



City of Sweet Home

Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Staff Report Presented to the Planning Commission

REQUEST: The applicant is requesting to subdivide an approximately 6.50-acre property into twenty-six lots ranging from approximately 8,226 to approximately 9,950 square feet. The proposed subdivision's average lot size is approximately 8,932 square feet. Approximately 8,226 square feet shall be reserved for a storm water detention area.

The proposed subdivision is in the Residential Low Density (R-1) Zone.

APPLICANT: Savely Kalugin

PROPERTY OWNER: Saz Yakis

FILE NUMBER: SD21-01

PROPERTY LOCATION: Between 23rd Avenue and Foothills Drive, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E32CA Tax Lot 04403.

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 16.12, 16.16, and 17.24.040 through 17.24.060.

HEARING DATE & TIME: May 3, 2021 at 6:30 PM

HEARING LOCATION: City Hall Council Chambers, 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT: Angela Clegg, Associate Planner
Phone: (541) 367-8113

REPORT DATE: April 26, 2021

I. PROJECT AND PROPERTY DESCRIPTION

The applicant is requesting to subdivide approximately 6.50-acre property into twenty-six lots ranging from approximately 8,226 to approximately 9,950 square feet. The proposed subdivision's average lot size is approximately 8,932 square feet. Approximately 8,226 square feet shall be reserved for a storm water detention area. The proposed subdivision is in the Residential Low Density (R-1).

Foothills Ridge Subdivision will create 26 lots for single-family dwellings on 6.50 acres located on Linn County Assessor's Map No. 13S01E32CA, Tax Lot 4403 (Attachment B). Lots created by the proposed subdivision will provide a variety of sizes. The smallest proposed lot is 8,226 square feet, while the largest lot is 9,950 square feet. The proposed subdivision's average lot size is 8,932 square feet.

The proposed subdivision conforms to all applicable sections of the Sweet Home Municipal Code (SHMC) and when necessary City of Sweet Home's Comprehensive Plan. This application narrative provides findings of fact that demonstrate conformance with all applicable sections of the SHMC.

The subject property is accessed via Foothills Drive and 23rd Avenue. Foothills Drive is a paved road, has one lane in each direction, and is constructed to urban local road standards. 23rd

II. COMMENTS

Engineering Division: Regarding the proposed Foothills Ridge subdivision connecting the West end of Foothills Drive and the South end of 23rd Avenue, the following items shall be required.

The TSP roadway dimensions require a minimum 3-foot planter strip for Local Streets which the narrative and plan do not show. Foothills Drive is wide enough for planter strips to be constructed and are required. The proposal shows a 50-foot right-of-way, which provides adequate width for 5 feet sidewalk, 4 feet planter, and 30-foot curb to curb widths which provides the minimum 7 feet parking and travel lanes, etc. However, 23rd Avenue is only 40 feet wide with some portions at 35-foot-wide, the planter strips are not required, and sidewalks can be curbside.

The City of Sweet Home wants to have provision for a waterline easement in the common driveway are serving Lots 24 and 25 on Lots 10 and 11. The easement would be the same size as the proposed shared utility and access easements as noted on the Plan Option B. The easement would run from the south right-of-way line of Foothills Drive to the south line of Lots 24 and 25. The City is looking forward 15-20 years to a need for an additional water reservoir in the area, with the adjacent property to the south at the right elevation and location. It has access from Ames Creek road, so that only a waterline would be connected through the lots. We would likely place a conduit in the ground at the time of construction to feed the future waterline through, without the need for excavation at that future time.

This development will need to link the proposed water system on Foothills Drive to Harding Street. 23rd Avenue had a very small waterline that was inadequate to connect to. However, city water crews have recently removed that work item from the subdivision requirements with our replacement in April 2021 of that waterline. The city has placed 250 foot of 6" waterline in 23rd Avenue from the Harding Street 6" waterline southward to a few feet from the drainage channel culvert. The city has done this work for our own distribution system needs; the developer would have had to do this otherwise. This proposed subdivision shall connect at the new end point now, with a crossing under the channel. The channel culvert currently has only 6"-8" of cover.

The Fire & Ambulance District is requiring that the NE corner of Foothills Drive and 23rd Ave be a rounded corner with a 20-foot radius, to facilitate turning of large vehicles. The properties on the south boundary accessed by easement do not indicate if the front residences will or will not connect to that shared driveway. If they do then each driveway will have four residences, lessening the number of driveway aprons to Foothills Drive itself. However, it may create some issues with emergency services and access to those residences.

The intersection of Foothills Drive and 23rd Avenue will require a street name sign and post installed. A STOP sign will not be necessary, not every local street intersection needs a stop control condition. State of Oregon traffic rules provide guidance to drivers on the general right-of-way use at Tee and Cross intersections.

The Tract A as noted in the plan and narrative is intended to be transferred to City of Sweet Home ownership. The maintenance of

private stormwater basins is up to the local residences with or without a HOA, who benefit from the subdivision development and the stormwater basin, not the city. That property needs to remain under the ownership of the developer, or a HOA.

Because of the limited width of 23rd Ave, and the potential awkward connection to the adjacent drainage channel if it was done in the roadway, the outlet from the detention basin is shown to connect to that channel on the property of Lot 1 (Anderson) of Jefferson View Addition. An easement will be necessary on that property if there is not one currently available.

The tentative plan does not show how the development will accommodate runoff from the south hillside. There will need to be an easement, channel, area catch basins or some combination of those along the south line of the properties. That stormwater collection will then be another pipeline in the shared driveway easement down the driveway to Foothills Drive. The southern properties are about 12 foot to 15 foot above the central flat portion of the development.

The plan indicates a curb and sidewalk along the east side of 23rd Avenue. That would be a "half street" which is really a "3/4 street" on the ground, comprised of sidewalk, curb and drainage, pavement to the centerline and the opposite lane. There will need to be curb on that side too because residents will travel to and from the subdivision in both directions on 23rd Ave. Because of the very poor condition of 23rd Avenue, and it being the most direct path westward to the community, the improvements on 23rd Avenue need to extend to Harding Street. The City may be able to partner with the developer to improve the street network at 23rd Ave and Harding Street. The city is currently looking to overlay both streets, so by the time this proposed subdivision starts construction, there may already be good pavement in portions of 23rd Ave and Harding Street.

The indicated proposed mainline sewer systems appears to be able to provide each lot with service. For the properties on the south boundary that appear to be sharing the driveway accesses, each lot will have its own sewer lateral line.

Public Works: 23rd Avenue improvements will be required upon development.

Building Division: The Building Program has no issues with this proposed Subdivision. Proof of Private Access and Utility Easements to rear properties will be required on final survey, with approved widths/measurements.

**Oregon Department
Of State Lands:** The applicant requested an offsite determination last year, WD2020-0035. We sent a copy of the response to your office. The determination recommended a wetland delineation be completed and submitted to the department for review. Delineation reports must be approved by the department to be valid for permitting or to show avoidance. I did not find any other records in our database for this property, so we have not yet received a delineation report for this project. The determination may take the place of the WLUN for your application review process. Please condition approval accordingly – A delineation shall be submitted to DSL, and may need a permit.

**Sweet Home
Fire District:**

The Fire District has some concerns with access to this housing division. 23rd is narrow, not developed and would typically be accessed for Fire and EMS because of its location in relation to the proposed project. If something is typical, making an exception creates risk and inconsistency. In emergency services, we understand that on a map a firefighter looks at this small street and believes it is the shortest fastest route which can matter in a lifesaving event. Foothill Drive going from 60 feet in width to 50 feet creates another inconsistency that will be a transition: a driver in responding apparatus will deal with a road narrowing suddenly which makes no sense in any way that this would be acceptable by design. At every exit or entrance turning radius will be done by a 40-foot ladder truck that needs to make access on a narrow street into a narrow entrance the access points cause apparatus to slow or even jockey to make a turn. Parking will be an issue and fire lanes will need to be posted into flag lot type drives. This design is a concern but I'm sure there are resolutions for issues.

III. REVIEW AND DECISION CRITERIA

The review and decision criteria for a subdivision are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

A. Approval of tentative plans will be granted if the city finds that the proposal substantially conforms to the applicable provisions of Sweet Home Municipal Code Titles 16 and 17 and the comprehensive plan. The following criteria apply:

- 1. The information required by this chapter has been provided. [SHMC 16.16.040(A)]**

Staff Findings: SHMC 16.16.025 provides a specific list of requirements for the application, and the applicant provided this information

The application complies with this criterion.

- 2. The design and development standards of Sweet Home Municipal Code, Titles 16 and 17 and the comprehensive plan, have been met where applicable. [SHMC 16.16.040(B)]**
 - A. Size and shape. Lot and parcel size, width, shape and orientation shall be appropriate for the zone and location of the subdivision, as well as for the type of use contemplated. [SHMC 16.12.030(A)]**
 - B. No lot or parcel shall be dimensioned to contain a part of an existing or proposed street. [SHMC 16.12.030(B)]**
 - C. Residential lots and parcels shall be consistent with the residential lot size and width standards of Sweet Home Municipal Code Title 17. [SHMC 16.12.030(C)]**

YARD SETBACKS AND LOT SIZE AND WIDTH.

Except as provided in § 17.08.060, in a R-1 zone, yard setbacks shall be as follows.

- 1. The front yard shall be a minimum of 20 feet. [SHMC 17.24.050(A)]**
- 2. Each side yard shall be a minimum of five feet, and the total of both side yard setbacks shall be a minimum of 13 feet. [SHMC 17.24.050(B)]**

3. **The street side yard shall be a minimum of 15 feet.** [SHMC 17.24.050(C)]
4. **The rear yard shall be a minimum of 15 feet.** [SHMC 17.24.050(D)]
5. **On a flag lot, or similarly configured lot, the inset front yard setback shall be a minimum of 15 feet.** [SHMC 17.24.050(E)]
6. **Regardless of the side and rear yard requirements of the zone, an accessory structure, excluding detached accessory dwellings, may be built to within five feet of side or rear lot line; provided, the structure is more than 70 feet from the street abutting the front yard and 20 feet from the street abutting the street side yard.** [SHMC 17.24.050(F)]

Except as provided in § 17.08.050, the minimum lot size and width in a R-1 zone shall be as follows:

1. **The minimum lot area shall be 8,000 square feet; and** [SHMC 17.24.040(A)]
2. **The minimum lot width at the front building line shall be 80 feet.** [SHMC 17.24.040(B)]

- D. Lot depth shall not exceed two and one-half times the average width.** [SHMC 16.12.030(D)]

Staff Findings: Based on a review of the applicant's site plans (Attachment B), and the applicant's Residential Subdivision Application (attachment C), lot depth would not exceed two and one-half times the average width. There is a portion of each lot where the front building line would be at least 80 feet in width for an interior lot and 70 feet in width for a corner lot. No lot would be dimensioned to contain part of an existing or proposed street.

