Coulter Subdivision

A Low-Density Residential Phased Land Division Application and

A Property Line Adjustment Application

Submitted to



The City of Sweet Home Community and Economic Development Department Planning Program

3225 Main Street Sweet Home, OR 97386

Prepared by



MCH Project Strategies, LLC

806 NW Buchanan Ave. #102 Corvallis, Oregon 97330



245 NE Conifer Boulevard, P.O. Box 1211 Corvallis, Oregon 97339-1211

for

and

Cordle Construction LLC

38747 Scravel Hill Road Albany, Oregon 97322

Narrative
Application Graphics (Exhibits)

08 DECEMBER 2023

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Subdivision Name Request Wetland Delineation Report (excluding appendix) Draft PLA Legal Descriptions

PART I – SUMMARY

This application proposes a sequenced property line adjustment and a phased subdivision. The applicant, Cordle Construction LLC (Cordle), is also the owner of both parcels of land, tax lots 2800 and 3502 map 13S01E33D, included in these applications. Cordle also owns tax lots 3600 and 3602 which are covered by roadway easements for the extensions of 45th Avenue and 46th Avenue, respectively, to the south and thus serving tax lots 2800 and 3502. When required to complete the phased street connectivity proposed herein tax lots 3600 and 3602 will be dedicated separately to the City for street right-of-way.

The first action is the Property Line Adjustment (PLA). The PLA creates an adjusted property line between tax lots 2800 and 3502 which aligns with the common boundary of subdivision phases 2 and 3.

The second action will be the subdivision of tax lots 2800 and 3502 to R-1 (low-density residential) standards. The applicant is requesting tentative plat approval of each phase. Phase I includes 41 residential lots and 1 storm water tract. Phase 2 includes 43 residential lots and 1 storm water tract. Phase 3 include 46 residential and 2 storm water tracts. Phase 4 includes 27 residential lots. Final plat approval would occur as each phase is developed.

Part I of this application is a brief overview of the applicant's forms. Part II includes the annotated application submittal checklists for subdivision and property line adjustment. Part III addresses the property line code standards. Part IV addresses the subdivision and general code standards for a land division. Part V addresses the R-1, low-density zone standards as they relate to the PLA and Coulter Subdivision. Part VI addresses multiple code sections as those sections relate to these applications. Part VII contains exhibits prepared in support of these applications.

END OF PART I

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

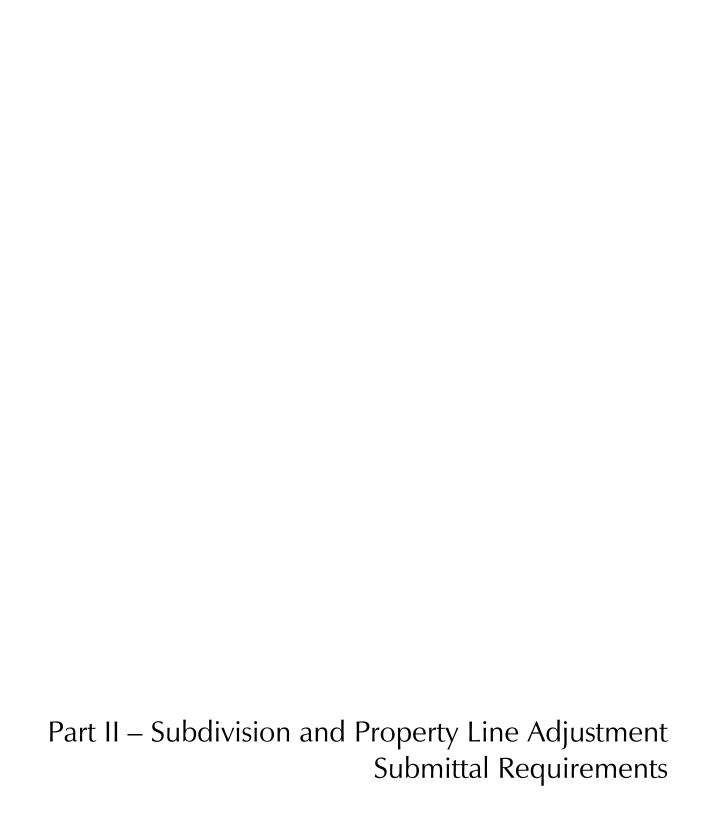
	Adjustment	Land U	Ise Application		
0					
_	Annexation	Mary Marie 18 1 18 1 1	Date Received:		
_	Conditional Use	an Map Amendment	Date Complete:		
0			Application Fee:		
_	Home Occupation				
_	Interpretations			Receipt #:	
100	Partition		Planning Commiss	ion nearing Date:	
			City Cou	ncil Hearing Date:	
	Property Line Adjus	tment	Within 30 days following the filing of this application, the Planning Department will make a determination of		
_	Site Development F	Review			
	Subdivisions and P	lanned Developments	completeness regard	nent will make a determination of	
3.65	l ext Amendments		complete the applica	ing the application. If deemed tion will be processed.	
21-	- randiloc		ospiete, the applica	uon will be processed.	
☐ Zone Map Amendment					
App	olicant's Name:	Ē	Applicant's Phone Num	ber:	
-	licant's Address:	,	541-409-4290	RESERVED	
	7 Scravel Hill Rd., Albany, OR 9732	2	Applicant's Email Addre	988:	
Ow	perty A ner's Name:		Property B Owner's Name:		
-	e Construction LLC		Cordie Construction LLC		
	ner's Address:		Owner's Address:		
	Scravel Hill Rd., Albany, OR 9732		38747 Scravel Hill Rd., Alberry, OR 9732	2	
541-4	ner's Phone Number		Owner's Phone Number: 541-409-4290 Owner's Email: mindyrcorde@gmeil.com		
	ner's Email:	100			
Prop	erty Address:		Property Address:		
Asse	essor's Map and Tax	Lot:	Assessor's Map and Tax	v Lot:	
1028X7V	erty Size Before:	Down to Oi to	13S01E33D; 3502	LOL.	
19,466	ac	Property Size After:	Property Size Before: 21.57 ac	Property Size After:	
R-1	g Classification:	Comprehensive Plan:	Zoning Classification:	Comprehensive Plan:	
Varra	re of Applicant's Ritive describing the properties of the properti	proposed land use action: Brief	description on this form and a		
ertify to	hat the statements conta ge and belief.	ined on this application, along with the	submitted materials, are in all respect	s true and are correct to the best of my	
1	Cant's Signature:	Con	Date: 17 -1	1-73	
Property Owner's Signature: Date 12-11-72			-72		
Property Owner's Signature:			Date		
rope	Property Owner's Signature:		Date		

Land Use Application Checklist: All applicable sections of the Land Use Application have been filled in. The Land Use Application has been signed and dated by all applicable parties. I have received the applicable criteria for the Land Use Action that I am applying for. □ Appendix A: Adjustments Chapter 17.100 Adjustments; and Applicable Zoning Criteria □ Chapter 17.124 Type II Applications and Review Procedures (optional) □ Appendix B: Annexations Chapter 17.118 Annexations; and Applicable Zoning Criteria □ Chapter 17.128 Type IV Applications and Review Procedures (optional) □ Appendix C: Comprehensive Plan Map Amendment Chapter 17.112 Comprehensive Plan Map Amendment; and Applicable Zoning Criteria □ Chapter 17.128 Type IV Applications and Review Procedures (optional) □ Appendix D: Conditional Use Chapter 17.104 Conditional Use; and Applicable Zoning Criteria 2019 OR Structural Building Code, Section 419, Live/Work Units (if applicable). □ Chapter 17.126 Type III Applications and Review Procedures (optional) □ Appendix E: Home Occupation Chapter 17.94 Home Occupation; and □ Chapter 17.68 Home Occupations Applicable Zoning Criteria; and 2019 OR Structural Building Code, Section 419, Live/Work Units Chapter 17.122 Type I Application and Review Procedures (optional) ■ Appendix D: Conditional Use (if applicable) □ Appendix F: Interpretations Chapter 17.96 Interpretations; and Applicable Zoning Criteria □ Chapter 17.122 Type I Application and Review Procedures (optional) ■ Appendix G: Nonconforming Uses Chapter 17.108 Nonconforming Uses; and Applicable Zoning Criteria □ Chapter 17.126 Type III Applications and Review Procedures (optional) ■ Appendix H: Partitions □ Chapter 17.98 Partitions Applicable Zoning Criteria □ Chapter 17.124 Type II Applications and Review Procedures (optional) Appendix I: Property Line Adjustment ☑ Chapter 17.92 Property Line Adjustment Applicable Zoning Criteria

