

TENTITIVE PLAT PROPOSAL

APPLICANT: Bruce Wiechert Custom Homes, Inc. **PHONE:** (541) 686-9458
SURVEYOR: Roberts Surveying Inc **PHONE:** (541) 345-1112
CIVIL ENGINEER: The Favreau Group **PHONE:** (541) 683-7048
DATE: February 12, 2020

Present Request:

This application requests Tentative Subdivision approval for subject tax lot. This application proposes to divide the subject property into 39 single family lots.

LOCATION: End of Coleman St. & Skinner St.
TAX LOT 17-03-08-00, Tax Lot 307

Part of: 18S3W1803033303100

CURRENT ZONING R1
SIZE 10.83 acres gross, 6.84 acres net

R-1/PD
COMPREHENSIVE PLAN Residential
DESIGNATION

ELECTRIC: Pacific Power
WATER City of Coburg

EWEB
GAS Northwest Natural Gas
STORM WATER/SANITARY City of Coburg
SEWER

ARTICLE VII. DISTRICT REGULATIONS

District regulations are set forth in the following Schedule of District Regulations:

A. Traditional Residential District (TR)

- 1. Purpose:** The Traditional Residential District is intended to provide a livable neighborhood environment, preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a

variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.

2. *Uses and Structures*

a. Permitted Principal Uses and Structures

(1) Residential

- (i) Single-family detached dwellings
- (ii) Duplexes located on a corner parcel with each primary entry oriented to a different street
- (iii) Group home, not to exceed five unrelated individuals
- (iv) Manufactured homes on individual lots
- (v) Residential Homes as defined by ORS 197.660-670
- (vi) Residential Facilities, as defined by ORS 197.660-670, subject to locational standards in Section 11(b).
- (vii) Cottage housing, subject to the standards in ARTICLE VIII.J.

(2) Home Occupations as provided in ARTICLE VIII.O.

(3) Public and Institutional

- (i) Places of Worship subject to the locational standards in Section 11.
- (ii) Public and private schools subject to the locational standards in Section 11.

(4) Bed and Breakfast Inns, subject to the locational standards in Section 11.

(5) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted subject to the locational standards in Section 11.

RESPONSE: The proposal is for 39 single-family detached dwellings. The proposed subdivision meets the more restrictive of the Traditional Residential District or Traditional Medium Density, as shown below.

b. Permitted Accessory Uses and Structures

- (1) Accessory buildings and uses, such as garages, carports, or sheds, are permitted.
- (2) One accessory dwelling unit, as provided in ARTICLE VIII.K.

RESPONSE: No accessory uses or structures are being proposed at this time. These criteria are not applicable.

- c. Conditional Uses. The following uses require a conditional use permit under the procedure, criteria, and standards of ARTICLE XIII.
 - (1) Boarding, lodging or rooming house
 - (2) Child care center-providing care to thirteen or more children
 - (3) Nursing homes
 - (4) Public parks, playgrounds and community centers
 - (5) Public and semi-public buildings
 - (6) Public, private and parochial schools that do not meet the locational standards in Section 11
 - (7) Places of worship that do not meet the locational standards in Section 11
 - (8) Agricultural uses and crop cultivation subject to Nuisance Ordinance criteria and Section 10 requirements
 - (9) Gardens and greenhouses for commercial purposes
 - (10) Mixed-use development (a residential use with another permitted use or commercial use), subject to locational and design standards in Article VIII, Section M.

- d. Prohibited Uses
 - (1) All uses not listed as permitted, accessory, or conditional

RESPONSE: No conditional uses are being proposed at this time. These criteria are not applicable.

3. *Driveway Limitations in the Traditional Residential District*

- a. In the Traditional Residential District, driveways shall be limited to a maximum of one (1) per dwelling. One driveway shall be allowed for each unit of a duplex. A single driveway cannot be used by more than one dwelling.

Exception: A single driveway can serve one dwelling in addition to an approved accessory dwelling unit.

RESPONSE: One driveway is being proposed for each lot. The proposal meets this criterion.

