



FINDINGS AND DECISION

FILE NUMBER: 247-21-00351-RN

APPLICANT: Keith Riehl

REQUEST: The applicant requests to establish the name Hedgehog Court for an unnamed local access road which extends off of Pioneer Loop.

STAFF CONTACT: Audrey Stuart, Assistant Planner

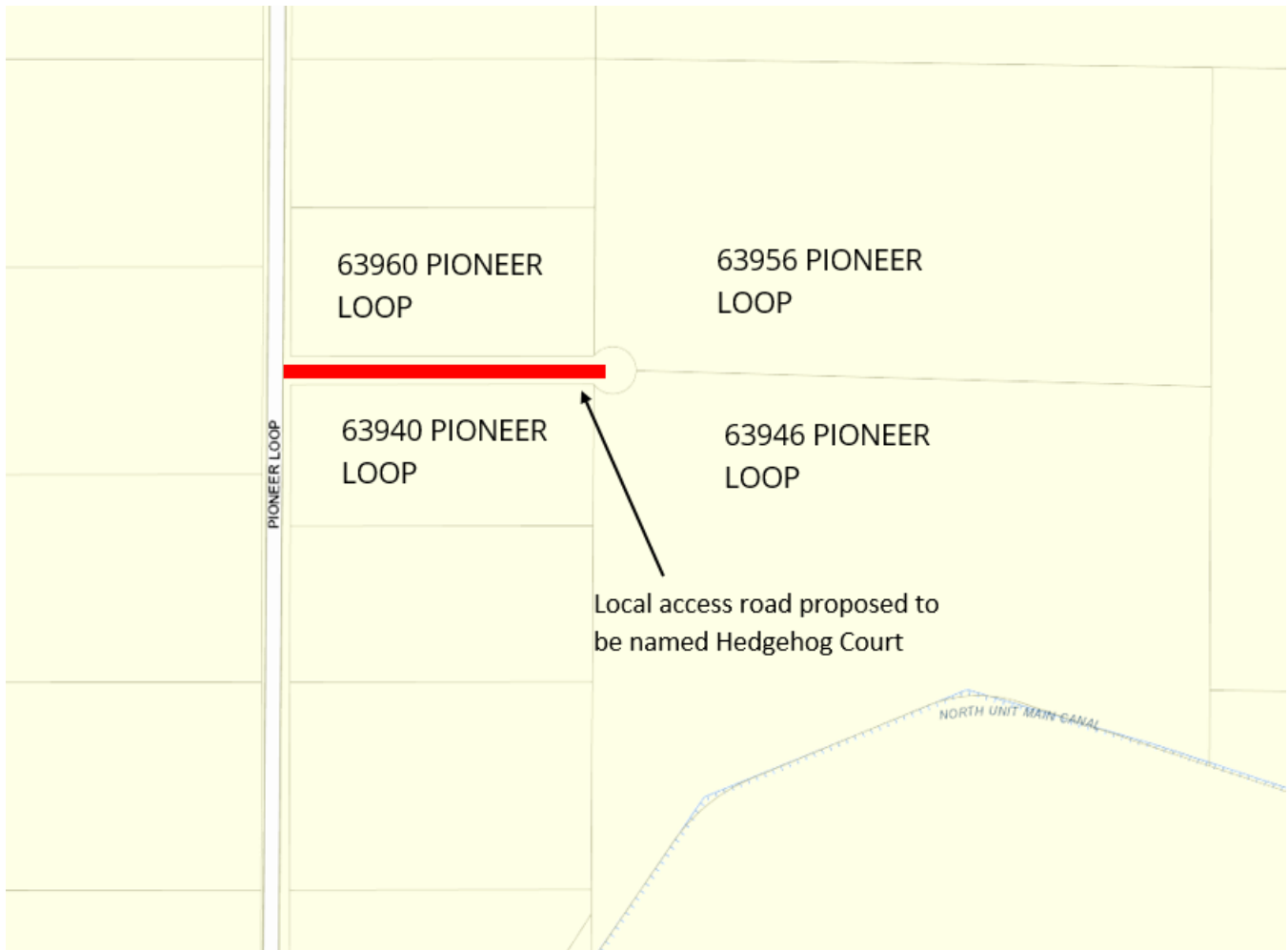
I. **APPLICABLE CRITERIA:**

Deschutes County Code (DCC)
Title 16, Addresses and Road Names
Chapter 16.16, Road Naming
Title 22, Deschutes County Development Procedures Ordinance

II. **BASIC FINDINGS:**

LOCATION: The subject area is a local access road which serves four properties, one of which is owned by the applicant. The area is located in the Bend postal area. The local access road extends for approximately 650 feet to the East of Pioneer Loop and ends in a cul-de-sac. The road's location is further described as being in Township 17S, Range 12E, Sections 11 and 12.