Based on the above findings, the application complies with these criteria.

- E. Frontage. Each lot or parcel, except those abutting private streets, shall abut upon a publicly owned street, other than an alley, for a width of at least 25 feet.** [SHMC 16.12.030(E)]

Staff Findings: Based on a review of the applicant's site plans (Attachment B), the proposed Lots would have 25 feet of frontage along Foothills Drive. Every lot shall abut a street, other than an alley, for a width of at least 25 feet [SHMC 17.08.010(C)].

Based on staff's findings above, the application does not comply with this criterion.

- F. Access easements. Where no other practical access to lots or parcels exists, the Planning Commission may allow an access easements for actual access to lots or parcels.** [SHMC 16.12.030(F)]

1. **Joint use driveways.** [SHMC 17.08.100(C)(6)]
 - a. **Joint use driveways are permitted.**
 - b. **A joint use driveway shall comply with International Fire Codes**
 - c. **A joint use driveway that serves four or more lots or parcels shall be developed to the standards of a local street.**
 - d. **Where the city approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the city for its records, but the city is not responsible for maintaining the driveway or resolving any dispute between property owners.**

Staff Findings: Per the staff engineer's comment in Section II, the City of Sweet Home wants to have provision for a waterline easement in the common driveway are serving Lots 24 and 25 on Lots 10 and 11. The easement would be the same size as the proposed shared utility and access easements as noted on the Plan Option B (attachment B). The easement would run from the south right-of-way line of Foothills Drive to the south line of Lots 24 and 25. It has access from Ames Creek road, so that only a waterline would be connected through the lots.

This development will need to link the proposed water system on Foothills Drive to Harding Street. 23rd Avenue had a very small waterline that was inadequate to connect to. The City has placed 250 feet of 6" waterline in 23rd Avenue from the Harding Street 6" waterline southward to a few feet from the drainage channel culvert. The city has done this work for our own distribution system needs; the developer would have had to do this otherwise. This proposed subdivision shall connect at the new end point now, with a crossing under the channel. The channel culvert currently has only 6"-8" of cover.

Because of the limited width of 23rd Ave, and the potential awkward connection to the adjacent drainage channel, if it was done in the roadway, the outlet from the detention basin is shown to connect to that channel on the property of Lot 1 (751 23rd Avenue) An easement will be necessary on that property if there is not one currently available.

The tentative plan does not show how the development will accommodate runoff from the south hillside. There will need to be an easement, channel, area catch basins or some combination of those along the south line of the properties. That stormwater collection will then be another pipeline in the shared driveway easement down the driveway to Foothills Drive. The southern properties are about 12 feet to 15feet above the central flat portion of the development.

The plan indicates a curb and sidewalk along the east side of 23rd Avenue. That would be a "half street" which is really a "3/4 street" on the ground, comprised of sidewalk, curb and drainage, pavement to the centerline and the opposite lane. There will need to be curb on that side too because residents will travel to and from the subdivision in both directions on 23rd Ave. Because of the very poor condition of 23rd Avenue, and it being the most direct path westward to the community, the improvements on 23rd Avenue need to extend to Harding Street. The City may be able to partner with the developer to improve the street network at 23rd Ave and Harding Street. The city is currently looking to overlay both streets, so by the time this proposed subdivision starts construction, there may already be good pavement in portions of 23rd Ave and Harding Street.

The indicated proposed mainline sewer systems appears to be able to provide each lot with service. For the properties on the south boundary that appear to be sharing the driveway accesses, each lot will have its own sewer lateral line.

The applicant has not proposed a joint use driveway.

With the above conditions, the application complies with this criterion.

G. Through lots should be avoided except where they are essential to provide separation of residential development from non-residential activities, arterial streets, or to overcome a specific disadvantages of topography and orientation. [SHMC 16.12.030(G)]

- 1. A planting screen easement of at least ten feet in width and across which there shall be no right of access may be required along the lines of lots or parcels abutting a collector or arterial street or other incompatible uses.**
- 2. Lots shall be served from only one side via a local street.**
- 3. A through lot shall have the yard abutting a street that has no access to the back yard and shall utilize setbacks for a back yard as per the underlying zone standards.**

Staff Findings: The applicant has not proposed any through lots.

The application complies with these criteria.

- H. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face. [SHMC 16.12.030(H)]**
- 1. Topographical conditions or street configurations may warrant an angle.**
 - 2. Generally, any angle should not exceed 30° from a right angle to the street.**

Staff Findings: As depicted on Attachment B, the proposed parcels would have side lines that are at, or very close, to right angles to Foothills Drive.

The application complies with these criteria.

- I. Flag Lots. Flag lots should be avoided if local street connection can reasonably be included in lieu of the flag lot configuration. The thin strip of land, known as the flag pole, which provides access to the lot(s) furthest from the street shall not be used in determining lot size, lot width or yard setback requirements. [SHMC 16.12.030(I)]**

Staff Findings: The applicant is not proposing any flag lots.

The application complies with these criteria.

- J. If special setbacks are to be established in a subdivision or partition through the variance process, they shall be shown on the tentative plan and final plat and included in the deed restrictions. [SHMC 16.12.030(J)]**

Staff Findings: The applicant has not proposed any special setbacks. Staff finds that the configuration of the proposed subdivision lots meets these criteria

The application complies with these criteria.

- 3. Development of any remainder of the property under the same ownership can be accomplished in accordance with this code. [SHMC 16.16.040(C)]**

Staff Findings: The applicant is proposing to create 26 residential lots, 1 open space tract, an extension of Foothills Drive and associated utilities. As reviewed in this staff report, the lots would meet the minimum lot size of the zone and would be configured so that they could accommodate a residential dwelling. Staff finds that the applicant does not own any other property adjacent to the site.

The application complies with this criterion.

- 4. Adjoining land can be developed or is provided access that will allow its development in accordance with all applicable city codes. [SHMC 16.16.040(D)]**

Staff Findings: Staff has not identified any features of this proposed subdivision that would inhibit development on adjoining property.

The application complies with this criterion.

- 5. The proposed street plan provides for the circulation of traffic and meets the street design standards of this title. [SHMC 16.16.040(E)]**

Staff Findings: Per the staff engineer's comments in Section II above, The Transportation System Plan (TSP) roadway dimensions require a minimum 3-foot planter strip for Local Streets which the narrative and plan do not show. Foothills Drive is wide enough for planter strips to be constructed and are required. The proposal shows a 50-foot right-of-way, which provides adequate width for 5 foot sidewalk, 4ft planter, and 30ft curb to curb widths which provides the minimum 7ft parking and travel lanes, etc.

The Fire & Ambulance District is requiring that the Northeast corner of Foothills Drive and 23rd Ave be a rounded corner with a 20ft radius, to facilitate turning of large vehicles. The properties on the south boundary accessed by easement do not indicate if the front residences will or will not connect to that shared driveway. If they do, then each driveway will have four residences, lessening the number of driveway aprons to Foothills Drive itself. However, it may create some issues with emergency services and access to those residences.

The intersection of Foothills Drive and 23rd Avenue will require a street name sign and post installed. A stop sign will not be necessary, not every local street intersection needs a stop control condition. State of Oregon traffic rules provide guidance to drivers on the general right-of-way use at Tee and Cross intersections.

The plan indicates a curb and sidewalk along the east side of 23rd Avenue. That would be a "half street" which is really a "3/4 street" on the ground, comprised of sidewalk, curb and drainage, pavement to the centerline and the opposite lane. There will need to be curb on that side too because residents will travel to and from the subdivision in both directions on 23rd Ave. Because of the very poor condition of 23rd Avenue, and it being the most direct path westward to the community, the improvements on 23rd Avenue need to extend to Harding St. The City may be able to partner with the developer to improve the street network at 23rd Ave and Harding Street.

Relevant to street standards 27th avenue is a 40 foot right-of way, 28th Avenue is a 50 foot right-of-way, 29th Avenue is a 60 foot right-of-way, Mountain View is a 40 foot right-of-way, and Harding Street is a 40 foot right-of-way.

With the above conditions, the application complies with this criterion.

6. The location and design allows development to be conveniently served by public utilities. [SHMC 16.16.040(F)]

Staff Findings: Per the staff engineer's comments in Section II above, the City of Sweet Home wants to have provision for a waterline easement in the common driveway are serving Lots 24 and 25 on Lots 10 and 11. The easement would be the same size as the proposed shared utility and access easements as noted on the Plan Option B. The easement would run from the south ROW line of Foothills Drive to the south line of Lots 24 and 25. The City is looking forward 15-20 years to a need for an additional water reservoir in the area, with the adjacent property to the south at the right elevation and location. It has access from Ames Creek road, so that only a waterline would be connected through the lots. We would likely place a conduit in the ground at the time of construction to feed the future waterline through, without the need for excavation at that future time.

This development will need to link the proposed water system on Foothills Drive to Harding Street. 23rd Avenue had a very small waterline that was inadequate to connect to. The city has placed 250 foot of 6" waterline in 23rd Avenue from the Harding Street 6" waterline southward to a few feet from the drainage channel culvert. This proposed subdivision shall connect at the new end point now, with a crossing under the channel. The channel culvert currently has only 6"-8" of cover

The indicated proposed mainline sewer systems appears to be able to provide each lot with service. For the properties on the south boundary that appear to be sharing the driveway accesses, each lot will have its own sewer lateral line.

With the above conditions, the application complies with this criterion.

7. Any special features of the site, including topography, floodplains, wetlands, vegetation, or historic sites, have been adequately considered, and protected if required by city, state or federal law. [SHMC 16.16.040(G)]

Staff Findings: Staff has not identified any special features of the site.

The application complies with this criterion.

8. **If the tentative plan provides for development in more than one phase, the Planning Commission must make findings and conclusions that such phasing is necessary due to the nature of the development.** [SHMC 16.16.040(H)]

Staff Findings: The applicant is not proposing to develop this property in phases.