Land Use Application Form (October 2022)

☑ Chapter 17.122 Type I Application and Review Procedures (optional)

Ap	pendix J: Site Development Review			
	Chapter 17.102 Site Development Review			
	Applicable Zoning Criteria			
	Chapter 17.126 Type III Applications and Review Procedures (optional)			
Ap	pendix K: Subdivisions and Planned Developments			
	Chapter 17.110 Subdivisions and Planned Developments			
	Applicable Zoning Criteria			
Ø	Chapter 17.126 Type III Applications and Review Procedures (optional)			
Ap	pendix L: Text Amendments			
	Chapter 17.116 Text Amendments			
	Applicable Corresponding Chapter			
	Chapter 17.128 Type IV Applications and Review Procedures (optional)			
Ap	pendix M: Variance			
	Chapter 17,106 Variance			
	Applicable Zoning Criteria			
	Chapter 17.126 Type III Applications and Review Procedures (optional)			
Appendix N: Zone Map Amendment				
	Chapter 17.114 Zone Map Amendment			
	Applicable Zoning Criteria			
	Chapter 17.128 Type IV Applications and Review Procedures (optional)			
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City of Sweet Home

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

APPENDIX K

SUBDIVISIONS AND PLANNED DEVELOPMENTS

All Subdivisions and Planned Developments (PD) shall conform to all applicable standards of the underlying zone, as well as the development standards and other provisions of this Development Code unless otherwise modified by provisions in this Section. [SHMC 17.110.010]

Preliminary plats for Subdivisions and Planned Developments shall be reviewed in accordance with the Type III review procedures in Chapter 17.126. [SHMC 17.110.020]

An application for a Subdivision or Planned Development shall be filed with The City and accompanied by the appropriate fee. Notice shall be subject to the provisions in Chapter 17.126. [SHMC 17.110.030]

SHMC 17.110.040 SUBMITTAL REQUIREMENTS

The applicant is required to submit a summary for each of the following applicable criteria and submit the summary as a narrative with the Land Use Application. (Attach extra sheets, if needed)

The following submittal requirements shall apply to all Preliminary Plat applications for subdivisions or Planned Development.

- A. All applications shall be submitted on forms provided by The City along with the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria.
- B. Applicants for subdivisions shall submit one 11" x 17" copy of the preliminary plan along with one digital copy. The preliminary plan shall include the following:
 - 1. General Information. The following general information shall be shown on the tentative plan:
 - Vicinity map showing all streets, property lines and other pertinent data to locate the proposal.
 - North arrow and scale of drawing.
 - ☐ Tax map and tax lot number or tax account of the subject property.
 - Dimensions and size in square feet or acres of the subject property and of all proposed parcels.
 - ☑ Name of the Subdivision or Planned Development.

2. Existing Conditions:

- ☑ Location of all existing easements within the property.
- ☑ Location of City utilities (water, sanitary sewer, storm drainage) within or adjacent to the property proposed for use to serve the development.
- ☑ The location and direction of water courses or drainage swales on the subject property.
- ☑ Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.
- ☑ Direction of drainage and approximate grade of abutting streets.
- Proposed streets, approximate grade, and radius of curves.
- NA Any other legal access to the subdivision other than a public street.

		Ø	Contour lines related to an established benchmark on City datum, having the following minimum intervals: ☐ Areas with less than 5% slope: One-foot contours. ☐ Areas with slope between 5% and 10%: Two-foot contours. ☐ Areas with slope greater than 10%: Five-foot contours.
	3.	© © N <u>t</u> A	Locations, approximate dimensions and area in square feet of all proposed lots. All lots shall be numbered consecutively. Location, width and purpose of any proposed easements. All areas to be offered for public dedication. If any portion of the property is not proposed to be included in the subdivision or any public dedication, that portion shall be identified as a remnant parcel. A draft subdivision or development plan shall be included showing how the proposed subdivision will provide needed access and utilities to serve future development of the remnant parcel. Proposed phasing.
NØA	ар — — — —	plica Pro par suc De- bui Arc The to b Ca Lar Sta	owing supplemental information shall be required for all Planned Development Preliminary Plan tions: sposed uses on the property, including sites, if any, for attached dwelling units, recreational facilities, ks and playgrounds or other public or semi-public uses, with the purpose, condition and limitations of the reservations clearly indicated. signation of the location of the building pads, or areas, or setback lines or setback standards for all idings to be constructed. chitectural renderings of the proposed residential and commercial buildings and structures. chaptroximate location and dimensions of all commercial, mixed-use, or multi-family structures proposed be located on the site. culations justifying the proposed density of development as required by Chapter 17.60. adscaping plan indicating location of existing vegetation and proposed improvements. Itement of improvements to be made or installed including streets, sidewalks, bikeways, trails, lighting, a planting, landscaping, and time such improvements are to be made or completed.
	☑ <u>Al</u> —	cor	tten statement outlining proposals for ownership and maintenance of all open space areas and any nmonly owned facilities. In space areas, pedestrian and bicycle facilities shall be owned and maintained by a property owners' association.
D.			ach subdivision parcel satisfy the dimensional standards of the applicable zone? Explain: ee Narrative Part V and Series 'E' Exhibits.
E.			subdivision parcels meet the Development Standards for Land Division of Chapter 17.58? Explain: arrative Part IV.

E	Are adequate public facilities, including access, available to serve the existing and newly created parcels? Explain: Yes, see Narrative Parts IV, VI, and 'F' Series Exhibits.
. <i>F</i>	Approval of a Planned Development shall require compliance with the following:
	 Explain how the Planned Development conforms with provisions of Chapter 17.60 (Purpose Statemer and Chapter 17.110 (Objectives of this Chapter). Not applicable.



City of Sweet Home

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

APPENDIX I

PROPERTY LINE ADJUSTAMENTS

A Property Line Adjustment is a change to a property boundary that only extinguishes property lines or modifies existing lots or parcels and does not create a new parcel of land. This may include the elimination of property boundaries to consolidate lots or parcels. [SHMC 17.92.010]

A Property Line Adjustment application shall be reviewed in accordance with the Type I review procedures specified in Chapter 17.122. [SHMC 17.92.020]

An application for a Property Line Adjustment shall be filed with The City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Chapter. Notice shall be subject to the provisions in Chapter 17.122. [SHMC 17.92.030]

SHMC 17.92.040 SUBMITTAL REQUIREMENTS

The applicant is required to submit a summary for each of the following applicable criteria and submit the summary as a narrative with the Land Use Application. (Attach extra sheets, if needed)

A.	The following information and material must be submitted by the applicant: ☐ The application signed by the owners of all lots of record affected by the application.
B.	 In addition, the following information shall be submitted by the applicant: ☑ Copies of the officially recorded title transfer instrument (deed, warranty deed, or contract) that shows the legal description for the affected parcels. Appendix ☑ Plan, map or other document showing the properties before and after the adjustment. Exhibit 'E' ☑ A written statement which explains the applicants' reasons for adjusting the boundaries and demonstrating that the adjustment conforms to City land use regulations of the applicable zone. Narrative Part III
C.	The written statement explaining the applicants' reasons for adjusting the boundaries and demonstrating that the adjustment conforms to City land use regulations of the applicable zone. Narrative Parts I and III.
D.	Creation or vacation of a parcel requires approval of a land division. Does property line adjustment create or vacate a parcel?
E.	The applicant shall address that all lots or parcels comply with the area and dimension standards of the applicable zone. For existing non-conforming lots or parcels, the adjustment shall not increase the degree of non-conformance of the subject property or surrounding properties. Narrative Part V.

F.	If there are existing structures on the lots or parcels, the applicant shall address how the boundary adjustment shall not reduce required setbacks or place a boundary beneath a structure.				
	No existing structures on the properties.				



PART III - PROPERTY LINE ADJUSTMENT STANDARDS

17.92.010 APPLICABILITY

A Property Line Adjustment is a change to a property boundary that only extinguishes property lines or modifies existing lots or parcels and does not create a new parcel of land. This may include the elimination of property boundaries to consolidate lots or parcels.

Applies.

17.92.020 PROCESS

A Property Line Adjustment application shall be reviewed in accordance with the Type I review procedures specified in Chapter 17.122.

The applicant concurs.

17.92.030 APPLICATION

An application for a Property Line Adjustment shall be filed with The City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Chapter. Notice shall be subject to the provisions in Chapter 17.122.

Application form included in Part I of this Narrative.

17.92.040 SUBMITTAL REQUIREMENTS

The following information and material must be submitted by the applicant:

A. The application must be signed by the owners of all lots affected by the application.

Signed application form included in Part I of this Narrative.