4. *Minimum Lot Requirements*

- a. For properties not served by sanitary sewers, the minimum lot requirements shall be as follows:

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage.
Single Family Duplexes	10,000	50 ft., 55 ft. for corner lots	30%

- b. For properties served by sanitary sewers, the minimum lot requirements shall be as listed below:

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage.
Single Family detached and Manufactured home on a lot	6,000	50 ft.; 55 ft. for corner lots.	40%
Duplex	7,000	65 ft.	50%

- c. The approval body may grant a 15% modification to the lot area and/or lot dimension standards, provided that:
- (1) The modification is necessary to address physical constraints, such as topography, existing development, significant trees, and other natural and built features; and
 - (2) The overall density requirements of the subdivision are satisfied; and
 - (3) Where the proposed subdivision abuts an existing subdivision with standard or larger than standard sized lots, the proposed lots abutting the lots in the existing subdivision shall be at least the minimum lot size for the proposed subdivision.

Where substandard lots abut standard or larger sized lots, the approval body may require screening or other transitions to provide a buffer between uses.

RESPONSE: The proposed lots will be served by sanitary sewers and each lot meets the minimum lot requirements for the TRD and TMD. Each proposed lot exceeds 60 feet of frontage except for the lots that front the curves. The proposal meets these criteria.

Residential Density Standards

The following density standards apply to all new development where sanitary sewer is available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

- a. The maximum density permitted on any parcel in the Traditional Residential District shall be 7.5 dwelling units per acre. The maximum density limitation does not apply to accessory dwelling units, cottage housing, or residential uses as part of a mixed-use development.
- b. When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of 60 percent of the

maximum density (or 5.4 dwelling units per acre) is required. (Minimum density calculations are based on net density. See density calculations definition.) This standard does not apply to the following developments:

- (1) Partitions;
 - (2) Subdivisions of parcels totaling 20,000 square feet or less;
 - (3) Lot line adjustments;
 - (4) Bed and Breakfast inns; and
 - (5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.
- c. The density standards may be averaged over more than one development phase (i.e., as in a master planned development).
- d. Duplexes used to comply with the density standard shall be so designated on the final subdivision plat.

RESPONSE: The proposed subdivision is 39 lots on 6.84 net acres. There are 0.59 acres of Traditional Medium Density (TMD) and 6.25 net acres of Traditional Residential District (TRD). The minimum density for the TMD is 10.4 units per acre which is $0.59 \times 10.4 = 6.1$ units. The minimum density for the TRD is 4.5 units per acre which is $6.25 \times 4.5 = 28.1$ units. Therefore the minimum units required for the subject site is $6.1 + 28.1 = 34.2$ units. The proposal does meet the minimum residential density requirement with a total of 39 lots.

Minimum Yard Requirements.

a. Front yards.

- (1) Setbacks shall be a minimum of 15 feet, with the following exceptions:
 - (i) Garages, carports, and sheds shall be set back a minimum of 20 feet from the front property line and shall be set back a minimum of 5 feet from the longest wall of the front façade of the house.
- (2) Steps are permitted within the front yard setback.
- (3) In any required front yard, no fence or wall shall be permitted that materially impedes vision across such yard above the height of 30 inches, and no hedge or other vegetation shall be permitted that materially impedes vision across such yard between the heights of 30 inches and 10 feet.
- (4) In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all

frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Planning Official may waive the requirement for the normal front yard and substitute, therefore, a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

- (5) In the case of corner lots that do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.
- (6) In the case of the reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.
- (7) In the case of corner lots with more than two frontages, the Planning Official shall determine the front yard requirements, subject to the following limitations: (1) At least one front yard shall be provided having the full depth required generally in the district; (2) No other front yard on such lots shall have less than half the full depth required generally.

b. Side yard setbacks shall be seven feet from any property line, except:

- (1) Corner lots shall have a side yard next to the street of 10 feet.

c. Rear yard. Primary structures shall be set back not less than 10 feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five feet from the rear property line.

RESPONSE: There are no proposed structures as part of this proposal, but there are a number of possible structures that could be built on each of the lots. The proposal meets these criteria.

d. Schools. Schools shall provide and maintain setbacks of 50 feet from side and rear property lines, except on the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys contiguous to or within the property being used for school purposes may be included in the required setback. This provision does not apply to residences used for home schooling.

e. All structures, including but not limited to buildings, fences, decks, and stairways, shall be a minimum of one foot from the Coburg Loop Path right-of-way.