The application complies with this criterion.

9. **An application for residential development can be denied based on a lack of school capacity if:** [SHMC 16.16.040(I)]
 - a. **The city has been informed by the Sweet Home School District that their adopted school facility plan has identified the lack of school capacity; and** [SHMC 16.16.040(I)(1)]
 - b. **The city has considered option to address school capacity; and** [SHMC 16.16.040(I)(2)]
 - c. **The capacity of a school facility is not the basis for a development moratorium under O.R.S. 197.505 to 197.540.** [SHMC 16.16.040(I)(3)]
 - d. **This section does not confer any power to the school district to declare a building moratorium.** [SHMC 16.16.040(I)(4)]

Staff Findings: The City has not been informed by the Sweet Home School District that their adopted school facility plan has identified a lack of school capacity. Staff does not recommend that this application be denied based on a lack of school capacity.

The application complies with this criterion.

B. Conditions of Approval.

1. **The approving authority may attach conditions of approval of a tentative subdivision or partition plan to ensure that the proposal will conform to the applicable review criteria.** [SHMC 16.16.050(A)]
2. **Conditions of approval may include, but are not limited to, the following:** [SHMC 16.16.050(B)]
 - a. **Street improvements as required to assure that transportation facilities are adequate for the proposed development, both on and off of the subject property.**
 - b. **Storm water drainage plans**
 - c. **Fencing.**
 - d. **Landscaping.**
 - e. **Public land dedication.** [SHMC 16.16.050(B)(1 through 5)]

Staff Findings: The applicant is requesting to subdivide an approximately 6.50-acre property into 26 lots ranging from approximately 8,226 to approximately 9,950 square feet. The proposed subdivision's average lot size is approximately 8,932 square feet. Approximately 8,226 square feet shall be reserved for a storm water detention area. The proposed subdivision is in the Residential Low Density (R-1) Zone.

To ensure compliance staff recommends a condition of approval that upon development of the proposed parcels, the property owner shall construct all applicable street, sidewalk and storm drain improvements that are required by, and according to the provisions of the Sweet Home Municipal Code at the time of development. All public improvements must comply with the standards listed in the SHMC at the time of development.

Staff has recommended conditions of approval, listed in Section IV below, that act to ensure that the final subdivision plat comply with the application that has been proposed. Additional conditions of approval may be required if any of the subject parcels are further divided under a future application or if they are physically developed with a residence.

With the above conditions, the application complies with these criteria.

C. Duration of Tentative Plan Approval. [SHMC 16.16.070]

1. **Approval of a tentative plan shall be valid for 12 months from the date of approval of the tentative plan, provided that if the approved tentative plan provides for phased development, the approval shall be valid for the time specified for each phase, subject to the limitations of § 16.16.060 of this chapter.** [SHMC 16.16.070(A)]
2. **If any time limitation is exceeded, approval of the tentative subdivision plan, or of any un-platted phase of the tentative subdivision plan shall be void. Any subsequent proposal by the applicant for division of the property shall require a new application.** [SHMC 16.16.070(B)]

Staff Findings: This approval shall be valid for 12 months. The applicant has proposed a phased development. Staff recommends that a time for each phase be specified. Extensions shall be permitted as allowed under SHMC 16.16.080.

With the above conditions, the application complies with these criteria.

D. Final Subdivision Plat. Within one year from date of the approval of the tentative plan, the applicant shall prepare a final plat in conformance with the approved tentative plan, the provisions of this title and the provisions of O.R.S. Chapter 92. [SHMC 16.20.010(B)(1)]

Staff Findings: Within one year from date of the approval of the tentative plan, the applicant shall prepare a final plat in conformance with the approved tentative plan, the provisions of this title and the provisions of O. R. S. Chapter 92. The applicant shall submit a final subdivision plat for approval by the City according to the procedures and requirements of SHMC 16.20. The applicant shall provide all information required by SHMC 16.20.

IV. CONCLUSION AND RECOMMENDATION

Based on the findings discussed in Section III above, [staff recommends that this application be approved](#). The application shall be subject to compliance with the conditions listed below, as required by the findings of fact presented in the Review Criteria (Section III), above. Any modifications to the conditions listed below would require approval in accordance with provisions of law (e.g., variance, subsequent land use application, etc.).

If the Planning Commission approves this application, staff recommends that the conditions of approval listed below be required in order to ensure that the application is consistent with the findings in the Review and Decision Criteria (Sections III) and as required by the Sweet Home Municipal Code and other provisions of law. Appeals to the Land Use Board of Appeals (LUBA) may only be based on Review and Decision Criteria listed above.

Recommended Conditions If the Application is Approved:

1. The final configuration of the proposed lots shall substantially conform to the plot plan reviewed in this application. See Attachment B. The final configuration is to subdivide an approximately 6.50-acre property into twenty-six lots ranging from approximately 8,226 to approximately 9,950 square feet. The proposed subdivision's average lot size is approximately 8,932 square feet. Approximately 8,226 square feet shall be reserved for a storm water detention area. Approximately 4,373 square feet shall be dedicated as public right-of-way for an extension of Foothills Drive to serve the proposed subdivision.

2. The applicant shall provide a waterline easement through Lots 10, 11, 24 and 25 in the common driveway that serves Lots 24 and 25. The easement would be the same size as the proposed shared utility and access easements as noted on the attached site plan (Attachment B). The easement would run from the south right-of-way line of Foothills Drive to the south line of Lots 24 and 25.
3. The applicant shall link the proposed water system on Foothills Drive to Harding Street. The proposed subdivision shall connect to the new 6 inch waterline end point, with a crossing under the channel. The channel culvert currently has only 6"-8" of cover.
4. The applicant shall install a street name sign at the intersection of Foothills Drive and 23rd Avenue.
5. The stormwater basin shall remain under private ownership and not be transferred to the City of Sweet Home. The maintenance of private stormwater basins is up to the local residences with or without a HOA.
6. The applicant shall provide an easement on adjacent Lot 1 (751 23rd Avenue) to provide a connection to the storm water detention area.
7. The applicant shall provide stormwater collection easement along Lots 18-25 to accommodate the run-off from the south hillside. The storm water collection will be through the utility easements to Foothills Drive.
8. On 23rd Avenue, the applicant shall develop "half street" improvements," on the ground, comprised of sidewalk, curb and drainage, pavement to the centerline and the opposite lane. The improvements on 23rd Avenue need to extend to Harding Street.
9. The applicant shall provide each lot with its own sewer lateral line.
10. Within one year from date of the approval of the tentative plan, the applicant shall prepare a final plat in conformance with the approved tentative plan, the provisions of this title and the provisions of O. R. S. Chapter 92. The applicant shall submit a final subdivision plat for approval by the City according to the procedures and requirements of SHMC 16.20. The applicant shall provide all information required by SHMC 16.20.
11. Improvements within the subdivision shall be installed at the expense of the subdivider as required by SHMC 16.24.050. Improvements shall be made under the procedures and specifications listed in SHMC Chapter 16.24.
12. The applicant shall obtain all applicable development permits which include, but are not limited to: Public Works permits, development permits including building permits, and erosion control permits. The applicant shall obtain a 1200-C Stormwater Permit from the Oregon Department of Environmental Quality and any Department of State Lands permits as applicable.

V. PLANNING COMMISSION ACTION

In taking action on a subdivision, the Planning Commission will hold a public hearing at which it may either approve or deny the application. The decision on the application must be based on the applicable review and decision criteria. If approved, the Planning Commission may impose conditions of approval. Staff's recommended conditions are included in Section IV.

Appeal Period: Staff's recommends that the Planning Commission's decision on this matter be subject to a 12-day appeal period from the date that the notice of decision is mailed.

Order: After the Planning Commission makes a decision, staff recommends that the Planning Commission direct staff to prepare an order that is signed by the Chairperson of the Planning Commission. The Order would memorialize the decision and provide the official list of conditions (if any) that apply to the approval; if the application is approved.

Motion:

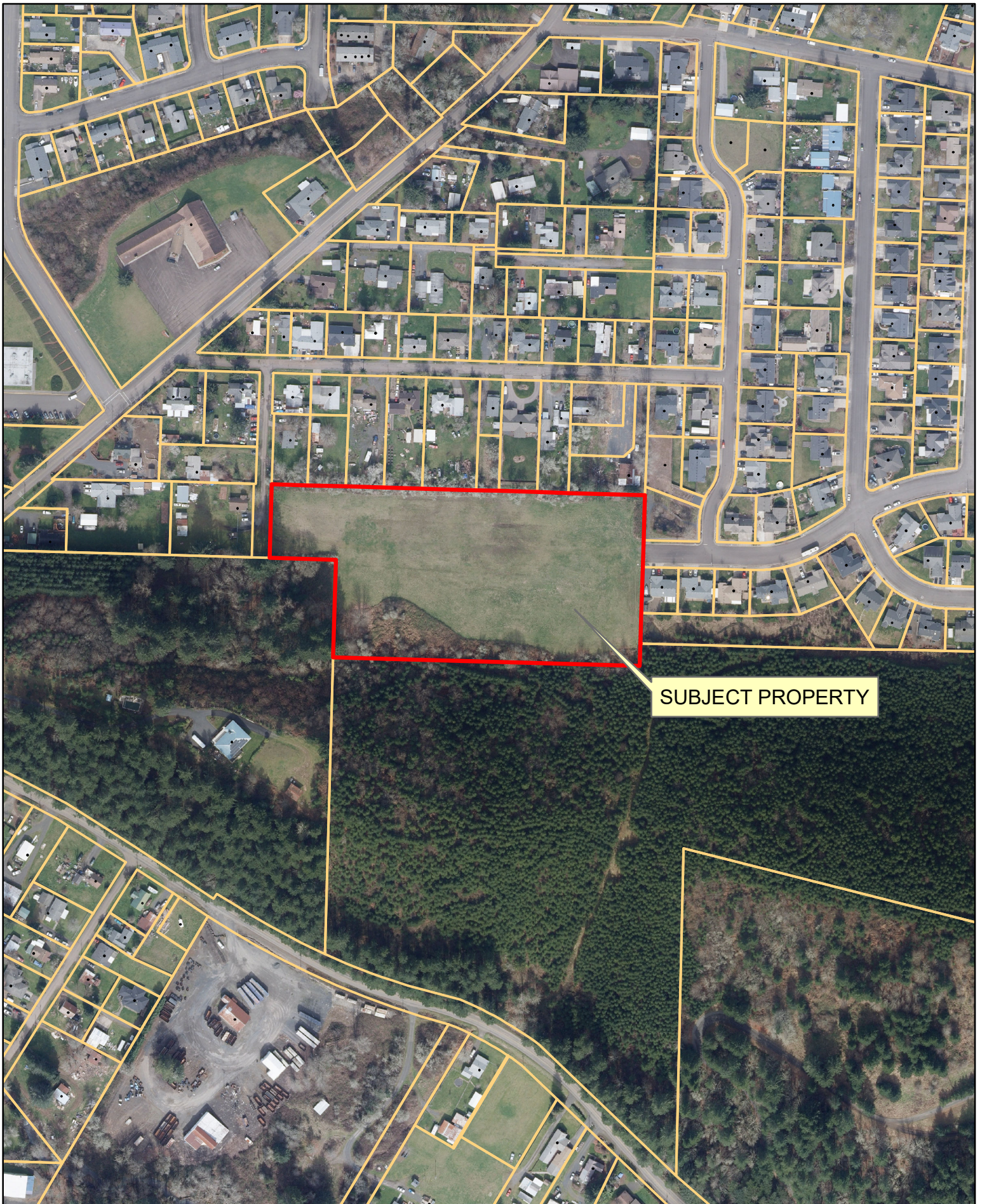
After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application SD21-01; including the conditions of approval listed in Section IV of the Staff Report; adopting the findings of fact listed in Section III of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application SD21-01; including adopting findings (specify), the setting of a 12-day appeal period from the date of mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