- B. In addition, the following information shall be submitted by the applicant:
 - 1. Copies of the officially recorded title transfer instrument (deed, warranty deed, or contract) that shows the legal description for the affected parcels.

Draft PLA legal descriptions are included in the Appendix for review prior to recording.

2. Plan, map or other document showing the properties before and after the adjustment.

Exhibit 'E'.

3. A written statement which explains the applicants' reasons for adjusting the boundaries and demonstrating that the adjustment conforms to City land use regulations of the applicable zone.

The adjusted property line coincides with the proposed line between Phases 2 and 3 of the subdivision while maintaining two discrete parcels of land. Retaining the two discrete parcels provides the applicant's flexibility with respect to future ownership of the subdivision Phases 3 and 4 land.

17.92.050 DECISION CRITERIA

Approval of a property line adjustment shall require compliance with the following criteria:

A. A property line adjustment cannot create or vacate a parcel. Creation or vacation of a parcel requires approval of a land division.

Exhibit 'E' documents that no new parcel or lot is created.

B. Following the adjustment, ail lots or parcels must comply with the area and dimension standards of the applicable zone. For existing non-conforming lots or parcels, the adjustment shall not increase the degree of non-conformance of the subject property or surrounding properties.

Narrative Part V documents that the adjusted lots meet the R-1 zone dimensional standards.

C. If there are existing structures on the lots or parcels, the boundary adjustment shall not reduce required setbacks or place a boundary beneath a structure.

There are no existing structures on either parcel.

17.92.060 IMPLEMENTATION

After a property line adjustment is approved, the new boundary becomes effective only after the following steps are completed:

- A. A legal description of the adjusted lots is recorded with the Linn County Clerk.
- B. If required by ORS Chapter 92, or the County Surveyor, a final map and boundary survey are prepared and all new boundaries are monumented as required by ORS Chapters 92 and 209. The final map is submitted to The City for signatures and approval as outlined in Chapter 17.98.

The applicant concurs.

END OF PART III

PART IV - LAND DIVISIONS (SUBDIVISION) AND GENERAL STANDARDS

17.58.010 PURPOSE

The purpose of this Chapter is to provide for the orderly, safe and efficient division of land within The City.

17.58.020 SCOPE

The provisions of this Chapter shall apply to all partitions and subdivisions within The City of Sweet Home. The following shall determine the appropriate process and design standards:

B. Subdivision – A land division creating four or more lots within a calendar year shall be processed as a Subdivision and subject to the design and improvement standards for a Subdivision.

Applies.

17.58.030 STANDARDS FOR LOTS OR PARCELS

The following standards shall apply to all partitions and subdivision.

A. Minimum Lot Area – Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located. Access easements, or the access strip to a flag lot, shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Development Code.

Addressed in Narrative Part V and on the Tentative Plat.

B. Lot Width and Depth – The depth of a lot or parcel shall not be more than three times the width. Lots or parcels created for commercial, industrial or public uses shall be exempt from width to depth ratio provisions.

Addressed in Narrative Part V and on the Tentative Plat.

- C. Access All new lots or parcels shall access a public street. Except that, residential lots or parcels may be accessed by a private access easement developed in accordance with the provisions of Chapter 17.42 when it is determined that a public
 - 1. Infeasible due to parcel shape, terrain, or location of existing structures;
 - 2. Unnecessary to provide for the future development of adjoining property.
 - 3. No more than 10% of the lots within a subdivision may be accessed by a private street or private access easement.

All proposed lots are accessed by public street.

- D. Flag Lots Flag lots shall be subject to the following development standards:
 - 1. The access strip shall be a minimum of 20 feet in width. The improved surface shall be a minimum of 14 feet in width.
 - 2. The access strip shall not be included in the lot area calculation.
 - 3. If the length of the access strip exceeds 150 feet, the parcel or lot shall include a turn-around area per applicable fire district requirements.

No flag lots are proposed.

E. Through Lots – Through lots shall be avoided except where essential to provide separation of residential development from traffic arteries, adjacent non-residential activities, or to overcome specific disadvantages of topography. Screening or buffering, pursuant to the provision of Chapter 17.54, may be required during the review of the land division request.

No through lots are proposed.

F. Lot Side Lines – The side lines of lots, as far as practicable, shall run at right angles to the public street, private street or private access easement upon which the lot or parcel faces.

Complies, as shown on the Tentative Plat, series 'E' Exhibits.

G. Utility Easements – Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Easement width shall conform to adopted Engineering Standards.

A 7' wide UE will be provided parallel to all lot street frontages as shown on the Tentative Plat Exhibits.

17.58.40 ADDITIONAL STANDARDS FOR SUBDIVISIONS

A. General – The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated: consideration of needs for convenient access, circulation, control, and safety of street traffic – including pedestrian and bicyclist - and recognition of limitations and opportunities of topography.

Generally blocks are aligned with existing north-south street rights of way in order to continue the existing street pattern. The proposed street pattern and block layout provides pedestrian and bicycle access and continuity as well as vehicle access to existing streets.

B. Sizes – Blocks shall not exceed 1,000 feet in between street lines with a preferred length of 500 feet. Exceptions are permitted for blocks adjacent to arterial streets, or if the previous development pattern or topographical conditions Justify a greater length. The recommended minimum distance between collector street intersections with arterial streets is 1,800 feet.

Generally blocks are aligned with existing north-south street rights of way. No block length exceeds 1000'. Where matching the existing street pattern creates block lengths exceeding 500' a mid-block pedestrian/bicycle accessway is proposed.

No block width between new streets exceeds 500.

No collector or arterial streets are transportation system planned to serve the applicant's property or the vicinity.

C. Traffic Circulation – The subdivision shall be laid out to provide safe, convenient, and direct vehicle, bicycle and pedestrian access to nearby residential areas; neighborhood activity centers (e.g., schools and parks); shopping areas; and employment centers; and provide safe, convenient and direct traffic circulation. At a minimum, "nearby" means the distance from the subdivision boundary -1/4 mile for pedestrians, and one mile for bicyclists.

The proposed subdivision layout provides connectivity to all existing street rights of way in order to facilitate the desired connectivity.

- D. Connectivity To achieve the objective in "C. Traffic Circulation" above, The City may require the following:
 - Stub-end Streets: Where the potential exists for additional residential development on adjacent property. The City may require reserve strips and streets plugs to preserve the objectives of street extensions.
 - 2. Accessways: Public accessways to provide a safe, efficient and direct connection to culde-sac streets, to pass through oddly shaped or blocks longer than 600-feet, to provide for networks of public paths creating access to nearby residential areas, neighborhood activity centers (e.g., schools and parks); shopping areas; and employment centers.

The applicant concurs and in preparing the accompanying Exhibits has attempted to locate street connectivity and pedestrian/bicycle accessways where appropriate.

Please note, in Phase 4 the 46th Avenue right of way is not continuous to the southerly property line. This is because of the significant steep slopes along the southeast boundary of the property.

E. Collector and Arterial Connections – Accessway, bikeway, or sidewalk connections with adjoining arterial and collector streets shall be provided if any portion of the site's arterial or collector street frontage is over 600 feet from either a subdivision access street or other accessway. The placement of an accessway may be modified or eliminated if natural features (e.g., adverse topography, streams, wetlands) preclude such a connection.

Not applicable.

- F. Design Standards Pedestrian/bicycle accessways shall meet the following design standards:
 - 1. Minimum dedicated width: 10 feet

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- 2. Minimum improved width: 8 feet
- 3. The accessway shall be designed to prohibit vehicle traffic.

The applicant concurs. The required accessway width is reflected on the Tentative Plat drawings. Compliance with the improvement standards will be assured under 17.58.070.A.

17.58.060 IMPROVEMENT REQUIREMENTS - SUBDIVISION

- A. Improvements The following improvements shall be required for all subdivisions:
 - 1. Frontage Improvements Half-street improvements designed to The City's Engineering Standards shall be required for all public streets on which a proposed subdivision fronts. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as The City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.

Exhibits 'H', 'H-1', and 'H-2' establish the street frontage improvements proposed in this application and which meet this standard. Utilities will be constructed as indicated on the Grading and Utilities Plans, 'F' series Exhibits.

> 2. Project Streets – Streets within the subdivision shall be constructed as required by City Engineering Standards.

The applicant concurs.

3. Monuments – Monuments shall be established as required by the Engineering Design Standards.

The applicant concurs, such monuments will be shown on the final subdivision plat.