RESPONSE: No school is proposed. The subject property is not adjacent to the Coburg Loop Path right-of-way. This criterion is not applicable.

7. *Maximum Height Standards*

- a. Residential Buildings. The maximum height shall be 35 feet.
- b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be 15 feet. The maximum height may be 25 feet if a living unit is provided on the second floor.
- c. Garages. Garages shall not exceed the maximum height of the primary structure. Where an ADU is located above a garage, the maximum height may be 35 feet.
- d. All other buildings shall not exceed 35 feet.
- e. Mixed Use. The maximum height shall be 45 feet.

RESPONSE: There are no proposed structures as part of this proposal, but there are a number of possible structures that could be built on each of the lots that could meet the height standards requirements of subsection 7.a-d. above. The proposal meets these criteria.

8. *Parking and Access Requirements*

See ARTICLE VIII for parking and access requirements.

RESPONSE: The parking and access issues associated with this proposal are addressed in Subsection D.4 of ARTICLE X.II. Land Use Review and Site Design Review. The proposal does not include driveway widths that exceed the maximum allowed curb cut. The proposal does meet this criterion.

9. *Sign standards*

See Sign Ordinance and ARTICLE VIII for requirements.

RESPONSE: There are no sign proposals at this time including no subdivision monument sign. These criteria are not applicable.

10. *Standards for Agriculture and Livestock Uses*

- a. *The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):*

Type of Animals Allowed	Minimum Square Feet Required	Square Feet per Animal Required
Honey Bee Colonies (per hive)	10,000	10,000
Fowl (not including roosters, Rabbits)	4,000	2,000;(maximum of 10 on 40,000 square feet)

RESPONSE: There are no proposed livestock uses. These criteria are not applicable.

11. **Locational Standards**

Buildings and uses subject to this section may be located only where they are:

- a. Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley; and
- b. Abutting a collector or arterial street.

RESPONSE: The subject property is not adjacent to the Central Business District or Highway Commercial District or Light Industrial. The subject property does not abut a collector or arterial street. These criteria are not applicable.

12. **Compliance with Design Standards and Guidelines**

- a. All uses, structures and development in this district are subject to the applicable design and development standards in ARTICLE VIII.

RESPONSE: There are no structures associated with this proposal. These criteria are not applicable.

ARTICLE VIII. SUPPLEMENTARY DISTRICT REGULATIONS

RESPONSE: The proposed residential driveways are shown on the tentative map. These driveways were located to optimize intersection operations. No structures are proposed for this Major partition/subdivision; therefore the portion of this criteria for supplemental district regulations that refers to structures and on-site parking are not applicable to this tentative site plan

E. Streets, Alleys and Other Public Way Standards

1. **Improvements to City Streets shall conform to the standards as set forth in this section.**
 - a. **Dedication of Street Right-of-Way.** City may require dedication of additional public right-of-way in order to meet street standards.
 - b. **Street Design Standards** for public streets and the current and future functional classification plan for all streets within Coburg, including those owned by Lane County.

RESPONSE: The proposed project will be dedicating public streets. The proposed public streets shall have a 50-foot right-of-way with a 20-foot paved section. Parking and roadside ditched will be provided per the Street Design Standards Table VIII(E)(1)(b)(i).

- f. Street Connectivity.
 - (1) *No dead-end streets will be permitted, unless topographic or environmental constraints require a dead-end. If a street dead-ends, pedestrian and cyclist accessways must be provided. The dead-end must be a "hammer head" or equivalent design for emergency vehicle access and turn-around, and must be built to fire code.*
 - (2) *Streets that are planned to connect through when adjacent developments are constructed may temporarily dead-end, provided a "hammer head" or equivalent turn-around, built to fire code, is provided in the interim period.*
 - (3) *The City may require additional pedestrian and bike connections adjacent to new residential development.*

RESPONSE: Three streets are stubbed to the north for future development and provide for emergency vehicle turn-around.

1. Street trees shall be provided along streets according to the following standards and in compliance with City of Coburg Public Works Department recommended list of street trees.