Figure 1: Map of Subject Area



Pursuant to Deschutes County Code (DCC) 16.16.030, the applicant, Keith Riehl, initiated the application to establish the name for the private road on April 5, 2021.

AFFECTED PROPERTIES: The following four properties have frontage on, and take access from, this road.

ADDRESS	LEGAL DESCRIPTION
63960 Pioneer Loop	17-12-11A0, Tax Lot 2004
63940 Pioneer Loop	17-12-11A0, Tax Lot 3004
63956 Pioneer Loop	17-12-12, Tax Lot 200
63946 Pioneer Loop	17-12-12, Tax Lot 201

REVIEW PERIOD: The subject application was submitted on April 5, 2021. This application will be reviewed in accordance with DCC 16.16 and requires final approval by the Board of County Commissioners (BOCC) per DCC 16.16.030(I).

PUBLIC AGENCY COMMENTS: The Planning Division mailed notice on April 28, 2021 to several public agencies and received the following comments:

Deschutes County Address Coordinator, Tracy Griffin

The proposed road name, Hedgehog Court, meets the road naming criteria set forth in DCC 16.16.030 and is approved for use.

Deschutes County Senior Transportation Planner, Peter Russell:

I have reviewed the transmittal materials to name this Local Access Road which extends east from Pioneer Loop on the NE Quarter of Section 11 of Tax Map 17-12 between Tax Lots 200 and 300. The 60-foot-wide public road was created as part of MP-80-55 and is identified on the tax map as Ded. OR439-01224. The cul-de-sac bulb is from MP-95-32. I have no adverse comments.

The following agencies did not respond to the notice: 911, Avion Water Company, Bend-La Pine School District, Bend Regional Watermaster, Deschutes County Road Department, Deschutes County Sheriff's Office, and Deschutes County Surveyor.

PUBLIC COMMENTS: Notice was mailed to the four (4) affected properties on April 28, 2021 per DCC 16.16.030(B). The applicant also posted a proposed road name sign. No public comments were received.

III. **CONCLUSIONARY FINDINGS:**

CHAPTER 16.16, ROAD NAMING

Section 16.16.010, Road Naming Authority.

- A. *Deschutes County, through the Community Development Department, shall have the authority to and shall assign road names to roads requiring names as provided in DCC 16.16.***

FINDING: The subject road naming application is being reviewed by the Deschutes County Community Development Department. This criterion is met.

Section 16.16.020, Unnamed Roads.

All unnamed public and private roads and other roadways which provide access to three or more tax lots, or which are more than 1,320 feet in length, shall be assigned a name in accordance with the procedures in DCC 16.16.030.

FINDING: The subject unnamed road provides access to four (4) tax lots. Therefore, staff finds the proposed road name assignment must be reviewed in accordance with the procedures in DCC 16.16.030, which are addressed below. This criterion will be met.

Section 16.16.030, Procedures for Naming New Roads.

A. Application.

- 1. The naming of a road may be initiated by the Community Development Department, Planning Commission, the Board, or by application of adjacent property owners, developers, or public agencies which may be affected by road names.**

FINDING: This application was initiated by Keith Riehl, who owns the property at 63946 Pioneer Loop. A Road Naming application was filed with Deschutes County on April 5, 2021. This criterion is met.

- 2. An application to name a road shall be submitted to the Community Development Department and shall include, at a minimum, the following:**
 - a. Name of applicant;**
 - b. Location of road by description and or map;**
 - c. Legal status of road, if known;**
 - d. Proposed road name, with two alternate proposed names;**
 - e. Reason for name request;**
 - f. Petition(s) attached, if any, and**
 - g. Fee, if any, as established by the Board.**

FINDING: The applicant submitted application materials and the required fee on April 5, 2021. The application materials indicated the preferred road name, Hedgehog Court, and one alternative name. Staff requested one additional alternative name per DCC 16.16.030(2)(D) and the applicant responded in an email dated May 7, 2021. All other information was provided or gathered through staff research and these criteria are met.

- B. Notice of a proposed name assignment shall be sent to all persons owning property abutting the affected road or having an address on the affected road. Such notices shall be sent within 10 days of the receipt of an application, if any, or other action initiating the proposed road name assignment.**
- C. Persons receiving notice under DCC 16.16.030(B) shall promptly notify any tenants or other occupants of the affected property of the proposed road name assignment.**
- D. Any person receiving notice under DCC 16.16.030(B) above may comment in writing on the proposed name within 10 days from the date of notice.**

FINDING: On April 28, 2021, staff mailed notice of this pending application to the four (4) property owners abutting the subject road to be named. The mailed notice included a statement requiring the recipient to notify any tenants or other occupants of the affected property of the proposed road name assignment. No public comments were received. These criteria are met.