4. Surface Drainage and Stormwater System – Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainageways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall be constructed in accordance with the Engineering Design Standards. In the circumstance where existing stormwater lines are adjacent to or within the project, a system development charge is required in accordance with The City's adopted System Development Charge ordinance.

The applicant concurs, a Conceptual Stormwater Drainage Facilities Layout is shown on the Preliminary Grading and Utilities drawings, Exhibit series 'F'. Compliance with Engineering Design Standards will be assured under 17.58.070.A.

There are no existing stormwater facilities on the applicant's property.

5. Sanitary Sewers – Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided

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conforming to Engineering Design Standards. The City may require that the developer construct sewage lines of a size in excess of that necessary to adequately service the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the developer as is desirable to assure his share of the construction. In the circumstance where existing sanitary sewer lines are adjacent to or within the project, a system development charge is required in accordance with The City's adopted System Development Charge ordinance.

The applicant concurs, a Conceptual Sanitary Sewer Layout is shown on the Preliminary Grading and Utilities drawings, Exhibit series 'F'. Compliance with Engineering Design Standards will be assured under 17.58.070.A.

There are no existing sanitary sewer lines on the applicant's property.

6. Water System – Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to The City mains shall be installed in conformance with the Engineering Design Standards. The design shall take into account provisions for extension beyond the subdivision to adequately grid The City system and to serve the area within which the development is located when the area is fully developed. However, The City will not expect the developer to pay for the extra cost of mains exceeding eight inches in size. In the circumstance where existing water lines are adjacent to or within the project, a system development charge is required in accordance with The City's adopted System Development Charge ordinance.

The applicant concurs, a Conceptual Water System Layout is shown on the Preliminary Grading and Utilities drawings, Exhibit series 'F'. Compliance with Engineering Design Standards will be assured under 17.58.070.A.

7. Sidewalks – Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision. Sidewalks shall be constructed at time of development of the subdivision.

The applicant concurs where development occurs on both sides of each public street. Where development occurs on only one side of a new public street the off-side planter strip and sidewalk shall be the responsibility of the adjacent property owner under a future development application. Please see Exhibit 'H-2'.

8. Street Lights – The installation of street lights is required at locations and of a type required by City standards.

The applicant concurs.

9. Street Signs – The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type required by City standards.

The applicant concurs.

10. Other Requirements -

a. Curb cuts and driveway installations are not required of the developer at the time of development, but if installed, shall be according to The City standards.

The applicant concurs.

b. Street tree planting is not required of the developer, but. if planted, shall be according to City requirements and of a species compatible with the width of the planting strip and underground facilities. At least one tree will be located in the planting strip. An additional tree shall be planted either in the planting strip or yard adjacent to the street or streets. Trees must be planted and viable prior to occupancy.

The applicant proposes street tree planting as shown on Exhibit 'I'.

B. Completion of Improvements – All improvements required under this Chapter shall be completed to City standards, or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision. In no case shall the bond exceed 5% of the remaining project improvements as determined by the City Engineer.

The applicant concurs.

17.58.070 IMPROVEMENT PROCEDURES

In addition to Engineering Design Standards, improvements installed by a developer for any land division, either as a requirement of these regulations or the developer's option, shall conform to the requirements of this Development Code, the improvement standards and specifications adopted by The City, and shall be installed in accordance with the following procedures:

A. City Approval Required – Improvement work shall not commence until plans are approved by The City. All plans shall be prepared in accordance with requirements of The City.

The applicant concurs.

B. Notification – Improvement work shall not commence until The City has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until The City has been notified.

The applicant concurs.

C. Inspections – Improvements shall be constructed under the inspection and to the satisfaction of the Public Works Director or designee. The City may require changes in typical street sections and improvements if unusual conditions arise during construction to warrant such changes.

The applicant concurs.

D. Installation of Utilities – All underground utilities, sanitary sewers, and storm drains installed by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

The applicant concurs.

E. As-Built Drawings – A map or plan showing all public improvements as built shall be filed with the Department of Public Works upon completion of the improvements.

The applicant concurs.

END CHAPTER 17.58

17.82.010 LOTS OF RECORD

A. A parcel is a legal lot of record for purposes of this Development Code when the lot conforms to all zoning requirements, subdivision requirements, and Comprehensive Plan provisions, if any, in

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effect on the date when a recorded separate deed or contract creating the separate lot or parcel was signed by the parties to the deed or contract.

Tax Lots 2800 and 3502 are separate legal lots of record with separate legal descriptions as documented in Exhibit 'A-1'.

B. Lots in recorded plats may be combined under a single ownership for the purpose of developing the combined property, subject to approval of a property line adjustment.

The applicant does not wish to combine the two lots.

C. The use or development of any legal lot of record shall be subject to the regulations applied to the property when such development or use is commenced, irrespective of the lot width, street frontage, depth or area, but subject to all other regulations.

The applicant concurs.

17.82.020 **EXCEPTIONS TO LOT SIZE REQUIREMENTS**

This section shall apply in the event that a lot or the aggregate of contiguous lots held in a single ownership as recorded in the office of the Recorder of the county and located in The City as of January 1, 1971, or the date of annexation of the property to The City, whichever is later, has an area or dimension which does not meet the lot size requirements of the zone in which the property is located. In this case, the holdings may be by a use permitted in the zone subject to the other requirements of the zone. If there is an area deficiency, residential use shall be limited to a single-family dwelling, or to the number of dwelling units consistent with the lot area per dwelling unit requirement of the zone.

Not applicable, zone lot size requirements are met.

17.82.030 LOTS ABUTTING A PARTIAL STREET

New structures which are proposed to be constructed on lots abutting an existing public street which does not meet the minimum standards of Chapter 17.42 for right of way width shall provide setbacks sufficient to allow for the future widening of the right of way. Building permits shall not be issued unless a yard setback equal to the minimum yard requirements of the zoning district plus the required minimum additional right of way width is provided.

The applicant proposes 5' of right of way dedication along the frontage of existing 43rd Avenue to accommodate a full half-street improvement and provide for ½ of the required street right of way based upon the existing right of way centerline. Reference Exhibit 'H'.

17.82.040 PROTECTION OF RUNOFF CAPACITY OF NATURAL DRAINAGE CHANNELS

A property owner shall not allow the water carrying capacity of any drainageway within his property to deteriorate and subsequently contribute to flood hazard. The property owner shall remove excess debris

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from the channel including dead vegetation. Neither shall any fill or garbage be dumped in any drainageway. Failure to maintain the water carrying capacity of the drainageway shall empower The City to enter the property and take whatever action is necessary to ensure that the carrying capacity of the drainageway is not impaired and then assess the real property and improvements for the cost of The City's actions. Grading permits may be required and are subject to provisions in Chapter 17.46.

Applies and the applicant concurs.

17.82.050 FARM USES AND LIVESTOCK

Not applicable.

17.82.060 GENERAL EXCEPTION TO BUILDING HEIGHT LIMITATIONS

Projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials, flagpoles, and other similar objects not used for human occupancy may be constructed to a height not to exceed 1.25 times the height limit for the zone.

The applicant concurs.

17.82.070 HEIGHT EXCEPTIONS FOR PUBLIC BUILDINGS

Not applicable.

17.82.080 ADDITIONS TO EXISTING STRUCTURES

Not applicable.

17.82.090 MISCELLANEOUS EXCEPTIONS TO SETBACK REQUIREMENTS

Setback limitations stipulated elsewhere in this Development Code may be modified as follows:

A. Bus Shelters – Bus shelters which are intended for use by the general public and are under the ownership and/or control of a city, county, state or municipal corporation shall be exempt from setback requirements, provided they do not violate dear-vision provisions in Chapter 17.56.

Not applicable.

- B. Underground structures Side and rear yards of underground structures may be reduced to 3 feet except:
 - 1. Where the perimeter wall of the structure is above the natural elevation of the adjacent ground, in which case the setback provisions of the district shall apply.

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2. All openings into the structure, including doors, windows, skylights, plumbing, intake and exhaust vents, shall meet the minimum setbacks of the district.

Not applicable.

C. Public dedication – Setback restrictions of this Development Code shall not apply to existing structures where the setback is reduced by a public dedication.

Not applicable.

D. Special right-of-way – The placement of buildings and the establishment of yards shall conform the right-of-way widths for existing and proposed street alignments shown on the Sweet Home Street Plan.

Not applicable.

E. Commercial & industrial setbacks – In commercial or industrial districts where an interior yard is not required and a structure is not located at the property line, it shall be set back at least three (3) feet from the property line to accommodate access to the building.

Not applicable.