- b. Street trees are required for all new development, and shall be maintained by the adjacent property owner.
- b. Tree wells at a minimum of five feet in width shall be installed next to the curb or edge of pavement.
- c. The minimum caliper or diameter breast height at planting shall be 2 inches, based on the American Association of Nurserymen Standards.
- d. Trees shall be planted no more than 25 feet apart, except where this spacing would conflict with existing trees, retaining walls, curb cuts, utilities, or similar permanent physical barriers.
- e. Plant species must be native or not require irrigation once established. Underground irrigation shall be provided for trees that are not drought-tolerant. If the plantings fail to survive or are otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.
- f. The use of large canopy trees is encouraged.
- g. Nothing contained herein shall be deemed to impose any liability upon the City, its officers, or employees, nor to relieve the owner of any private property from the duty to keep any tree or shrub upon his or her property or under his or her control from constituting a hazard or public nuisance.

RESPONSE: Street trees will be planted per this section.

Additional Street Standards

- a. Street and sidewalk design must be in compliance with American Association of State Highway and Transportation Officials (AASHTO) standards, National Association of City Transportation Officials (NACTO) standards, Manual on Uniform Traffic Control Devices (MUTCD), Oregon standard drawings and specifications, and City of Coburg standards.
- b. Grades and curves.
 - (1) *Grades shall not exceed five percent on minor arterials, 10 percent on collector streets or 12 percent on other streets. Center line radii of curves shall not be less than 200 feet on minor arterials and collectors streets 100 feet on other streets, and shall be to an even 10 feet. Where existing conditions, particularly the topography,*

make it otherwise impractical to provide buildable sites, the Planning Official may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least one percent.

(2) *A minimum required 100 foot tangent section at all intersections shall be required.*

c. Blocks.

(1) *General. The length, width, and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the limitations of the topography.*

(2) *Size. Minimum block length for new local streets is 400 feet and maximum block length is 600 feet, unless topographic or environmental constraints are present.*

(3) *Easements.*

(i) Utility lines – Easements for water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be at least 10 feet wide and centered on lot or parcel lines, except for utility pole tieback easements which may be reduced to six feet in width.

(ii) 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. Streets or parkways parallel to the major water courses may be required.

RESPONSE: Sidewalks are not proposed for this subdivision. Street grades do not exceed 10 percent. A minimum tangent section of 100 feet has been maintained. The proposed block sizes are just over 400 feet. The proposed utilities will be within the public right-of-way or in 10-foot minimum width easements. The site was designed to convey the storm runoff through the site via ditches and pipes to the Muddy Creek drainage canal.

d. Intersections of Streets, Alleys, and Paths.

(1) ***Angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design. A minor arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or***

which include a minor arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, intersection of more than two streets at any one point will not be approved.

RESPONSE: All of the proposed street are considered local and the intersections are greater than 80 degrees.

- e. Reserve strips. Reserve strips or street plugs controlling access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. 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 Official.

RESPONSE: Three reserve strips are proposed for the three stub streets to the north.

- f. Public access ways. When necessary for public convenience and safety, the Planning Commission may require the land divider to dedicate to the public access ways to connect cul-de-sacs, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other public areas, of such design, width and location as reasonably required to facilitate public use.

RESPONSE: No public access ways are proposed or needed.

- g. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the Planning Official. All street signs and street lights shall be installed by the City and the cost of such installation and materials shall be assessed to the developer of the land division or partition.

RESPONSE: Existing street names were used for the streets that aligned with existing streets. Street name signs and street lights will be installed as a part of the street improvements.

- h. Alignment. As far as is practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof, staggered street alignment resulting in "T" intersections shall, whenever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 125 feet.
- i. Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land division.

RESPONSE: The proposed street aligned with existing streets as well as possible. The distance between intersections exceeds 200 feet.

- k. Streets Adjacent to Railroad Right-of-way. Wherever the proposed land division contains or is adjacent to a rail road right -of-way, provision may be required for a street approximately parallel to and on each side of such right-of -way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.
- l. Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Official may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- m. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off -street parking and loading facilities are approved by the Planning Official. The corners of alley inter sections shall have a radius of not less than 12 feet

RESPONSE: These do not apply.

F. Other Public Improvements

- 1. **Applicability.** The following requirements apply to all new construction or as specified otherwise. All public improvements must conform to city ordinances and policies, specifications, or standards.
- 2. **Procedures.** Public improvements installed by any person or entity that is not the City shall comply with the following procedures:
 - a. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the tentative plan of a subdivision or partition.
 - b. Improvement work shall not commence until after the City is notified, and if work is discontinued for any reason it shall not be resumed until after the City is notified.