E. Standards

- 1. General. The proposed road name shall:**
 - a. Be limited to a maximum of two words.**
 - b. Not duplicate existing road names, except for continuations of existing roads.**
 - c. Not sound so similar to other roads as to be confusing.**
 - d. Not use compass directions such as North, East, South, etc., as part of the road name.**
 - e. Not use designations such as Loop, Way, Place, etc., as part of the road name.**
 - f. Improve or clarify the identification of the area.**
 - g. Use historical names, when possible.**
 - h. Reflect a consensus of sentiment of affected property owners and occupants, when possible, subject to the other standards contained in DCC 16.16.030.**

FINDING: The applicant submitted three proposed names and indicated that Hedgehog Court was the preferred name. The two alternative names that were provided are Fugawi Court and Lost Lane.

There are currently two roads in Deschutes County with the assigned name of Lost Lane. Staff finds that this alternative name does not meet the criteria of DCC 16.16.030(E)(1)(b) and is therefore not a valid option.

Hedgehog Court does not duplicate any existing road name, nor does it sound similar to existing road names, use compass directions, or use designations as part of the name. The application materials indicate the purpose of the proposed name change is make navigation easier, as Google Maps has listed the subject local access road as Hedgehog Court. Staff finds that designating a specific name for the subject unnamed road will serve to improve and clarify identification of the area, as Pioneer Loop currently runs from north to south without any named roads that extend off of it. As noted above, staff mailed notice of the proposed road name change to impacted property owners on April 28, 2021 and no comments were received in opposition.

Fugawi Court also does not duplicate an existing name, and staff finds it meets the criteria of DCC 16.16.030(E)(1)(a-d). The application materials indicate there is an existing sign, which was not placed by Deschutes County, that reads "Fugawi Ct." Therefore, staff finds the option Fugawi Court satisfies the criterion of DCC 16.16.030(E)(1)(f) because it may reflect another name that has been colloquially assigned to the currently unnamed road.

- 2. Particular Roads. The proposed road name shall also conform to the following standards:**
 - a. North/South roads shall be called "roads" or "streets."**
 - b. East/West roads shall be called "avenues."**
 - c. Roads dead-ending in a turnaround 1,000 feet or less from their beginning points shall be called "courts."**

- d. **Roads of reduced right-of-way or curving roads of less than 1,000 feet shall be called "lanes" or "terraces."**
- e. **Curving roads longer than 1,000 feet shall be called "drives" or "trails."**
- f. **Roads that deviate slightly from the main course of a road with the same name, are less than 1,000 feet in length, shall be called "places."**
- g. **Roads that are four lanes or more shall be called "boulevards."**
- h. **Historical roads shall be called "market roads."**
- i. **Roads running at oblique angles to the four points of the compass, less than 1,000 feet in length, shall be called "ways." (See Appendix "D," attached hereto.)**
- j. **Roads that begin at and circle back onto the same road, or that are circular or semicircular, shall be called "circles" or "loops."**

FINDING: The subject unnamed road runs from east to west and ends in a turnaround approximately 650 feet from its beginning point. Staff finds the description under DCC 16.16.030(E)(2)(c), above, best matches the subject road. Therefore, the proposed suffix of "court" is appropriate for the proposal.

F. Staff Review and Road Name Assignment: The Community Development Department shall review road name applications and shall assign road names under the following procedure:

1. **Verify legal status of road with the County Clerk's office and Road Department.**

FINDING: The road to be named was created and publically dedicated as part of Minor Partition MP-80-55, and the cul-de-sac was later created and dedicated through Minor Partition MP-95-32. Comments provided by Deschutes County Senior Transportation Planner verify that the road was publically dedicated through Deed of Dedication OR439-01224. Staff finds these Deschutes County records verify the legal status of the subject road. This criterion is met.

2. **Check proposed road name(s) to avoid duplication or confusing similarity with other existing road names, with those on approved preliminary land divisions and with those approved for future use.**

FINDING: Staff has verified that the proposed name does not duplicate or sound confusingly similar to an existing road name. Comments from the Deschutes County Property Address Coordinator did not identify any issues with the proposed road name, including any conflicts with existing or proposed road names. Staff finds this criterion is met.

3. **Perform a field check, when necessary.**
4. **Assist the applicant or other affected person(s) to find alternate names when required.**

FINDING: Staff determined a field check was not necessary, based on the availability of Deschutes County records and information provided by the applicant. As noted above, the original application

materials only included one alternate road name option. The applicant then provided a second alternate, Fugawi Court, in an email dated May 7, 2021. Therefore, no assistance was required to help the applicant or other affected persons identify alternate names.