- F. Drainageway setback provisions
 - 1. All fish-bearing streams and all year-round flowing streams shall have a minimum setback of 50-feet from the top of each bank and 75-feet for the South Santiam River. Additional setbacks may be required for riparian areas, wetlands and floodplains. Building Permit applications and land use applications to The City shall clearly indicate the boundary limits for riparian areas, wetlands and floodplains. Alteration of these areas, other than for continuation of agricultural use, by grading or placement of structures or impervious surfaces is prohibited unless approved by The City in accordance with the procedures of this Development Code and State Law.

Not applicable.

2. All other intermittent drainageways and watercourses shall have a minimum setback that includes the vegetative fringe, top of bank or a minimum 15 feet from the center of the drainageway whichever is greater.

The applicant's property includes several wetland ditches with intermittent flows as identified on the local wetlands inventory map and confirmed by the accompanying Wetlands Delineation. The delineation is included, in part, in the Appendix.

Phase 1 development has no wetlands, ditch, or impacts to existing ditch flows. With Phase 2 and future development the applicant anticipates Joint wetland fill Permit Application (JPA) will be made to Oregon Division of State Lands and Army Corps of Engineers. The resolution of the JPA's will determine if any vegetative setback is required.

In addition to mitigating wetland impacts through the JPA process, any existing off-site storm water flows onto and through the applicant's property will be incrementally accounted for and accommodated, per Oregon Drainage Law, in the new storm water facilities designed and constructed with each subdivision phase.

17.82.100 NONCONFORMING USES

Not applicable.

END CHAPTER 17.82

END PART IV

PART V - R-1 ZONE STANDARDS

17.10.010 PURPOSE

The purpose of the R-1 zone is to provide areas suitable and desirable for single-family homes, associated public service uses and duplexes on comer lots. The R-1 zone is most appropriate in areas which have developed or will develop with single-family homes at a density which warrants provision of public water and sewer facilities.

The subdivision proposed herein is for property currently zoned R-1 on the official zoning map. This narrative demonstrates compliance of the proposed subdivision with the R-1 Zone Standards.

17.10.020 PERMITTED USES

The following uses, when developed under the applicable development standards in the Development Code, are permitted in the R-1 zone:

- A. Single-family dwelling;
- B. Duplex dwelling, including those duplexes created through conversion of an existing detached single-family dwelling.
- C. Residential facility or homes, licensed by the State of Oregon.
- D. Open space and parks identified in the City's adopted Parks Master Plan.

Compliance with the allowed uses will be determined at the time of building permit application for a specific structure and its proposed use.

17.10.030 SPECIAL USES

The following uses, when developed under the special development requirements, are permitted in the R-1 zone:

A. Property line adjustments, subject to provisions in Chapter 17.92.

Not applicable to this application.

B. Partitions, subject to provisions in Chapter 17.58.

Not applicable to this application.

C. Subdivisions, subject to provisions in Chapter 17.58.

See Narrative Part IV.

D. Planned development, subject to the provisions in Chapter 17.60.

Not applicable to this application.

E. Cottage cluster development, subject to provisions in Chapter 17.62.

Not applicable to this application.

F. Manufactured homes on individual lots, subject to provisions in Chapter 17.66.

Not applicable to this application.

G. Home occupations, subject to the provisions of Chapter 17.68.

Not applicable to this application.

H. Residential accessory structures, subject to the provisions in Chapter 17.70.

Not applicable to this application.

I. Residential accessory dwelling, subject to the provisions in Chapter 17.72.

Not applicable to this application.

J. Temporary uses, subject to provisions in Chapter 17.74.

Not applicable to this application.

17.10.040 CONDITIONAL USES

There are no conditional uses anticipated as part of the land divisions proposed in this application.

17.10.050 DENSITY REGULATIONS

A. Single Family and Manufactured Homes – No more than one dwelling per lot or parcel, other than an approved residential accessory dwelling unit.

Compliance will be determined at the time of building permit application.

B. Duplex – No more than one duplex per corner lot or parcel.

Compliance will be determined at the time of building permit application.

C. Residential Development – Maximum of 5.4 dwelling units per net acre. Duplexes shall count as one dwelling unit for purposes of density calculation.

Tax Lots 2800 & 3502	Gross Area Acres	Net Area ⁽¹⁾ Acres	Single Family or Duplex Lots	Density
Total	41.04	30.71	157	5.11
Phase 1	9.75	6.99	41	5.86
Phase 2	10.23	7.42	43	5.80
Phase 3	11.86	8.59	46	5.36
Phase 4	9.20	7.71	27	3.50

⁽¹⁾ Gross Area – Proposed street ROW = Net Area

17.10.060 DIMENSIONAL STANDARDS

A. Unless otherwise required by this Development Code, the following minimum dimensional standards shall be required for all development in the R-1 zone:

Minimum Lot Area & Width	Standard	Proposed Lots
Single Family Dwelling,	7,000 square feet	7,000 square feet minimum
Manufactured Home		
Duplex	7,000 square feet	7,000 square feet minimum
Other Uses	Sufficient to meet density and	Not anticipated in this
	development requirements	application
Minimum Width at Building	70-feet	Comply
Line		
Minimum Setbacks		See 'G' series Exhibits
Front Yard	15-feet	(a)
Garage, Carport	20-feet to entrance	(a)
Side Yard (Interior)	5-feet minimum any side	(a)
	12-feet both sides combined	
Side Yard (Street)	15 feet	(a)
Rear Yard	15 feet	(a)
Maximum Structure Height		
Primary Building	30 feet	(a)
Accessory Building	20 feet (Roof Apex)	(a)
Maximum Lot Coverage	40%	(a)

(a) Compliance will be determined at the time of building permit application.

B. On a flag lot, or similarly configured lot, the inset front yard setback shall be a minimum of 15 feet.

Compliance will be determined at the time of building permit application.

C. 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.

Compliance will be determined at the time of building permit application.

17.10.070 DEVELOPMENT STANDARDS

All development in the R-1 Zone shall comply with the applicable provisions of this Development Code. The following references additional development requirements:

A. Off-street Parking – All single-family homes and duplexes shall require a garage or carport; and in addition, provide two hard-surfaced parking spaces. Other uses identified in the zone shall comply with the provisions in Chapter 17.44.

Compliance will be determined at the time of building permit application. "Other" uses are not anticipated in this application.

B. Signs – Signs shall conform to the standards contained in Chapter 17.50.

Signage will be addressed in the future under a separate permit application.

C. Fencing – Fences shall conform to provisions contained in Chapter 17.52.

Compliance will be determined at the time of building permit application.

D. Landscaping – Landscaping improvements shall conform to provisions contained in Chapter 17.54.

Addressed in Part VI of this Narrative.

E. Yards and Lots – Yards and lots shall conform to provisions contained in Chapter 17.56.

Compliance will be determined at the time of building permit application.

F. Other – A property owner is advised other regulations may apply for property in an identified natural resource area (Chapter 17.28); the flood hazard area (Chapter 17.30) and in or near an identified historical site (Chapter 17.32).

Compliance will be determined at the time of building permit application.

END OF PART V

PART VI - GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

CHAPTER 17.28 NATURAL RESOURCES OVERLAY ZONE (NRO)

17.28.020 ESTABLISHMENT AND APPLICABILITY

The NRO zone is an overlay zone is used and applied to any parcel having one of the following identified natural resources:

- A. Significant wetlands, as mapped in the City's Local Wetlands Inventory (LWI).
- B. Riparian corridors, as mapped in the City's Riparian Inventory.

As documented on the official zoning map there are no natural resource overlay zones on the applicant's property.

END CHAPTER 17.28

CHAPTER 17.40 GENERAL PROVISIONS

17.40.010 PURPOSE

The purpose of this Article is to:

- A. Carry out the Comprehensive Plan with respect to development standards and policies.
- B. Promote and maintain healthy environments and minimize development impacts upon surrounding properties and neighborhoods.

The applicant concurs.

17.40.20 APPLICATIONS OF STANDARDS

A. Application – The standards set forth in this Article shall apply to partitions; subdivisions: developments; commercial and industrial projects; single family dwellings, duplexes and multifamily dwellings.

Applies, this is a subdivision application.

- B. Alternatives to standards The application of these standards to a particular development shall be modified as follows:
 - 1. Development standards which are unique to a particular use, or special use, shall be set forth within the applicable zone or in this Chapter.
 - 2. Those development standards which are unique to a particular zone shall be set forth in the Chapter governing that zone.

The R-1 zone uses and development standards are addressed in Part IV of this Narrative.