- c. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.
- d. Underground utilities installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.
- e. A map showing improvements as built shall be filed with the City upon completion of the improvements.

RESPONSE: Public Improvement Drawings will be prepared and submitted to the City for approval prior to any public improvement construction. As-Built plans will be prepared after construction.

- 3. **Specifications for Improvements.** Public improvements and private streets shall also be consistent with public works design standards and standard specifications as adopted by the Public Works Director.
- 4. **Dedications.** As a condition of any development, the City may require dedication and improvement of public ways for automobile, bicycle and pedestrian use; easements for water, wastewater, and stormwater infrastructure; easements for utilities; dedication of open space; and dedication for other public purposes.
- 5. **Sewage.** All buildings within the city limits must connect to the city sewer system.
- 6. **Water Supply.** All lots and parcels in any land division shall be served by the Coburg water system.

Water lines and fire hydrants serving each building site in a subdivision and connecting the subdivision to city mains shall be installed. The design shall take into account provisions for extension beyond the subdivision and adequately grid the city system.

If water mains are required to directly serve property outside the subdivision, the City will reimburse the subdivider an amount estimated to be the proportionate share of the cost for each connection made to the water mains by property owners outside the subdivision for a period of ten years from the time of installation of the mains. The actual amount shall be determined by the city at the time of approval of the plat, considering current construction costs.

7. **Surface Drainage.** Drainage facilities shall be provided within any new subdivision and connect the subdivision drainage to drainageways outside the subdivision. Design of the drainage system within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.
8. **Streets.** Public streets, including alleys, within a subdivision and public streets adjacent but only partially within a subdivision shall be improved to City street standards in ARTICLE VIII. Catch basins shall be installed and connected to drainage tile leading to drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency of their centerlines.

RESPONSE: Public Improvement Drawings will be prepared and submitted to the City for approval prior to any public improvement construction. All dedications will be through the final plat. The proposed streets, sewage, water and storm drain system designs will be submitted to the City for approval.

9. **Sidewalks.** Where required, sidewalks shall have a minimum paving width of five feet.
10. **Bicycle routes.** If appropriate to the extension of an existing or planned system of bicycle routes, the Planning Commission may require the installation of separate bicycle lanes within streets and separate bicycle paths.
11. **Improvements in Partitions.** The same improvements shall be installed to serve each building site of a partition as is required of a subdivision. However, if the City finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the City shall except those improvements.
12. **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 light and cable television, shall be placed underground.

RESPONSE: There are no sidewalks or bicycle routes proposed. All utilities will be placed underground.

ARTICLE XII. LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS

Sections:

- A. Purpose and Applicability
- B. General Requirements
- C. Tentative Approval
- D. Final Plat Approval
- E. Performance Guarantee
- F. Filing and Recording
- G. Re-platting and Vacation of Plats
- H. Property Line Adjustments

A. Purpose and Applicability

The purpose of this chapter is to:

1. Provide rules, regulations and standards governing the approval of subdivisions, partitions and lot line adjustments.
2. Carry out the City's development pattern, as envisioned by the Comprehensive Plan.
3. Encourage efficient use of land resources, full utilization of urban services, and transportation options.
4. Promote the public health, safety and general welfare through orderly and efficient urbanization.
5. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards;
6. Encourage the conservation of energy resources.
7. Encourage multi-modal options and secure safety from fire, flood, pollution, and other hazards.

B. General Requirements

1. **Subdivision and Partition Approval Through Two-step Process.** Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:
 - a. The preliminary plat must be approved before the final plat can be submitted for approval consideration; and
 - b. The final plat must include all conditions of approval of the preliminary plat.
2. **Compliance with ORS Chapter 92.** All subdivision and partition proposals shall

conform to state regulations in Oregon Revised Statute (ORS) Chapter 92, Subdivision and Partitions.

3. **Future Re-division Plan.** When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the City shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code. A re-division plan shall be submitted for large lots identifying:
 - a. Potential future lot division(s), consistent with the density and lot size standards of ARTICLE VII;
 - b. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights- of-way;
 - c. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation.

4. **Flexible Lot Size.** Lot size requirements may be modified pursuant to ARTICLE VII.A.4.c, ARTICLE VII.B.3.c, or through approval of a Master Planned Development under ARTICLE XIV.

