-of-way of Jeans Road. The easement would be shared by the site and the adjacent neighboring property to the east at 25503 Jeans Road. The vision clearance easement was proposed to ensure the appropriate line of sight to the AASHTO recommended intersection sight distance would be achieved. The easement is intended to provide adequate line of sight for a departing vehicle at the site driveway with the observer's position located 14.5 feet (short leg of departure sight triangle) behind the edge of the near travelled way (westbound) to 430 feet to the left measured along the near travel lane approximately one foot from the centerline. The 430 feet is based on a design speed of 45 miles/hour for a right-turn from stop or a crossing maneuver or the crossing maneuver portion of a left-turn from stop. The left-turn maneuver has a longer departure sight triangle from the observation point to the right, but the same departure sight distance triangle to the left. The horizontal curvature of the road prohibits a clear line of sight with vegetation and other sight obstructions between the observation point and a vehicle approaching from the left. To the right the available line of sight and needed intersection sight distance on Jeans Road appears to meet the criteria for left-turns from stop.

The proposed vision clearance easement needed to locate the driveway as shown on the plans may be difficult to enforce. The easement relies upon the shown line of sight to the 430 foot distance along the traveled way to be maintained without obstruction at all times. The neighboring property owner will need to enter an agreement with the proposed Sproat Ranch Road private drive's owner entity. The agreement will need to be recorded on the neighboring site's deed and will need to include a legal mechanism by which one of the parties will be required to maintain the proposed line of sight without obstructions. Potential obstructions could include any current or future buildings constructed on the sight, parked vehicles, trees, grass and anything that would prohibit a departing

City of Veneta
MEMORANDUM

DATE: July 9, 2015

TO: Veneta Building Official
Attn: David Mortier

FROM: Lisa Garbett, City of Veneta

RE: *Partition – Sproat (M-1-15)*
Assessors Map No. 17-05-30-00, Tax Lot 00902

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Please reference file number M-1-15 your reply.

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- We have reviewed the proposal and have no comments.
- Our comments are attached.
- Our comments are:

City of Veneta – P.O. Box 458 – Veneta, Oregon 97487
Phone (541) 935-2191 – Fax (541) 935-1838

City of Veneta
MEMORANDUM

DATE: July 9, 2015

TO: Attn: Richard Smith
Veneta Post Office

FROM: Lisa Garbett, City of Veneta

RE: *Partition – Sproat (M-1-15)*
Assessors Map No. 17-05-30-00, Tax Lot 00902

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Please reference file number M-1-15 your reply.

- We are not affected by the proposal.
- X **We have reviewed the proposal and have no comments.**
- Our comments are attached.
- Our comments are:

City of Veneta – P.O. Box 458 – Veneta, Oregon 97487
Phone (541) 935-2191 – Fax (541) 935-1838

**City of Veneta
MEMORANDUM**

DATE: July 9, 2015
TO: Attn: Dean Chappell
Lane Fire Authority
FROM: Lisa Garbett, City of Veneta
RE: *Partition – Sproat (M-1-15)*
Assessors Map No. 17-05-30-00, Tax Lot 00902

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Please reference file number M-1-15 your reply.

- We are not affected by the proposal.
- We have reviewed the proposal and have no comments.
- Our comments are attached.
- Our comments are:

*Driveway longer than 150 feet shall have all Fire
Apparatus turn around at the end. Ap D section D
103.4 Fire Department access road & Driveways
shall be 20 ft wide
Lane Fire Authority
year around surface on road way
able to hold the weight of Fire Apparatus
(60,000 lb)*

City of Veneta – P.O. Box 458 – Veneta, Oregon 97487
Phone (541) 935-2191 – Fax (541) 935-1838



WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2015-0187

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. Lisa Garbett from city of Veneta submitted a WLUN pertaining to local case file #: M-1-15.

Activity location:

township: 17S	range: 05W	section: 30	quarter-quarter section: SE
tax lot(s): 902			
street address:			
city: Veneta		county: Lane	
latitude: 44.055792		longitude: -123.33725	

Mapped wetland/waterway features:

The local wetlands inventory shows a wetland on the property.

Oregon Removal-Fill requirement (s):

A state permit is required for 50 cubic yards or more of removal and/or fill in wetlands, below ordinary high water of streams, within other waters of the state, or below highest measured tide where applicable.

Your activity:

An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the proposed project may impact wetlands or waters. If wetlands are present, a wetland delineation is needed to determine precise wetland boundaries. The wetland delineation report should be submitted to DSL for review and approval.