V. ATTACHMENTS

- A. Aerial Photograph of the Subject Property
- B. Tentative Subdivision Maps
- C. Public Comments
- D. Application and Supporting Documentation Provided by the Applicant

The full record is available for review in the Community and Economic Development Department office during normal business hours. The office is located at 3225 Main Street, Sweet Home, OR 97386.

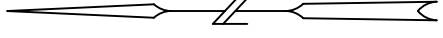


1 inch = 271 feet

Subject Property Map
SD21-01

Date: 03/31/21

CS _____

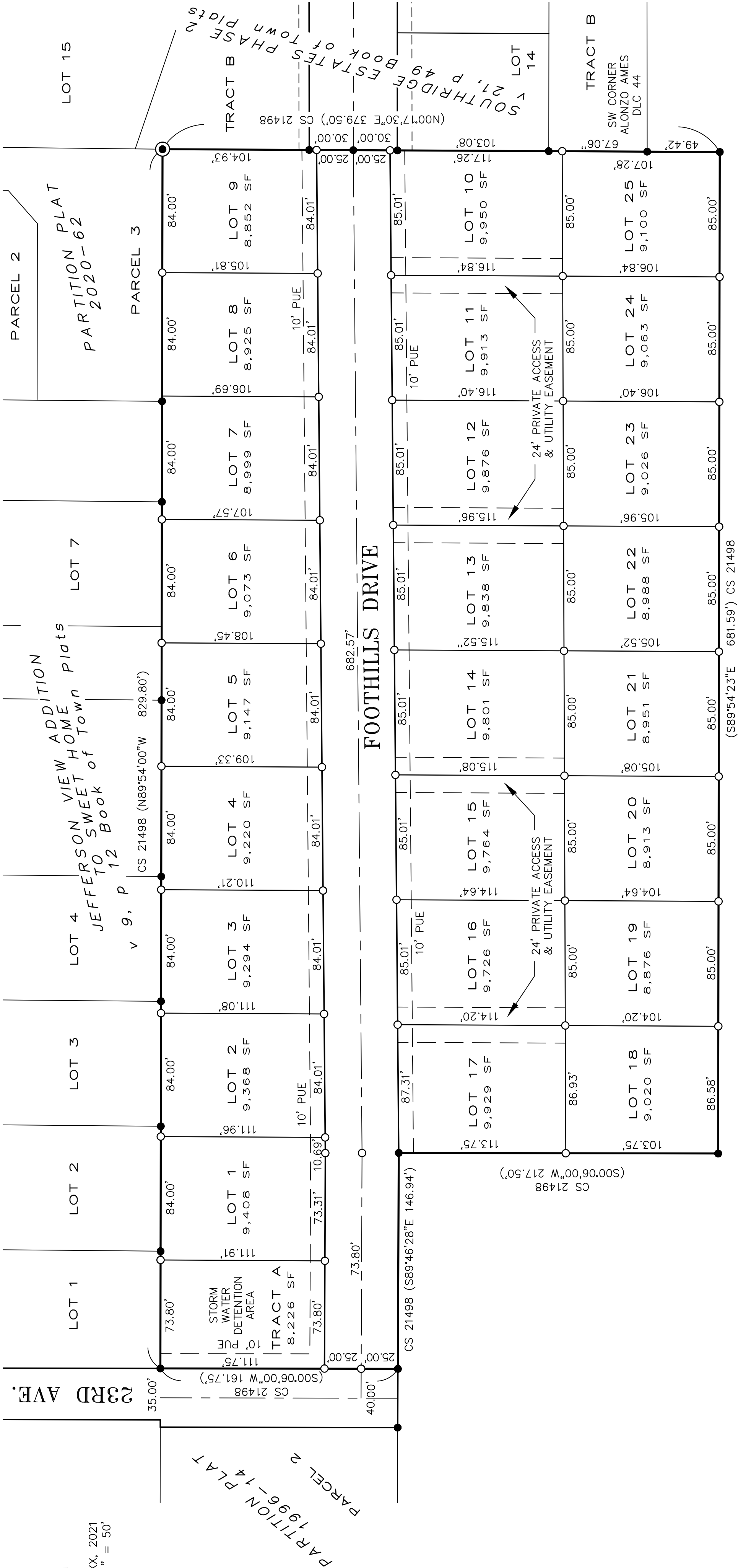


MARCH XX, 2021
SCALE: 1" = 50'

FOOTHILLS RIDGE SUBDIVISION

A Re-Plat of Parcel 2, of Partition 1996-14 to Sweet Home Oregon
NE 1/4-SW 1/4 Section 32, Township 13 South, Range 1 East, Willamette Meridian
Sweet Home, Linn County, Oregon

Property Owners: Saz Yakes



OPTION "B"

SURVEYS USED:

- CS 02390 JEFFERSON VIEW ADDITION BOTP V.9, P.12
- CS 21498 PARTITION PLAT NO. 1996-14
- CS 23209 SOUTHRIDGE ESTATES PHASE 1 BOTP V.21, P.07
- CS 23915 SOUTHRIDGE ESTATES PHASE 2 BOTP V.21, P.49
- CS 26828 PARTITION PLAT NO. 2020-25

INSTRUMENT USED:

- TOPCON GT 500.
- 3" ROBOTIC TOTAL STATION

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 13, 2004
CORBEY BOATWRIGHT
41562

EXPIRES: DEC. 31, 2021

Prepared by:
Bootwright Engineering, Inc.
2613 12th Street SE
Salem, Oregon 97302
(503) 363-9225

I HEREBY CERTIFY THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL
PARTITION PLAT.

CORBEY BOATWRIGHT, PLS 41562

TO: Sweet Home Planning Commission

FROM: Pamela Heberle
730 27th Avenue
Sweet Home, OR 97386

RE: File # SD21-01
Foothills Ridge Subdivision

My concerns about this project are as follows:

Extra traffic that these houses will generate. Will there be an egress on 23rd or will it only be at 27th and Foothills Drive? If there is an egress on 23rd will the street be improved and widened to accommodate the extra traffic. That also brings up the condition of Harding St. Will it be improved also to accommodate the extra traffic?

Why so many houses? One whole row of those will not have direct access to the street. They must pass by the house in front to reach their house/driveway. Where will available parking be for those houses in the back. There is only so much room on the street. It is beginning to look like California cramming houses one on top of the other.

How will emergency vehicles get to those houses in the back? Will there be enough room to get there and turn around? Will they be able to get to the house using 23rd or will they have to come around to enter at 27th and Foothills?

With the extra houses you will get more families with children. Since there will be houses on top of each other where will the children play since there will be little yards. They would have no place to go but the street. As you know kids do not pay attention to traffic.

Respectfully

A handwritten signature in dark ink, appearing to read 'Pamela J Heberle', with a long horizontal flourish extending to the right.

Pamela J Heberle

April 20, 2021

To Community and Economic Development Department office at City Hall in Sweet Home, Oregon,

In July 2004 I purchased my home on the south side of Harding Street in Sweet Home. At that time, I was told by Sweet Home City Hall that the 6+ acre lot adjoining the rear of my property was designated part of a wetland and would never be built on. Since then I have heard from "Old Timers" in town that it was nicknamed "The Swamp."

Approximately three years after my purchase a new subdivision was built on a wetland ¹ "Uphill" from my property. Ever since the back portion of my property floods to levels above my ankles, along with many of my neighbors whose properties also abut the 6+ acre lot proposed for the building of the Foothills Ridge Subdivision. Several times since that construction flooding has reached my house and at least one neighbor has had to use a sump pump to minimize flooding.

There is a "Wetland Drainage Ditch" on the back portion of the south side properties on Harding Street ², which is meant to drain the wetland where the above-mentioned subdivision was built. During the wet season along my 84-foot back section of land there are often 3 tributaries running into this "Wetland Drainage Ditch" which come directly from the 6+ acre lot, and this is now a proposed building site for 25 houses.

I have often walked the 6+ acre lot in the winter months and have found that the standing water goes above my rubber boots. As can be seen in the accompanying map, the soils in this entire area are a variety of Silty Clay Loams and drainage is minimal and slow. On my property I know from experience that the clay layer is approximately 1 foot below the surface.

In October 2017 I had a well dug in my backyard and it was determined that at 140 – 160 feet there are 0.4ppm of arsenic. My well was only safe at approximately 40 feet. I am concerned that increasing the flooding potential and soil compaction with houses and roads could raise the level of the arsenic to the surface.

I believe that building 25 houses on the 6+ acres will increase the flooding on my property. I understand that there are plans for a Water Detention Area but I am certain this will only become a breeding ground for mosquitos, a neighborhood garbage depository, and not have the capacity to handle the large volumes of water sustained in the area for many months every year.

By building houses in that area there will also be damage to the flora and fauna of the area. I have seen many deer with their young, rabbits, and even a fox with young in that field.