5. **Temporary Sales Office.** A temporary sales office in conjunction with a subdivision may be approved as set forth in ARTICLE XVIII.A Temporary Uses.

6. **Flood Control and Drainage.** All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway and, where possible, allow building outside of the flood fringe. Development in a 100-year flood plain shall comply with the National Flood Insurance Program and state building code requirements, including elevating structures above the base flood elevation. The applicant shall be responsible for obtaining floodplain development permit from the NFIP and the City of Coburg. See Coburg Floodplain Ordinance No A-195-A.

Where a development site consists of one (1) or more acres or 25 or more lots, and is located in or near areas prone to inundation for which the base flood elevation

has not been mapped, the applicant shall have the base flood elevation prepared by a qualified professional as part of the land division application. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.

7. **Need for Adequate Utilities.** All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems. These systems shall be located and constructed to prevent or minimize flood damage, and to avoid impairment of the system and contamination from them during flooding.

8. **Floodplain, Park, and Open Space Dedications.** Where land filling and/or development is allowed within or adjacent to regulatory flood plain and the Comprehensive Plan designates the subject flood plain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway and/or trail adjoining or within the flood plain for transportation, storm drainage/water quality, or park purposes in the public interest. When practicable, this area shall include portions at a suitable elevation for the construction of a multi-use pathway in accordance with the City's adopted trails plan or pedestrian and bikeway plans, as applicable. The City shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact to the park and/or trail system, or stormwater management requirements, consistent with and assist in obtaining any floodplain permit that may be required.

9. **Reserve Strips.** The City may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.

10. **Driveway and lane width.** The minimum width of all shared drives and lanes shall be eight feet; the maximum width is 12 feet, except as required by the Uniform Fire Code.

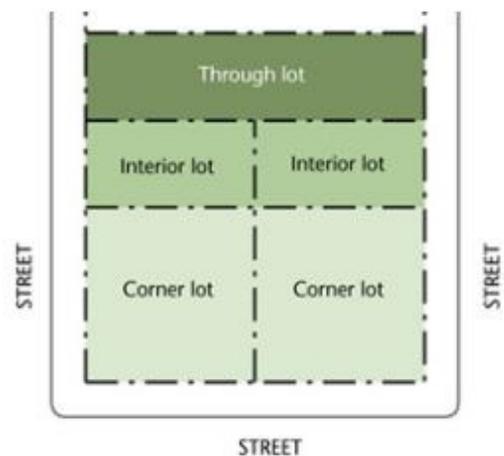
11. **Easement and improvement of drive lane.** The property owner shall record a 20 foot easement benefiting all properties that are to receive vehicle access. The drive lane shall be improved with an all-weather surface approved by the City. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.

12. **Maximum drive lane length.** The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared side drive, and 400 feet for a shared rear drive.

RESPONSE: The applicant has prepared a tentative partition plan map with all information required by the Coburg Subdivision Ordinance. A final plat will conform to ORS Chapter 92. The lots sizes are such that further dividing is not possible. No modification of lot size is requested. The property is not in a flood hazard zone. Reserve strips are proposed at the north boundary line where the three stub streets terminate. There are no proposed common driveways.

13. **Through Lots and Parcels.**

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



14. **Lot and Parcel Sidelines.**

- a. 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.

15. **Drainage.**

- a. Where land in the subdivision or partition is or will be periodically subject to accumulations of surface water or is traversed by any water course, channel, stream or creek, the Planning Commission may require the applicant to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements adequate for the draining needs of the area. Said easements shall be approved by the Planning Commission.

16. **Grading of Building Sites.** Grading of building sites shall conform to the following standards unless adjusted through the variance procedure in ARTICLE XIX:

- a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.
- b. Fill slopes shall not exceed two feet horizontally to one foot vertically.
- c. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.

RESPONSE: There are no through lots proposed and lot lines run at right angles as best possible. The proposed lots will be graded per the City code and drain to the proposed streets.

17. **Building Lines.**

- a. If special building setback lines are to be established in a subdivision, they shall be shown on the subdivision plat.

18. **Land for Public Use.**

- a. If the City has an interest in acquiring a portion of proposed subdivision for a public purpose, or if the City has been advised of such an interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of the subdivision be reserved for public acquisition, for a period not to exceed one year, at a cost not to exceed the value of the land prior to the subdivision.