17.40.030 APPLICATION OF PUBLIC FACILITY STANDARDS

Standards for the provision and utilization of public facilities or services available within The City of Sweet Home shall apply to all land developments in accordance with the following table of reference. No development permit shall be approved unless the following improvements are provided prior to occupancy or operation, or unless future provision is assured through a bond, deposit, agreement or similar instrument approved by The City.

Public Facilities Improvement Requirements Table – Table 17.40.1							
Land Use	Fire	Street	Water	Sewer	Storm	Street	Bike and
Activity	Hydrant	Improvement	Hookup	Hookup	Drain	Lights	Pedestrian
Subdivision,	Yes	Yes	Yes	Yes	Yes	Yes	Yes
PD & Mnf.							
Home Park							

Legend: No = Not Required Yes = Required C = Conditional, as noted:

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The applicant concurs with the improvement requirements as stated. This Narrative and the Exhibits provided demonstrate conceptually how compliance with this standard will be achieved.					
END CHAPTER 17.40					

CHAPTER 17.42 STREET STANDARDS

17.42.020 SCOPE

The provisions of this Chapter shall be applicable to:

A. The creation, dedication or construction of all new public or private streets, bikeways, or accessways in all subdivisions, partitions or other developments in The City of Sweet Home.

Applies.

B. The extension or widening of existing public or private street rights-of-way, easements, or street improvements Including those which may be proposed by an individual or The City, or which may be required by The City in association with other development approvals.

Applies.

17.42.030 GENERAL PROVISIONS

The following provisions shall apply to the dedication, construction, improvement or other development of all public streets in The City of Sweet Home. Unless otherwise modified through provisions in this Chapter, all streets shall be designed in conformance with the specific requirements of The City's Transportation System Plan and most current Engineering Standards.

A. Site Layout – The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

B. Continuation – Development proposals shall provide for the continuation of all streets, bikeways and accessways within the development and to existing streets, bikeways, and accessways outside the development.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

C. Future Street Extensions – When it appears possible to continue a street, bicycle path and/or pedestrian accessway into a future subdivision, adjacent acreage area attractors such as schools and shopping centers, these facilities shall be platted to a boundary of the subdivision or development. Further, the street may be platted without a turnaround unless the Public Works Department or local Fire District finds a turnaround is necessary for reasons of traffic safety.

Steep slopes generally preclude the practical extension of all streets into adjacent properties to the southeast of the site. C Street in Phase 4 is shown to be extended to the easterly property line. The proposed improvement of Coulter Lane and the southerly Phase 3 street allow for future street connections in the properties to the south. At present all adjacent properties to the south and east are outside the city limits and the urban growth boundary.

- D. Dead End Streets The following shall apply:
 - 1. Dead end streets can be allowed only when the extension of street is not possible due to one or more of the following reasons:
 - a. A natural feature, such as a wetland, stream or steep slope makes it impractical for the street to be extended.

Steep slopes generally preclude the extension of all Phase 4 streets to the southerly and easterly property boundary. As noted above C Street is proposed is proposed to extend to the easterly property boundary. There are no dead-end streets in Phases 1, 2, and 3.

2. Reserve strips and street plugs may be required to preserve the objectives of dead-end streets.

If required, the applicant concurs.

E. Alignment – All streets other than local streets or cul-de-sacs, shall be in alignment with existing streets by continuation of the centerlines to the maximum extent feasible. The staggering of street alignments resulting in 'T' intersections shall be avoided wherever practical. However, when not practical, the staggering of street alignments resulting in "T" intersections shall meet with the approval of the City Engineer and ensure compliance with accepted traffic safety standards.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

F. Intersection Angles – Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles. Intersections of less than 80 degrees shall require approval of the City Engineer. All tangent calculations and curb radii shall comply with Engineering Standards.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

G. Existing Streets – Whenever existing public streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision, partitioning, or development.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

H. Half-Streets – Half-streets may be approved where essential to the reasonable development of an area and when The City finds it to be practical to require the dedication of the other half when the adjoining property is developed. Whenever a half-street is adjacent to a tract to be developed, the other half of the street shall be dedicated. Specific improvement requirements are contained in Chapter 17.42.050. Reserve strips and street plugs may be required to preserve the objectives of half-streets. This application proposes a full street improvement less planting strip and sidewalk when such street is adjacent to a property <u>not</u> included in this application.

I. Cul-de-sacs – Cul-de-sacs are not encouraged and allowed only where no other reasonable alternative exists. Where permitted, a cul-de-sac shall have maximum lengths of 800 feet and terminate with a circular turn-around. Cul-de-sacs over 400 feet in length shall provide accessways to provide connectivity to adjacent streets and uses, unless physical constraints preclude a pedestrian/bicycle accessway. The Fire Code may establish additional standards.

One cul-de-sac street is proposed in Phase 4 and meets the dimensional standards and accessway connectivity stated above.

J. Street Names – Street names and numbers shall conform to regulations contained in the Sweet Home Municipal Code Chapter 12.20.

The applicant concurs.

K. Grades and Curves – Grades shall conform with City of Sweet Home Engineering Standards.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

L. Marginal Access Streets – If a development abuts or contains an existing or proposed arterial street, The City 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 such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Not applicable.

M. Lots Abutting a Partial Street – Development of property abutting an existing public street which does not meet the minimum right-of-way standards, shall include sufficient yard setback equal to the minimum yard requirements of the zoning district, plus, the additional land required to meet the minimum right-of-way width.

The 'E', 'F', and 'G' series Exhibits included herewith demonstrate compliance with this standard.

N. Unimproved Street – Development of property adjacent to an unimproved right-of-way shall require the installation of an improved surface to meet fire code requirements and the submittal of a non-remonstrance agreement to participate in, future street improvements.

Not applicable.

17.42.040 STREETS

The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical and drainage conditions, public convenience and safety, the proposed use of land to be served by the streets, and full land utilization which will not result in tracts of vacant inaccessible

land. Street design standards are intended to provide city staff with standards and guidelines for protecting the function and integrity of The City's transportation system. There are two types of Improved Type Standards for City streets:

Improved streets are Urban Standard roadways that provide paved travel lanes, curb and gutter
or infiltration basin drainage, pedestrian sidewalks, bike lanes, and landscaped planter areas.
 Improved streets are also Rural Standard roadways that provide paved travel lanes, roadside ditch
or infiltration basin drainage, pedestrian sidewalks, shared road & bike lanes, and sometimes
beautification planter areas.

Applies.

• Unimproved streets are Rural Standard roadways that provide paved travel lanes, roadside ditch drainage, however no pedestrian sidewalks or bike lanes, and no landscaped planter areas.

Not applicable.

The following table implements the standards of the Transportation System Plan.

Standards	Local Street	Proposed for 43 rd Ave.	Proposed for all other new local streets
ROW Width	50' (max)	Varies 40' to 55'	45'
Curb to curb width	36' (max)	28' paved	28'
Travel Lane width	7' (min)	7′	7'
Number of lanes	2 (max)	2	2
Median/center turn width	Not required	None	None
(max)			
Bike Lane width (min)	7'	7′	7'
Parking width (max)	7'	7′	7'
Curb*	6"	6"	6"
Planting Strip width	3'	3.0′	3.0'
(min)**			
Sidewalk width (min)	5'	5′	5'
System spacing	250'	Complies	Complies
Design speed – (max)	25 mph	25 mph	25 mph
Access management:	75'	Complies	Complies
intersection spacing			
(min)****			
Access Management:	Direct access	Compliance determined at time of building	
driveway spacing	allowed	permit application.	

^{*} Other City approved alternatives may be proposed, such as "Green Streets" standards, as defined by Portland Metro Green Streets handbook, and subsequent updates. A green street can be defined as a street designed to integrate a system of storm water management within its right of way, and to:

• Reduce the amount of water that is piped directly to streams and rivers.

- Be a visible component of a system of "green infrastructure" that is incorporated into the aesthetics of the community.
- Make the best use of the street tree canopy for storm water interception as well as temperature mitigation and air quality improvement.
- Ensure the street has the least impact on its surroundings, particularly at locations where it crosses a stream or other sensitive area.
 - ** Planting strips may include filtration strips and swales.
 - *** Allowed only within a Planned Development.
 - **** Measured as adjacent edge of right-of-way, with the higher street category controlling.

While not proposed as "green street" design by definition, the storm water design as shown on the Preliminary Grading and Utilities drawings, the 'F' series Exhibits, incorporates infiltration/filtration planters as well as detention basins to mitigate storm water flows and improve storm water quality.

17.42.050 HALF STREET DEVELOPMENT AND IMPROVEMENT

Half-Street development conditions typically occur in areas where existing travel lanes are pre-existing and development occurs on one side of the right-of-way only.