- 5. Notify appropriate persons, departments and agencies of the road name application, and request comments.**
- 6. Review and consider all comments submitted.**
- 7. Assign a road name in accordance with the standards set forth in DCC 16.16.030(E) above.**

FINDING: A Notice of Application was sent to impacted property owners, and all appropriate departments and agencies. This Notice of Application requested that interested parties submit comments to the record, and no public comments were received. Comments from agency staff were reviewed and considered, and those comments are included in the Basic Findings, above. The assigned name, Hedgehog Court, meets the standards of DCC 16.16.030(E). These criteria are met.

- G. Notice of Staff Decision. Following assignment of a road name by the Community Development Department, notice of the road name assignment shall be sent to all persons entitled to notice under DCC 16.16.030(B).**
- H. Appeal. Affected property owners and occupants shall have the right to appeal the assignment of a road name by the Community Development Department. Such appeals shall be conducted in accordance with the provisions of the Deschutes County Development Procedures Ordinance, except where the provisions of DCC 16.16.030 conflict with the procedures ordinance, in which case the provisions of DCC 16.16.030 shall apply. Affected property owners and occupants shall have 10 days from the date of the staff decision in which to file an appeal. Issues on appeal shall be limited to whether the Community Development Department correctly applied the criteria set forth herein.**

FINDING: A Notice of Staff Decision will be mailed in accordance with the requirements of DCC 16.16.030(B). Affected property owners and occupants shall have 10 days from the date of the staff decision to file an appeal. These criteria will be met.

- I. A road name assignment becomes final when no further right of appeal established herein is possible. Within 10 days of the road name assignment becoming final, the Board shall sign an order establishing the road name as assigned by the Community Development Department.**

FINDING: Within ten (10) days of this decision becoming final and absent an appeal, the proposed road name assignment of Hedgehog Court will become final under Board Order 2021-030. This criterion will be met.

- J. The affected property owners and occupants shall have 180 days from the date of the Board order of road name assignment to begin using the road name.**

FINDING: To ensure compliance a condition of approval has been added. This criterion will be met.

- K. Notice of Decision. Following the order of the Board naming a road, the Community Development Department shall:**
- 1. Notify the applicant requesting the road name of the action**
 - 2. Send copies of the order naming the road to the following:**
 - a. Road Department**
 - b. Assessor's Office and Tax Office**
 - c. Postmaster**
 - d. Planning Department**
 - e. County Clerk's office**
 - f. Affected telephone and other utilities**
 - g. Affected fire department(s)**
 - h. Local school district(s)**
 - i. Emergency services, i.e., police, fire, 911, etc.**
 - 3. File the original order naming a new road with County Clerk**
 - 4. On a monthly basis, the Community Development Department shall publish a list of changed road names in a newspaper of general circulation designated for the purpose of the Board.**

FINDING: A Notice of Decision will be sent out following action by the Board to approve the assigned road name. Notice will be sent to the applicant as well as the agencies listed in DCC 16.16.030(K)(2)(a-i). The original order by the Board will be recorded with the County Clerk. Within one month of final approval by the Board, the road name change will be published in a newspaper of general circulation. These criteria will be met.

IV. CONCLUSION:

Based on the foregoing findings, staff concludes that the proposed road name can comply with the applicable standards and criteria of the Deschutes County Road Naming Ordinance if conditions of approval are met.

Other permits may be required. The applicants are responsible for obtaining any necessary permits from the Deschutes Road Department as well as any required state and federal permits.

The Deschutes County Road Department will coordinate the posting of a new road sign with the Property Address Coordinator. Please coordinate with the Deschutes County Road Department regarding fees related to the creation and installation of the new road sign.

V. DECISION:

APPROVAL, subject to the following conditions of approval.

VI. CONDITIONS OF APPROVAL:

- A.** The affected property owners and occupants shall have 180 days from the date of the Board Order of road name assignment to begin using the road name.

VII. DURATION OF APPROVAL:

This decision becomes final ten (10) days after the date mailed, unless appealed by a party of interest. Issues on appeal shall be limited to whether the Community Development Department correctly applied the criteria set forth herein. To appeal, it is necessary to submit a Notice of Appeal, the appeal fee of \$250.00 and a statement raising any issue relied upon for appeal with sufficient specificity to afford the Hearings Body an adequate opportunity to respond to and resolve each issue.

Within ten (10) days of this decision becoming final and absent an appeal, the Board of County Commissioners shall approve the subject road name assignment pursuant to Board Order 2021-030.

Copies of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost. Copies can be purchased for 25 cents per page.

NOTICE TO MORTGAGEE, LIEN HOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

DESCHUTES COUNTY PLANNING DIVISION



Written by: Audrey Stuart, Assistant Planner



Reviewed by: Peter Gutowsky, Planning Manager