19. **Park/Park Recreation Acquisitions.**

- a. Within or adjacent to a subdivision of land into 10 or more lots, a parcel of land of not less than six percent of the gross area of the subdivision shall be set aside and dedicated to the public by the subdivider. The parcel shall be approved by the Planning Commission as being suitable and adaptable for park and recreation use. In the event no such area is suitable for park and recreation purposes, or for a subdivision of land into less than 10 lots, the subdivider shall, in lieu of setting aside land, pay into a public land acquisition fund a sum of money equal to one percent of the gross sale price of each lot

in the subdivision, which sum of money shall be paid at the time each lot is developed or sold, whichever occurs first.

RESPONSE: There are no special setback building lines. The proposed Tracts A, B, C, and D in the subdivision will be for Public Use and Park purposes.

C. Tentative Approval

2. Subdivisions (non-phased)

- a. Process. Applications for tentative partition plan review shall be processed as Type III applications in accordance with ARTICLE X.D.
- b. Submittal Requirements.
 - (1) Applications for approval of a tentative subdivision plan shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type III process, in accordance with ARTICLE X.D.2, and the following additional items:
 - (i) A tentative plan map, including the information required by the City's Tentative Subdivision Plan application form, including all contiguous property under the same ownership as the subject property.
 - (ii) A current (no older than six months prior to application submittal) preliminary title report.

RESPONSE: The tentative map was prepared by a licensed civil engineer and contains all information required for a Type III process, in accordance with Article X.D.2, and contains all contiguous property under the same ownership. A current title report has been submitted with the application.

- c. Approval Criteria. (1) General Approval Criteria. The City may approve, approve with conditions or deny a tentative subdivision plan based on the following approval criteria:
 - (1) The proposed tentative subdivision plan complies with the applicable zoning code provisions and all other applicable ordinances and regulations, including but not limited to lot standards, street standards (ARTICLE VIII.E), required public improvements (ARTICLE VIII.F) and any special development standards.

RESPONSE: The proposed subdivision has been designed to comply with all City and County regulations.

- (2) The proposed subdivision will not cause any existing improvements on existing or proposed lots to be inconsistent with applicable standards in

this code.

- (3) Subdivisions abutting streets under control of an agency that is not the City shall comply with access management guidelines of the agency having jurisdiction over the street.

RESPONSE: There are no abutting streets under an agency that is not the City.

- (4) Development within the tentative subdivision plan can be adequately served by City infrastructure.

RESPONSE: There are existing water lines and sewer lines in Coleman St. and Skinner St., which are adequately sized to serve the proposed subdivision.

- (5) Proposal contributes to the orderly development of the City's area transportation network of roads, bikeways, and pedestrian facilities, and allows for continuation and expansion of existing public access easements within or adjacent to the subdivision.

RESPONSE: The proposed streets in the subdivision will logically fill in the existing street patterns.

- (6) All applicable engineering design standards for streets, utilities, surface water management, and easements have been satisfied.

RESPONSE: The proposed public improvements will be reviewed and approved by the City Engineer prior to construction.

- (7) If the proposal involves the creation of a public street, all of the following criteria also apply:

- (aa) The proposal will not impede the future use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto.

RESPONSE: The proposed subdivision has stubbed streets to the north to logically develop the remaining vacant piece.

- (bb) The proposed partition will:

1. Not result in significant risk of fire, flood, geological hazards, or other public health and safety concerns;
2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities;
3. Not hamper the adequate provision of publicly owned open space for recreation needs.
4. The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe,

convenient and direct transit circulation, provided the City makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

- d. Expiration. Tentative subdivision plan approval shall be effective for a period of one year from the date of approval. The preliminary plan shall lapse if a final plat has not been submitted within the one-year period, unless an extension, subject to the following criteria, is granted:
- (1) The applicant has submitted written intent to file a final plat within the one-year extension period;
 - (2) An extension of time will not prevent the lawful development of abutting properties;
 - (3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and
 - (4) The extension request is made before expiration of the original approved plan.
 - (5) The applicant has not obtained a previous extension for the subject approval.

RESPONSE: The proposed subdivision is anticipated to be constructed within a one year time frame.