- A. Extension of Roadways In areas where street pavement, curbs, stormwater drainage, and sidewalks do not exist; sidewalk, curb, drainage system and driveway construction shall be required in the following conditions:
 - 1. When located adjacent to existing street improvements of sidewalk, curb, drainage system and street paving.

Half-Street frontage improvements as proposed for 43rd Avenue are shown on Exhibit 'H'.

- B. Layout Standards Half-Street improvements shall follow the existing grade and curvature alignment of the roadway and right-of-way. Half-Street Improvements have 3 different scenarios.
 - 1. Half-Street improvements in the truest condition shall extend to the centerline of the right-of-way. In cases where the roadway is not centered in the right-of-way the improvement will terminate as close as practical to the center of the roadway. The Public Works Director shall review the project for consideration of alternative options.

This scenario applies to 43rd Avenue, with the proposed layout as shown on Exhibit 'H'.

17.42.060 MODIFICATION OF RIGHT-OF-WAY AND IMPROVEMENT WIDTH

The City may allow modification to the public street standards of Chapter 17.42.040 when <u>both</u> of the following criteria are satisfied.

No modification to the street standards in 17.42.040 is proposed in this application.

17.42.070 CONSTRUCTION SPECIFICATIONS

Construction specifications for all public streets shall comply with the criteria of the most recently adopted public works/street standards of The City of Sweet Home.

The applicant concurs.

17.42.080 SIDEWALKS

Public sidewalk improvements are required for all property development in The City of Sweet Home and along Arterial and Collector streets. Sidewalks may be deferred by The City where future road or utility improvements will occur and on property in the rural fringe of The City where urban construction standards have not yet occurred. The property owner is obligated to provide the sidewalk when requested by The City or is obligated to pay their fair share if sidewalks are installed by The City at a later date.

A. Sidewalks shall be constructed within the street right-of-way. Sidewalk easements shall only be accepted where the Public Works Department determines that full right-of-way acquisition is impractical.

The applicant concurs.

B. Sidewalks shall connect to and align with existing sidewalks. Sidewalks may transition to another alignment as part of the approval process.

There are no existing sidewalks adjacent to the applicant's property to which a connection can be added.

C. Sidewalks width and location, including placement of any landscape strip, shall comply with City of Sweet Home Engineering Standards.

Exhibits 'H', 'H-1', and 'H-2' demonstrate compliance.

D. Planter strips and the remaining right-of-way shall be landscaped and maintained as part of the front yard of abutting properties. Maintenance of sidewalks and planters shall be the continuing obligation of the abutting property owner.

The applicant concurs.

E. Mid-block Crosswalks. The City may require mid-block crosswalks for long blocks or to provide access to schools, parks, shopping centers, public transportation stops or other community services.

The applicant proposes mid-block accessways where block lengths exceed 500'. At present there is no connectivity available to the amenities and services listed.

The applicant notes that the public street and sidewalk system and the public accessways proposed in this application are consistent with the Trails Concept, Map 5.5, from the Park System Master Plan.

F. Internal pedestrian circulation and accessways shall be provided within all commercial, multifamily and planned developments.

Not applicable.

17.42.090 BIKEWAYS

Bikeways are required along Arterial and Collector streets. Bikeways shall comply with City Engineering Standards. Developments adjoining existing or proposed bikeways shall include provisions for connection and extension of such bikeways through dedication of easements or rights-of-way.

Not applicable.

17.42.100 PRIVATE STREETS

Private streets shall only be permitted as part of an approved Planned Development. At a minimum, the streets shall conform to the Residential Neighborhood Street requirements unless otherwise modified by the decision.

There are no private streets proposed.

17.42.110 PRIVATE ACCESS EASEMENT (JOINT USE DRIVEWAY)

A private access easement (joint use driveway) created as the result of an approved land division shall conform to the following.

- A. Width Where permitted, the access easement shall comply with the following standards:
 - 1. Minimum easement width: 20 feet
 - 2. Minimum paved width: For private access of 150' or less and serving one dwelling 12 feet; serving two dwellings 16 feet. For private access of more than 150' 16 feet
 - 3. Maximum length: 200 feet
 - 4. No more than 2 single-family detached dwellings or 2 duplexes shall have their sole access to the easement. Easements serving more than 2 homes or 2 duplexes shall comply with the provisions for a Residential Neighborhood Street.
- B. Surface Improvement The surface width noted in A.1. above shall be improved with either asphalt or concrete for the entire length of the private access easement.
- C. Maintenance Provision for the maintenance of a private access driveway shall be provided in the form of a maintenance agreement, homeowners' association, or similar instrument acceptable to The City. The applicable document shall be recorded against the deed record of each parcel, and if appropriate, placed on the final partitioning plat.

- D. Turn-around A turn-around shall be required for any access easement which is the sole access, and which is either in excess of 150 feet or which serves more than one dwelling. Turn-arounds shall comply with the requirements of the Sweet Home Fire District.
- E. Fire Lanes All private access easements shall be designated as fire lanes and signed for "no parking." All private access easements and joint use driveways shall comply with International Fire Code.
- F. Easement Required Where The City approves a private access easement or joint 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.

The proposed subdivision lots have sufficient public street frontage that joint use driveways should not be required.

17.42.120 LOTS AND PARCELS SERVED BY PRIVATE ACCESS EASEMENTS

The following shall apply to all lots and parcels that are accessed by either a private street or private access easement:

Not applicable, no private streets or private access easements are proposed.

- A. Lot and Parcel Size The easement containing the private access easement shall be excluded from the lot or parcel size calculation.
- B. Setbacks The line fronting along a private street or private access easement shall be considered a property line. Setbacks to the garage and home shall be measured from this easement line.
- C. Lot Depth and Width Where required by the underlying zone, the lot width shall be measured along the easement boundary and the lot depth shall be measured from the easement boundary to the rear lot line.

Not applicable.

17.42.130 TRAFFIC IMPACT STUDY

The purpose of this subsection is to coordinate the review of land use applications with roadway authorities and to implement Section OAR 660-012-00451.E. of the state Transportation Planning Rule, which requires The City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities: the required contents of a Traffic Impact Analysis; and who is qualified to prepare the analysis.

- A. When a Traffic Impact Analysis is Required The City or other road authority with jurisdiction may require a Traffic Impact Analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development involves one or more of the following:
 - 1. A change in zoning or a plan amendment designation;
 - 2. Operational or safety concerns documented in writing by a road authority;
 - 3. An Increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more;
 - 4. An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more;
 - 5. An increase in the use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day;
 - 6. Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;
 - 7. A change in internal traffic patterns that may cause safety concerns; or
 - 8. A TIA required by ODOT pursuant to OAR 734-051.

If required the applicant will provide a Traffic Impact Study.

B. Traffic Impact Analysis Preparation – A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the Traffic Impact Analysis.

The applicant concurs.

END CHAPTER 17.42

CHAPTER 17.44 OFF-STREET PARKING AND LOADING

17.44.020 SCOPE

- A. Application Except as modified or restricted elsewhere within this Development Code, the provisions of this Chapter shall apply to the following types of development:
 - 1. Any new building or structure erected after the effective date of this Development Code.

Applies.

17.44.030 LOCATION

Off-street parking and loading areas shall be provided on the same lot with the main building or structure or use except that:

C. Parking – Driveways may be used for off-street parking for single-family and duplex dwellings.

Applies.

17.44.040 JOINT USE

Not applicable.

17.44.050 GENERAL PROVISIONS OFF-STREET PARKING AND LOADING

A. Parking Required – The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Development Code.

The applicant concurs.

B. Interpretation of Parking Requirements – Requirements for types of buildings and uses not specifically listed herein shall be determined by the City Planner based upon the requirements of comparable uses listed and expectations of parking and loading need.

Not applicable.

C. Multiple Use Facilities – In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the uses computed separately, unless a reduction is approved for shared parking pursuant to Chapter 17.44.040.

Not applicable.

D. Storage Prohibited – Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials.

The applicant concurs.

17.44.60 OFF STREET AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS

A. Vehicle Parking Spaces – Provisions for off street vehicle and bicycle parking shall comply with the following minimum requirements:

Vehicle and Bicycle Parking Space Requirements					
	Land Use Activity Vehicle Spaces Bicycle Spaces Measureme				
A.	Single Family and Duplex	2 spaces per single family	0	None	
		dwelling unit; two spaces total			
		for a duplex			

Compliance will be assured at the time of building permit application.