Contacts:

For permit information and requirements contact DSL Resource Coordinator (see website for current list) http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways

For wetland delineation report requirements and information contact DSL Wetlands Specialist (see website for current list)

http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways

For removal-fill permit and/or wetland delineation report fees go to http://www.oregon.gov/DSL/PERMITS/docs/rf_fees.pdf

This is a preliminary jurisdictional determination and is advisory only.

Table 3

Veneta Local Wetland Inventory
Acreage and Significance Determination

Wetland Code	Assessment Unit	Acreage	Significance Determination
FR-1	K	.45	Significant
FR-2	J	.20	Non-significant
FR-3	E	15.21	Significant
FR-4	E	25.36	Significant
FR-5	E	29.77	Significant
FR-6A	E	9.36	Significant
FR-6B	E	16.79	Significant
L-1A	R	1.24	Significant
L-1B	R	.40	Significant
L-2	Q	1.27	Non-significant
L-3A	P	.41	Significant
L-3B	P	.25	Significant
L-4	P	1.86	Significant
L-5	P	.84	Significant
L-6	P	2.40	Significant
L-7	O	.66	Significant
L-8	O	.99	Significant
L-9	O	.88	Significant
L-10	P	.91	Significant
L-11	P	.78	Significant
LT-1W	C	3.94	Significant
LT-1E	D	.56	Non-significant
LT-2	B	14.44	Significant
LT-3	B	13.17	Significant
LT-4	A	16.31	Non-significant
LT-5	F	3.46	Non-significant

Wetland Code	Assessment Unit	Acreage	Significance Determination
LT-6	G	8.08	Significant
LT-7	H	.58	Non-significant
LT-8	I	.09	Non-significant
M-1A	S	2.54	Significant
M-1B	S	1.31	Significant
M-2	T	1.09	Significant
M-3	T	.62	Significant
M-4	T	.62	Significant
M-5	T	.43	Significant
M-6	T	2.13	Significant
M-7*	U	--	Significant
P-1	N	12.18	Significant
P-2	M	.82	Significant
P-3	M	.66	Significant
P-4	M	.19	Significant
P-5	M	.55	Significant
P-6	N	.49	Significant
U-1A	V	.59	Significant
U-1B	V	.48	Significant
U-2A	L	.67	Significant
U-2B	M	1.70	Significant
U-3	M	2.41	Significant
U-4	M	1.50	Significant
U-5	M	.22	Significant
U-6	M	.56	Significant
U-7	M	.73	Significant
TOTAL	-	203.15	-

*No acreage total has been established for wetland M-7.

Comments: The proposed parcel division may create a lot that is largely wetland and would create future development problems for Lot 1. A wetland delineation is required before development.

Response by: Lauren Brown date: 06/30/2015

driver from achieving the AASHTO recommended line of sight of 430 feet to the left as discussed previously from an observer's eye height of 4.35 feet above the driveway/roadway surface to an object height of 3.50 feet above the road or driveway's surface within the travel lane. The line of sight would need to be maintained free of obstructions vertically to a height of approximately 9 feet.

It is recommended that the applicant consider moving the proposed access to a location nearer the east or west property line to accommodate the necessary departure sight triangle's line of sight within the existing right-of-way of Jeans Road to the recommended intersection sight distance that will not require a difficult to enforce vision clearance easement agreement with adjacent neighboring property owner(s).

END OF COMMENTS

City of Veneta
M E M O R A N D U M

DATE: July 20, 2015

TO: Lisa Garbett, City Planner

FROM: Kyle Schauer, Public Works Director

SUBJECT: Partition M-1-15
Sproat Ranch Estates
Assessor's Map 17-05-30-00 Tax Lot 902

Comments on Partition M-1-15.

Streets:

The proposal indicates that access will be taken from Jeans Road via a private easement that apparently will also serve new lots that are being created in the Lane County portion of the property. We recommend that lots 1 and 2 be required to take access from this easement and not have direct access to Jeans Road.

Water:

The closest City water main is a 10-inch main that is located over 200 feet to the west on Jeans Road from the subject property and on the opposite side of the street. Extension of this main will be necessary to provide City service to these lots if desired. Applicant is proposing individual wells.

Sewer:

No City sewer exists in this area and the lots will be required to provide private septic systems.

Drainage:

The proposal is for a lot partition only. No construction is detailed. However, detention for all runoff created by the installation of impermeable surfaces is required. City engineer's approval required for drainage plan including detention, prior to construction of driveways or structures.