In summary, building 25 houses on 6+ acres which used to be designated a wetland will destroy wildlife habitat, increase flooding of many long-time existing homes thus decreasing property values, which in turn will change the character of the neighborhood in a negative manner.

I strongly urge denying the Foothills Ridge Subdivision to be built! If this is to go forward there is a serious need for intensive planning and mitigation!

Sincerely,



Gail Heine

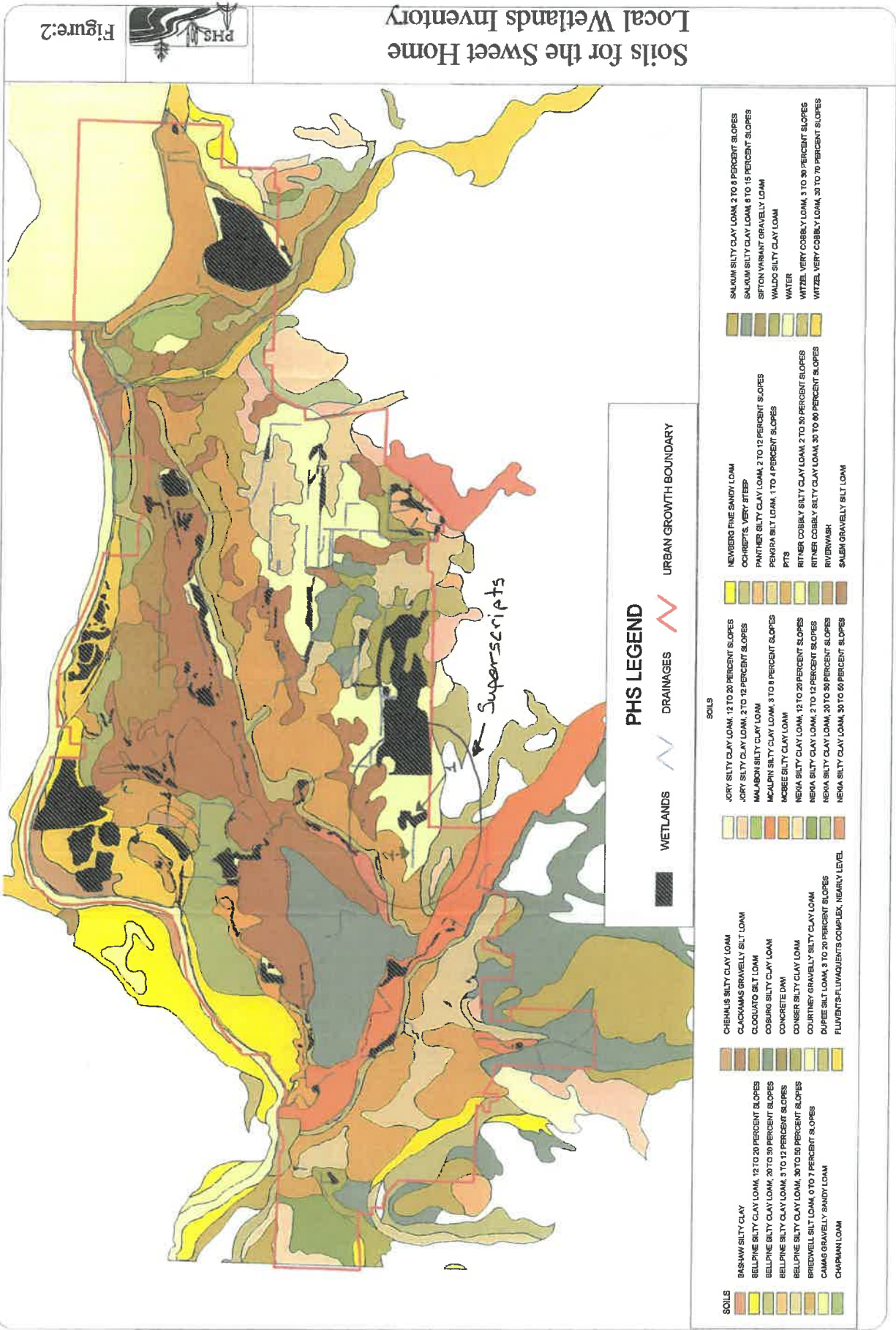


Figure:2



From:
City of Sweet Home Local Wetlands Inventory, page 18
Prepared by: Pacific Habitat Services Inc.
on June 30, 2000

To: City of Sweet Home Planning Commission

From: Chris and Kuuipo Johnson

759 27th Ave

Sweet Home, OR 97386

(541) 619-7040

Proposed Foothills Ridge Subdivision

We would like to express our concerns and opposition in the purposed plans as they stand for the Foothill Ridge Subdivision. There are several concerns, but we would like to focus on three areas: Fire and Life Safety, traffic, and community continuity.

The first issue is with fire and life safety; it is very difficult for an ambulance, let alone a fire engine or truck, to gain access to this new development. The quickest response time for the fire Department is to come down Harding St and turn right onto 23rd Ave or 27th Ave. These roads are extremely narrow and when vehicles are parked on the side of the street, emergency apparatus will be unable to make the turn, thereby slowing their response into the development. I live at the intersection of 27th and Harding St and after 6:00 PM it is nearly impossible for a large vehicle to turn onto 27th Ave. The other issue with this development is the three easements that are only 14 feet wide, which means fire apparatus will have to be parked on Foothills Drive and crews will have to carry their hose lines and equipment down the easement to get to the houses in the back, further delaying their response to a potential rescue or fire suppression.

Our second concern has to do with traffic. With 25 more homes going into this development, traffic is going to increase on the two quickest routes in which would be 23rd Ave and some of the company. As I mentioned before, these two roads and Harding St are difficult to pass vehicles without stopping to let others by. With the increase in traffic on narrow roads, the likelihood for property damage or a child being hit because of poor visibility is a real threat.

Our final concern has to do with community continuity. This development looks nothing like the current Ashwood phase one and two developments and there are no other developments in the area that look like this. Developments with these kinds of easements do not provide nice curb appeal, which in turn diminishes the value of the homes in the area.

We are not opposed to the development of this land, but we are not in favor of the current plans. We thank you for your time and consideration in this matter.

Foothills Ridge Subdivision

We have concerns with the proposed lot density of the approx. 6.5 acre tract for this subdivision. Access to the southernmost lots via easements through north properties would limit the response times of first responders and emergency vehicles. Heaven forbid if there ever was a wild fire on the hillside this would have devastating results. Narrowing Foothills Drive from 60 feet to 50 feet along with all the vehicles owned by home owners as well as vehicles parked along the curb would cause further congestion. Access to this area is also limited by more narrow streets than Foothills Drive.

Housing subdivisions are meant for families, This includes children riding bikes, Skateboards and walking to and from school with added traffic and speeders that come along with that makes this is a very dangerous situation.

We pay some of the highest taxes in the state to live in a quiet rural area like this. We also realize that expansion is good however lets not let the developer of this property be too greedy.

Scott & Colleen Simonson

737 27th Ave.

Sweet Home, Oregon 97386

541-818-8933

To: City of Sweet Home Planning Commission

From: Ron and Linda Walker
2631 Foothills Drive
Sweet Home, OR 97386
Best contact phone: (707)350-3430

Re: SD21-01
Proposed Foothills Ridge Subdivision

CONCERNS:

- 1) Access: Primary Foothills Drive. Currently has 24 homes on its entire length. The proposed development includes the addition of 25 homes which will have to utilize Foothills Drive. At some point a past Planning Commission deemed a 60' width as appropriate. I understand why a 50' street is now acceptable, however, what precludes that conditions may change again and a 60' width again becomes appropriate?
- 2) Egress: 23rd Avenue. Insufficient width for adequate egress with increased traffic created by this development. Additionally, insufficient for sizable vehicles such as fire apparatus, garbage truck, delivery trucks and the like.
- 3) Easements: Interior access to the 8 southernmost lots #18 thru 25 is grossly inadequate and are merely glorified alleyways. *(Please refer to attached photos)* Nowhere in Municipal Code 16.12.035 pertaining to easements is there any description remotely similar to this proposal. Major problems with this proposal: a) Emergency vehicle access and large vehicle access is severely impacted. b) 12' "easement" from each of the front lots creates potential problems with parking of additional vehicles and civil issues between neighbors. The easement reduces the front lots by approximately 14% or 1385 square feet leaving a 73' front line facing Foothills. If section 17.24.040 section B is applied then the front line would face the easement as opposed to Foothills??
- 4) Drainage: This area, and existing adjacent subdivisions have problems with water. Many of the homes in Ashbrook Phase 1 and 2 have sump pumps under their homes and standing water in their yards during rainy season, and the East end of Foothills Drive has a literal stream flowing down the gutters from Hobart Reserve. The "easements" for approximately 1/3 of this proposed development have no provision to get storm water to the proposed Storm Water Detention area of the development because there are no curbs and gutters in the "easements" to get it there! Where is it going to go?
- 5) Population: The addition of 25 homes creates many additional concerns in regards to more people, more kids, more speeding cars, and more traffic. Having a reduction in access, egress, and street size doesn't seem like the right solution. Most of us in the immediate area feel strongly that there are too many proposed parcels and would appreciate a scenario that would be more palatable. Ashbrook Phase 1 and 2 remains one of the nicer neighborhoods in town and its owners enjoy the current ambiance which will be severely impacted.

SUMMARY: I am in favor of expansion and development of our city if done properly for the betterment of the city and its property owners. I feel this proposal needs more thought put into it especially the "easement" situation and compatibility with existing developed subdivisions such as Ashbrook. It would be nice if the developer and commission would reduce this proposal by 2 to 4 lots (or whatever amount

in needed) and create side streets with curb, gutter, sidewalk and adequate drainage such as Jefferson Street west of 27th Avenue. Most likely this would alleviate the concerns of most neighbors.

In short: Just because 25 parcels fit doesn't mean it is functional or the right thing to do. We must be cautious about how we set precedent. I feel that this development isn't consistent with the vision the citizens and City of Sweet Home are trying to create for our future. We can do better!

In advance, I thank you for your consideration of my concerns and those of my neighbors.

R. Walke

04-21-2021









City of Sweet Home

Community and Economic Development Department- Planning Program
3225 Main Street, Sweet Home, OR 97386 541-367-8113

Application for a Land Division

Date Received: _____

Date Complete: _____

File Number: _____

Subdivision/Replat Application Fee : _____

Partition Application Fee : _____

Receipt #: _____

Subdivision/Replat Hearing Date: _____

Applicant's Name:

Savely Kalugin

Applicant's Address:

PO Box 393 Gervais OR 97026

Applicant's Phone and e-mail:

503.899.3243 lmscustomhomesllc@gmail.com

Subject Property Address:

None Assigned Located east of 23rd Street and west of west terminus of Foothills Drive

Subject Property Assessor's Map and Tax Lot:

13S01E32CA04403

Subject Property Size:

6.50 Acres

Subject Property: Zoning Classification

R1

Comprehensive Plan Classification:

Low Density Residential

Application Submittal Requirements

- ☒ 1. For a subdivision or subdivision replat, ten full size copies and one 8½" by 11" copy of a plan shall be submitted with details as per the submittal checklist.
- ☐ 2. For a partition or partition replat, three full size copies and one 8½" by 11" copy of a plan shall be submitted with details as per the submittal checklist.
- ☒ 3. The tentative plan need not be a finished drawing, but it shall show all pertinent information to scale.
- ☐ 4. Where the land to be subdivided contains only part of the tract owned or controlled by the subdivider, a sketch is required of a tentative layout for streets and utilities in the unsubdivided portion indicating connections to existing or future improvements.

Additional Submittal Requirements

The submittal checklist is a part of this application. It lists the required items that must be submitted with this application and the Criteria the request must meet. Please address all items that apply to this request.

I certify that the statements contained on this application, along with the submitted materials, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature: _____

Date: 3/26/2021

Property Owner's Signature: _____

Saz Yakis

Date: 3/26/2021

Within 30 days following the filing of this application, the City Planner will make a determination of completeness regarding the application. If deemed complete, the application will be processed.

SHMC 16.16.025 APPLICATION REQUIREMENTS

The following information shall be submitted upon application for a land division.

- ☒ 1. All existing subdivisions, streets and property lines of the land immediately adjoining the proposed subdivision.
- ☒ 2. All existing streets between the subject property and the nearest existing arterial or collector streets.
- ☒ 3. The name of the owners of all land immediately adjoining the proposed subdivision.
- ☒ 4. How streets and alleys in the proposed subdivision may connect with existing or proposed streets and alleys in neighborhood.
- ☒ 5. The name, if any, of the land division. The subdivision name must not duplicate or resemble the name of another subdivision in Linn County and shall be subject to approval by the Linn County Surveyor. Pre-approval of the subdivision name by Linn County Surveyor's Office is recommended.
- ☒ 6. Date of the original submittal and of any subsequent revisions.
- ☒ 7. North arrow.
- ☒ 8. Scale of drawing.
- ☒ 9. Names and addresses of owner or owners, subdivider, surveyor, and design engineer if applicable.
- ☒ 10. The location, widths and names of all existing or platted streets or other public ways within or directly adjacent to the tract of railroad right-of-way, city boundaries, and other important features.
- ☒ 11. The location on the site and in the adjoining streets or property for the following existing and proposed items:
 - ☒ a. Sewers and water mains and private services.
 - ☒ b. Invert elevations of sewers at points of proposed connections or adjacent manholes must also be shown.
 - ☒ c. Culverts.
 - ☒ d. Ditches and drain pipes.
 - ☒ e. Electric, gas and telephone conduits.
- ☒ 12. Contour lines having the following minimum intervals:
 - ☒ a. One foot contour intervals for ground slopes less than 5%.
 - ☐ b. Two foot contour intervals for ground slopes between 5% and 10%.
 - ☐ c. Five foot contour levels for ground slopes exceeding 10%.
 - ☒ d. The elevations of all control points which are used to determine the contours.
- ☐ 13. Geo-tech reports as needed.
- ☐ 14. Location and elevation of properties within the 100-year flood plain and other areas subject to flooding or ponding and areas subject to inundation from storm water overflow with approximate high water elevation.
- ☐ 15. Location, width, direction and rate of flow at peak discharge of all water ways.
- ☐ 16. Location of any wetlands identified on the City of Sweet Home Local Wetlands Inventory, locally known, or identified by some other means.
- ☐ 17. Location of any required riparian zone identified by Sweet Home Municipal Code Chapter 17.72.
- ☐ 18. Properties in the natural resource zone, must show natural features, such as rock outcroppings, wooded areas and preservable trees over 12 inches in diameter measured at 4½ feet from the ground.
- ☒ 19. Existing uses of the property and adjacent property within 100 feet including location of all existing structures to remain on the property.
- ☒ 20. Known structures, landmarks, sites and areas of cultural, historic or archaeological significance.
 - ☐ a. The City of Sweet Home historic sites listing and the State Historic Preservation Office shall be consulted if a historic site is identified.
 - ☐ b. Sweet Home Municipal Code Title 15 rules for historic structures must be addressed.
- ☒ 21. Zoning on and adjacent to the subject property.

- ☒ 22. For all proposed streets, the following information must be shown:

- | | | |
|---|--|---|
| ☒ a. Location | ☐ e. Beauty strip | ☒ i. Fire hydrants |
| ☒ b. Right-of-way width | ☒ f. Proposed name | ☒ j. Street lights |
| ☒ c. Curb to curb width | ☒ g. Grade | ☐ k. Stop signs |
| ☒ d. Sidewalks | ☒ h. Approximate radii or curves | ☐ l. Location of post office boxes |

☒ 23. The tentative plan shall be drawn to a standard engineer's scale where 1 inch equals 20 feet to 100 feet.

☐ 24. Proposed signage.

☐ 25. Proposed perimeter fencing.

☒ 26. The relationship of all proposed streets to any existing or approved streets and proposed future streets in the transportation system plan.

☒ 27. Existing and proposed easements on the site, including the width and the purpose of the easements.

☒ 28. Existing easements on adjoining properties, including the width and purpose of the easements.

☒ 29. Information on the proposed lots must include the following:

☒ a. The location of each lot.
☒ b. The dimensions and square footage of each lot
☒ c. Lot, block, tract, or parcel numbers.

☒ 30. Proposed uses for each lot.

☒ 31. Land to be deeded or dedicated for public purposes.

☒ 32. Statement indicating whether the property has an existing water right or permit. If so, the Certificate or permit number must be listed.

☐ 33. ODOT Rail approval for any proposed crossing or development within 300' of the railroad right-of-way.

☒ 34. The following additional information must be submitted with the tentative plan:

☒	a. Total acreage of the parcel to be subdivided.	
☒	b. The percent of land dedicated to the public, not including easements.	
☒	c. All public improvements proposed to be installed, including:	
	1) The approximate timing of installation	2) The method of financing
☐	d. Special improvements to be made by the developer and the approximate timing of such improvements are to be complete. Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of these regulations, State laws and other applicable city ordinances	

☐ 35. Proposed services or other listed items may be on a separate map for clarity.

SHMC 16.16.040 LAND DIVISION REVIEW CRITERIA.

Approval of tentative plans will be granted if the city finds that the proposal substantially conforms to the applicable provisions of Sweet Home Municipal Code Titles 16 and 17 and the comprehensive plan. The following criteria apply:

☐ A. The information required by this chapter has been provided.

☐ B. The design and development standards of Sweet Home Municipal Code, Titles 16 and 17 and the comprehensive plan, have been met where applicable.

☐ C. Development of any remainder of the property under the same ownership can be accomplished in accordance with this code.

☐ D. Adjoining land can be developed or is provided access that will allow its development in accordance with all applicable city codes.

☐ E. The proposed street plan provides for the circulation of traffic and meets the street design standards of this title.

- ☐ F. The location and design allows development to be conveniently served by public utilities.
- ☐ G. Any special features of the site, including topography, floodplains, wetlands, vegetation, or historic sites, have been adequately considered, and protected if required by city, state or federal law.
- ☐ H. If the tentative plan provides for development in more than one phase, the Planning Commission must make findings and conclusions that such phasing is necessary due to the nature of the development.
- ☐ I. An application for residential development can be denied based on a lack of school capacity if: residentially zoned property.

**Application for a Land
Division**

SHMC 16.16.025 APPLICATION REQUIREMENTS

Additional Information is provided below for those items requiring clarification or more detailed explanation.

2. All existing streets between the subject property and the nearest existing arterial or collector streets.
Shown on EXHIBIT A, attached.
5. The name, if any, of the land division. The subdivision name must not duplicate or resemble the name of another subdivision in Linn County and shall be subject to approval by the Linn County Surveyor. Pre-approval of the subdivision name by Linn County Surveyor's Office is recommended.
EXHIBIT B- Request for name submitted to Linn County Surveyor's Office, attached.
10. The location, widths and names of all existing or platted streets or other public ways within or directly adjacent to the tract of railroad right-of-way, city boundaries, and other important features.
City Boundary shown on EXHIBIT A, attached.
11. The location on the site and in the adjoining streets or property for the following existing and proposed items:
 - e. Electric, gas and telephone conduits.
Electrical vault located on the south side of Foothills Drive, 2 lots east of applicant's property, at 27th Avenue. Expect gas and telephone to be in common trench with power. Applicant assumes those utilities have been extended to east edge of applicant's property. Power and telephone are overhead on 23rd Avenue with the last pole about 30' north of the applicant's property. Gas is shown on as-builts to be within about 60' of the applicant's property.
13. Geo-tech reports as needed.
A geo-tech report is not needed.
14. Location and elevation of properties within the 100-year flood plain and other areas subject to flooding or ponding and areas subject to inundation from storm water overflow with approximate high water elevation.
No part of the property is within a 100-yr flood plain.
15. Location, width, direction and rate of flow at peak discharge of all water ways.
No water ways are located within or adjacent to the property.
16. Location of any wetlands identified on the City of Sweet Home Local Wetlands Inventory, locally known, or identified by some other means.
No wetlands are identified on the applicant's property. Shown on EXHIBIT D, attached.
17. Location of any required riparian zone identified by Sweet Home Municipal Code Chapter 17.72.
No required riparian zone located on applicant's property. Shown on EXHIBIT D, attached.
18. Properties in the natural resource zone, must show natural features, such as rock outcroppings, wooded areas and preservable trees over 12 inches in diameter measured at 4½ feet from the ground.
Property is not in a natural resource zone. Shown on EXHIBIT E, attached.

20. Known structures, landmarks, sites and areas of cultural, historic or archaeological significance.
- The City of Sweet Home historic sites listing and the State Historic Preservation Office shall be consulted if a historic site is identified.
 - Sweet Home Municipal Code Title 15 rules for historic structures must be addressed.
Applicant does not know of any cultural, historic, or archaeological resources on site. No structures are on site.
21. Zoning on and adjacent to the subject property.
Zoning of subject property and all adjacent properties is R1. Shown on EXHIBIT E, attached.
22. For all proposed streets, the following information must be shown:
- Beauty strip
Not provided; sidewalks adjacent to curb.
 - Stop signs
Not provided. Sign at 23rd street intersection will be provided, if required.
 - Location of post office
Not determined at this time.
24. Proposed signage.
None proposed.
25. Proposed perimeter fencing.
None proposed.
30. Proposed uses for each lot.
Lots 1 through 25 are for single family residences. Tract A is for storm water detention.
31. Land to be deeded or dedicated for public purposes.
Tract A will be dedicated to the City of Sweet Home for storm water detention.
32. Statement indicating whether the property has an existing water right or permit. If so, the Certificate or permit number must be listed.
The property has no water right Certificates or permits. Shown on EXHIBIT C, attached.
33. ODOT Rail approval for any proposed crossing or development within 300' of the railroad right-of-way.
The property is not within 300 feet of a railroad right-of-way.
34. The following additional information must be submitted with the tentative plan:

6.49	a. Total acreage of the parcel to be subdivided.	
2.9%	b. The percent of land dedicated to the public, not including easements.	
c. All public improvements proposed to be installed, including:		All public street improvements and public utilities. <i>(Private utilities will also be installed.)</i>
1) The approximate timing of installation: 2021		2) The method of financing: Private financing
d. Special improvements to be made by the developer and the approximate timing of such improvements are to be complete. Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of these regulations, State laws and other applicable city ordinances.		None proposed

FOR ASSESSMENT AND
TAXATION ONLY

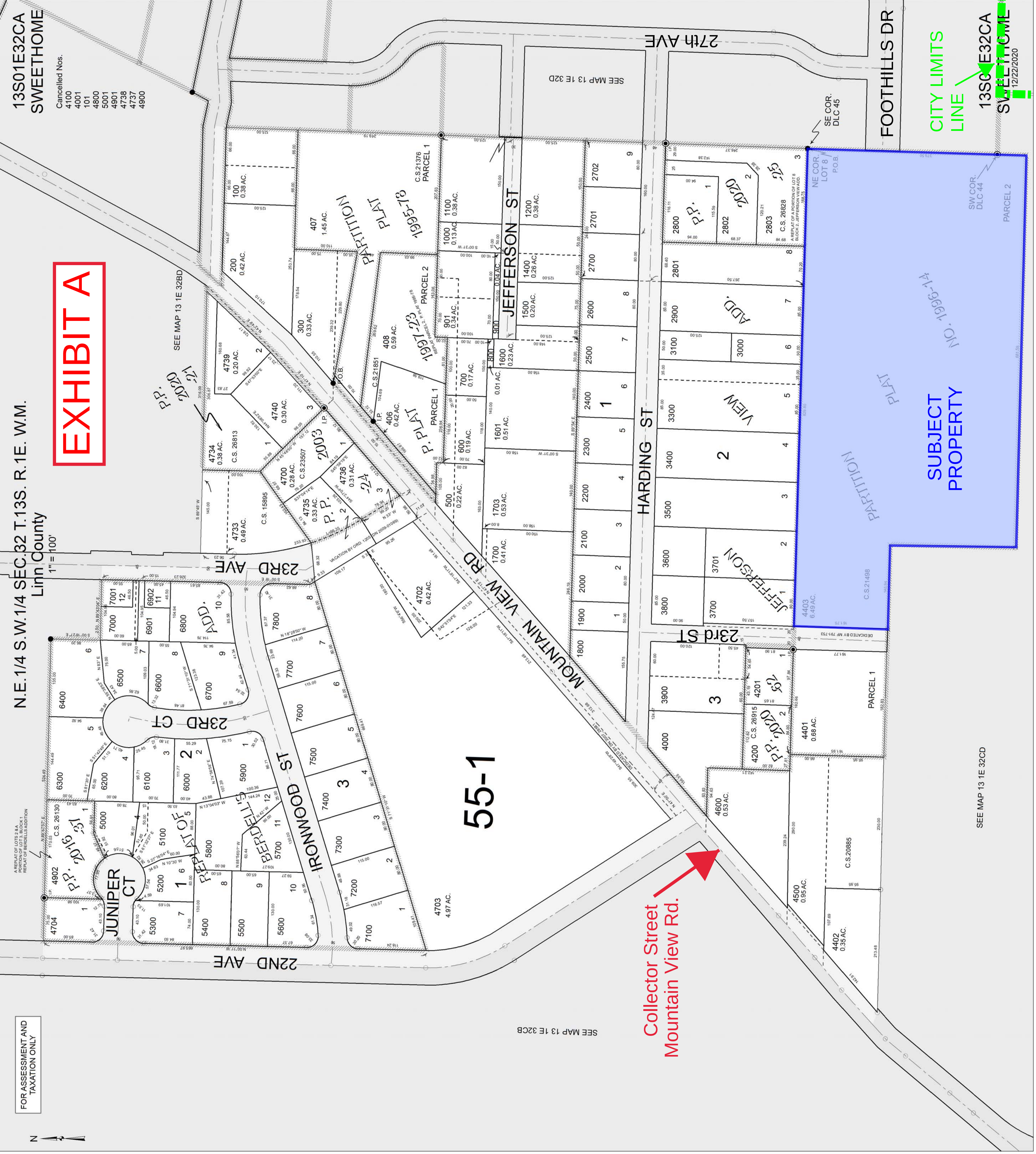
N.E. 1/4 S.W. 1/4 SEC. 32 T.13S. R.1E. W.M.
Linn County
1" = 100'

EXHIBIT A

13S01E32CA
SWEETHOME

Cancelled Nos.

- 4100
- 4001
- 101
- 4800
- 5001
- 4901
- 4738
- 4737
- 4900



SEE MAP 13 1E 32CD

SUBJECT
PROPERTY

CITY LIMITS
LINE

13S01E32CA
SWEETHOME
12/22/2020

LINN COUNTY
SURVEYOR'S OFFICE

EXHIBIT B

SUBDIVISION PLAT NAMING

I request that the Linn County Surveyor's Office reserve the following subdivision name:

PROPOSED NAME OF SUBDIVISION:	Foothills Ridge
MAP AND TAX LOT NUMBER:	MAP: 13S01E32CA TL: 4403
CITY JURISDICTION (Which City?) OR COUNTY JURISDICTION:	Sweet Home
SURVEYOR'S NAME:	Corbey Boatwright, PLS
OWNER'S NAME:	Saz Yakis

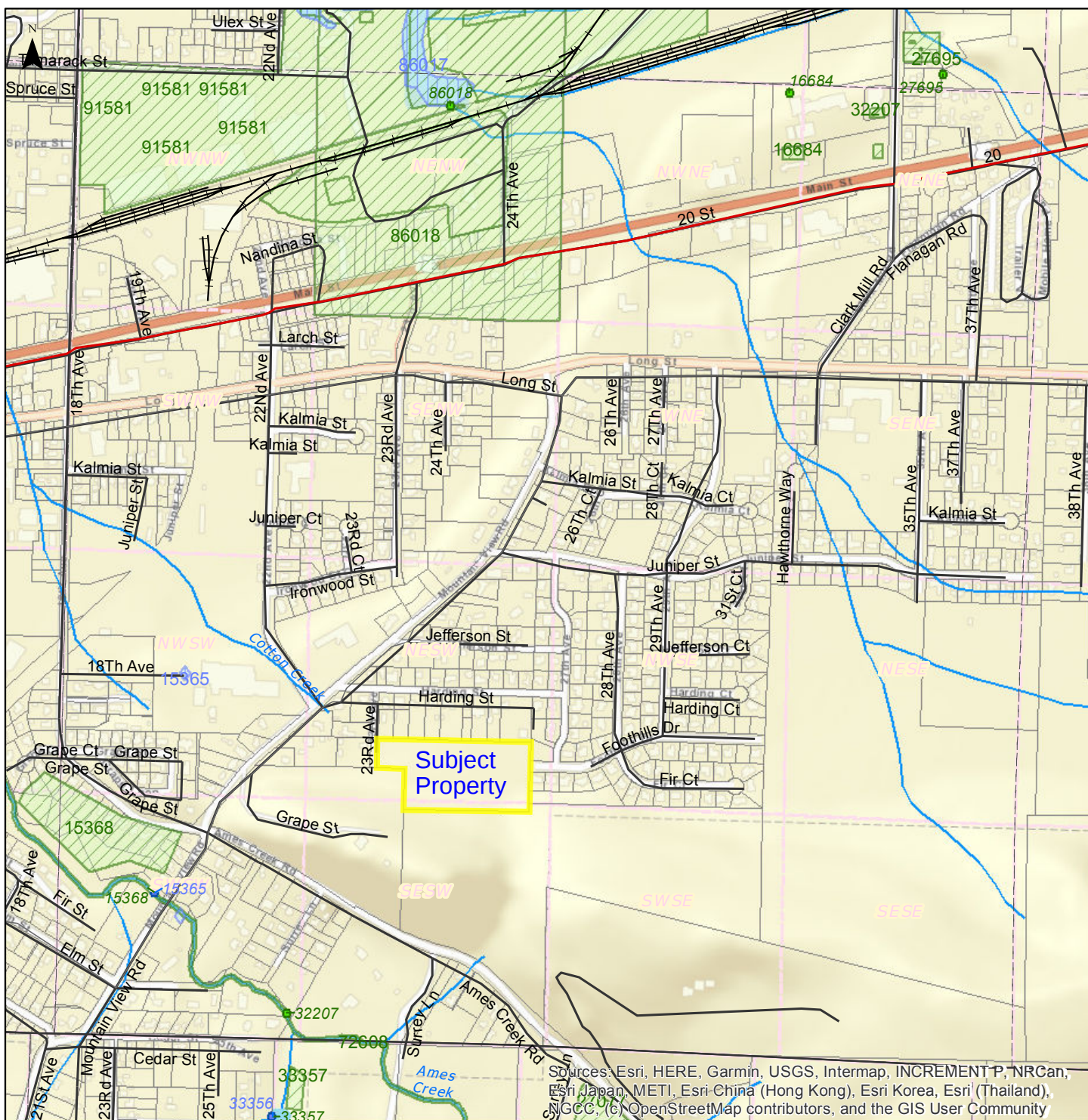
I understand that if the name is not used within one year, it will be automatically canceled.

Name of person reserving name: Corbey Boatwright, PLS
Address: Boatwright Engineering, Inc. 2613 12th Street SE Salem OR
Telephone number: 503.363.9225 Fax number: 503.363.1051 (prefer email)
corbey@boatwrightengr.com

Signature:  Date: March 22, 2021

Name approved Date
Linn County Surveyor's Office

92.090 Approval of subdivision plat names; requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or, in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot numbers and, if used, the block numbers of the subdivision plat of the same name last filed. On or after January 1, 1992, any subdivision submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

0 1,000 Feet

Legend

Points of Diversion Places of Use

● 75030

● 24883

● 24883

75030

24883

24883

Storage water

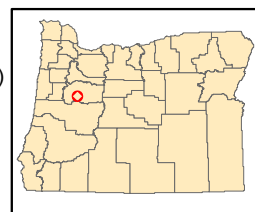
Surface water

Ground water

◆ Water Rights - Outline to be determined. (Applies to all colors)

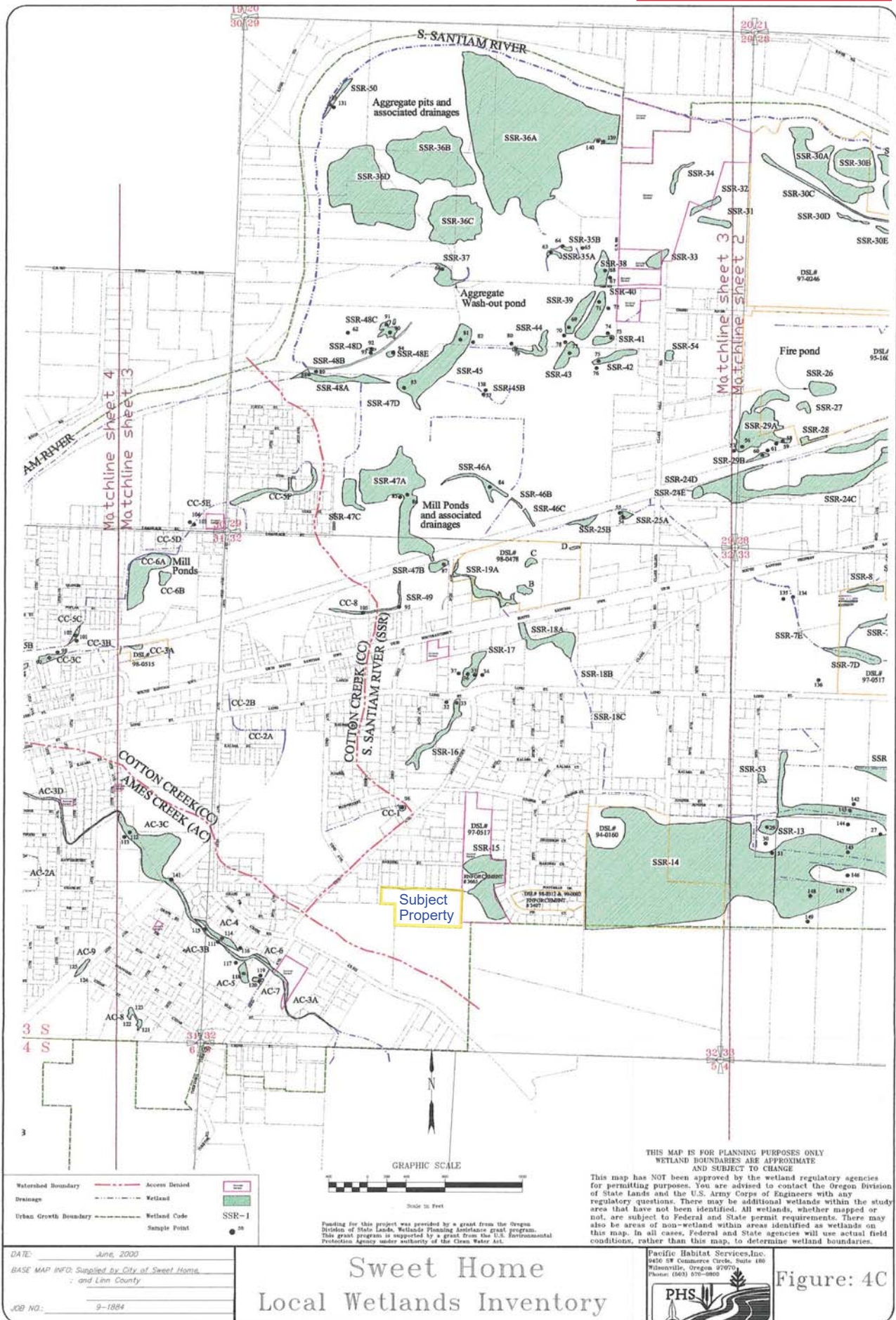
Water right labels indicate certificate number or permit letter(s) and number. Municipal uses excluded.

Index Map

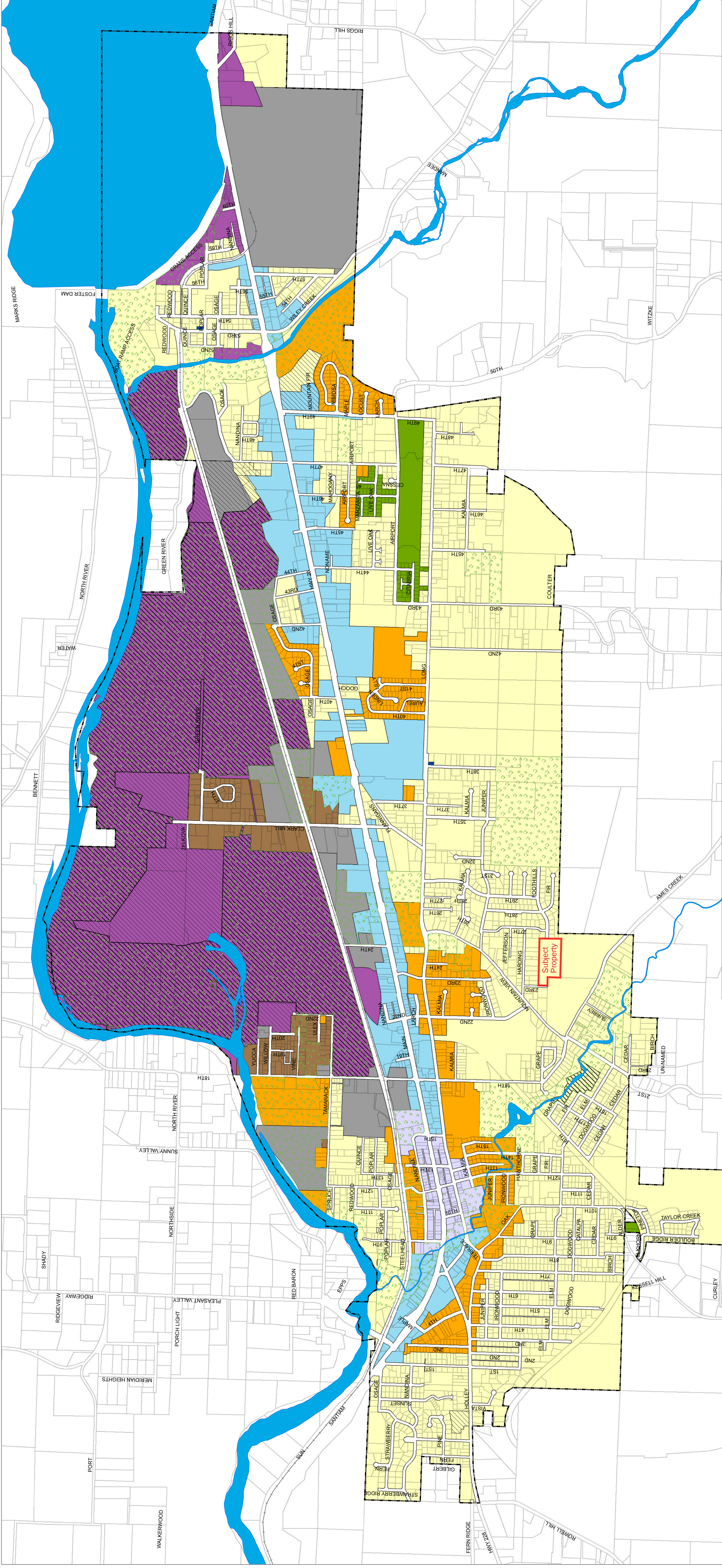


For more information:
<http://www.wrd.state.or.us> and
<http://apps.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informational purposes only. It is not intended for legal, engineering or surveying purposes. Municipal rights are not included on this map.



Sweet Home Zoning



Official Zoning Map

Adopted September 23, 2003
By Ordinance Number 1152
Updated by Later Zoning Ordinances

0 0.5 1 Miles
1 inch equals 0.16 miles

Zoning Ordinances

Ord.	Date	Ord.	Date
906	09-13-83	1089	09-10-96
912	01-10-84	1110	07-22-97
923	06-26-84	1114	12-09-97
933	06-11-85	1115	02-10-98
937	01-14-86	1118	09-08-98
1011	02-27-90	1123	03-09-99
1044	05-12-92	1152	09-23-03
1055	01-26-93	1162	06-22-04
1060	06-22-93	1169	03-22-05
1069	04-26-94	1178	01-10-06
1080	11-08-94	1181	03-14-06
1081	12-13-94	1192	07-24-07
1083	06-19-96	1193	09-11-07
1099	09-10-96	1197	12-11-07
1102	04-22-97	1200	05-27-08
1105	05-27-97	1206	12-25-08

Legend

Zoning

C1 (Central Commercial)
C2 (Highway Commercial)
C3 (Neighborhood Commercial)
M (Industrial)
R1 (Low Density Residential)
R2 (High Density Residential)
R3 (Medium Density Residential)
RC (Recreation Commercial)
RMT (Residential Industrial Transition)

Overlay Zones

Natural Resources
Natural Resources/Planned Development
Planned Development
City Limits
Taxlots
Lakes, Rivers, Streams
Railway