B. Bicycle Spaces – Bicycle parking development requirements.

Not applicable, no bicycle parking spaces are required.

C. Maximum Vehicle Parking Spaces – The minimum spaces identified under item A. in this Section, shall not ne increased by more than 30%.

Compliance will be assured at the time of building permit application.

17.44.070 OFF-STREET LOADING REQUIREMENTS

Not applicable.

17.44.080 PARKING AND LOADING AREA DEVELOPMENT REQUIREMENTS

All parking and loading areas shall be developed and maintained as follows:

- A. Surfacing All driveways, parking and loading areas shall have a durable hard surface of asphaltic cement or concrete. Surface improvements shall conform to the following:
 - 1. Paving Improvements Paving shall comply with adopted Engineering Standards of The City of Sweet Home.
 - 2. Timing Unless modified by a variance or a site development review, or, bonded per City requirements, all driveways and off-street parking and loading areas shall be Improved prior to occupancy of the primary structure.

Compliance will be assured at the time of building permit application.

B. Parking Spaces – Parking spaces shall be a minimum 9-feet wide and 20-feet in length. Up to 20% of the parking area may contain "compact spaces" with dimensions of 8.5-feet in width and 18-feet in length.

Compliance will be assured at the time of building permit application.

- C. Driveways The following standards shall apply to all driveways:
 - 1. Single Family Residence, and Duplex Dwellings
 - a. If one driveway is installed, no driveway width shall be less than 12 feet nor exceed 24 feet as measured at the property line. For lots or parcels exceeding 100-feet in width, the driveway width shall not exceed 36-feet.
 - b. If more than one driveway is installed, for property with 50 to 100 feet of frontage, the maximum width for each driveway is 20 feet and no more than two driveways may be permitted. For frontage In excess of 100 feet, each additional 100 feet or fraction thereof shall be considered as separate frontage.
 - c. Driveways shall be limited to off-street parking, and, the parking and storage of recreational vehicles.

Compliance will be assured at the time of building permit application.

2. Multi-Family, Commercial, Industrial and Public Uses

Not applicable.

- 3. General Standards
 - a. Distance from intersection. All driveways shall be located the maximum distance which is practical from a street intersection and in no instance shall the distance from an intersection be closer than the following measured from the nearest curb return radius, which is the nearest beginning point of the arc of a curb:

Local street 20 feet

Compliance will be assured at the time of building permit application.

Where streets of different functional classification intersect, the distance required shall be that of the higher classification.

Not applicable.

b. Number of accesses permitted. Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe circulation and street carrying capacity.

Compliance will be assured at the time of building permit application.

c. Double frontage properties. Properties which have frontage on more than one street may be restricted to access on the streets of a lower classification through site plan review or other review procedures.

Compliance will be assured at the time of building permit application.

d. Joint access encouraged. Common accessways at a property line shall be encouraged and, in some instances, may be required, in order to reduce the number of access points to street. Construction of common accessways shall be preceded by recording of joint access and maintenance easements.

Compliance will be assured at the time of building permit application.

e. Maximum slope. Access and approach grades shall not exceed 10% slope except as otherwise approved by the City Engineer.

Compliance will be assured at the time of building permit application.

f. Access to state highways. Access to designated state highways shall be subject to the provisions of this chapter in addition to requirements of the Highway Division, Oregon Department of Transportation. Where regulations of The City and state may conflict, the more restrictive requirement shall apply.

Not applicable.

D. Screening – When any public parking or loading area is within or adjacent to a residential zone, such parking or loading area shall be screened from all residential properties with an ornamental fence, wall or hedge of at least 4 feet in height. The screening shall otherwise comply with applicable height limitations and clear vision requirements.

Not applicable.

E. Lighting – Any light used to illuminate a parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a glare or reflection onto moving vehicles on public rights-of-way.

Compliance will be assured at the time of building permit application.

F. Driveway Required – Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or maneuvering within a street right-of-way.

Not applicable.

G. Traffic Safety – Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site.

Not applicable.

H. Curbing – Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail at least 4" high, located a minimum of 3 feet from the property line, to prevent a motor vehicle from extending over an adjacent property or a street.

Compliance will be assured at the time of building permit application.

END CHAPTER 17.44

CHAPTER 17.46 STORM DRAINAGE AND GRADING

17.46.020 SCOPE

The provisions of this Chapter shall apply to all partitions, subdivisions, multi-family developments, commercial developments and industrial development; and to the reconstruction or expansion of such developments.

Applies.

17.46.030 PLAN FOR STORM DRAINAGE AND EROSION CONTROL

No construction of any facilities in a development included in Chapter 17.90 shall be permitted until a storm drainage and erosion control plan, designed in accordance with The City's Engineering Standards, for the project is prepared by an engineer registered in the State of Oregon and is approved by The City. This plan shall contain at a minimum:

- A. The methods to be used to minimize the amount of runoff, siltation, and pollution created from the development both during and after construction.
- B. Plans for the construction of storm sewers, open drainage channels and other facilities which depict line sizes, profiles, construction specifications and other such information as is necessary for The City to review the adequacy of the storm drainage plans.
- C. Calculations used by the engineer in sizing storm drainage facilities.

Compliance will be assured at the time of building permit application.

17.46.040 GENERAL STANDARDS

- A. Design Standards All development shall be planned, designed, constructed and maintained to:
 - 1. Protect and preserve existing natural drainage channels to the maximum practicable extent;
 - 2. Protect development from flood hazards;
 - Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;
 - Assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeding, phasing or grading;
 - 5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;

6. Avoid placement of surface detention or retention facilities in road rights of way.

Compliance will be assured at the time of building permit application.

B. Public easements – In the event a development or any part thereof is traversed by any water course, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to The City. This shall not imply maintenance by The City.

Compliance will be assured at the time of building permit application.

C. Obstruction of channel – Channel obstructions are not allowed except as approved for the creation of detention or retention facilities approved under the provisions of this Development Code and in compliance with City Engineering Standards.

Compliance will be assured at the time of building permit application.

D. City inspection – Prior o acceptance of a stormwater system by The City, it shall be flushed and inspected by The City. All costs shall be borne by the developer.

The applicant concurs.

17.46.050 GRADING

- A. Grading Permits are required for the following activities and shall be subject to City of Sweet Home Public Works Standards.
 - 1. Grading in excess of 50 cubic yards;
 - 2. Grading potentially impacting, Riparian Areas, Drainage ways, Flood Hazard Areas or Greenways;
 - 3. Grading that could possibly impact adjacent properties;
 - 4. Grading proposed over public storm drains, sanitary sewers or water lines;
 - 5. Grading requiring tree removal;
 - 6. Other areas with potential impacts as determined by The City as part of a land use review;
 - 7. Land partitions and subdivisions.

Compliance will be assured at the time of building permit application.

B. If the approved grading activity is associated with a building permit, a final grading inspection shall be required prior to issuance of certificate of occupancy.

The applicant concurs.

END CHAPTER 17.46

CHAPTER 17.48 UTILITY LINES AND FACILITIES

17.48.020 STANDARDS

- A. Design and location The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.
- B. Private utilities All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.
- C. Water service required All development which has a need for public water shall install the facilities pursuant to the requirements of The City. Installation of such facilities shall be coordinated with the extension of necessary sanitary sewer services and storm drainage facilities.
- D. Sanitary sewer required All development which has a need for public sanitary sewers shall install the facilities pursuant to the requirements of The City. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities.
- E. Street lights When required, the installation of street lights shall be pursuant to the requirements of The City Engineering Standards and the requirements of the utility company serving the development.
- F. Easements, general Easements shall be provided along property lines as deemed necessary by The City, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivisions and partitions.

The applicant concurs with all. Compliance will be assured at the time of review of utility and public improvement plans.

17.48.030 PUBLIC FACILITY IMPROVEMENTS

All public facility improvements shall be designed and constructed in compliance with adopted City of Sweet Home Engineering Standards. The Director of Public Works (or designee) shall determine compliance with these standards. These standards are considered requirements and may not be altered pursuant to provisions in this Development Code.

The applicant concurs.

END CHAPTER 17.48

END CHAPTER 17.50

CHAPTER 17.50

SIGNS

Permits for any Coulter Subdivision signs will be submitted separately in the future.

CHAPTER 17.52 FENCING AND SCREENING

17.52.020 GENERAL STANDARDS

Construction of fences and walls shall conform to all of the following requirements:

- A. Permits required No person shall construct or reconstruct any fence or wall without first obtaining a permit.
- B. Clear vision areas All fences, hedges, and walls adjacent to a roadway intersection shall comply with clear vision requirements.
- C. Land use approval The Planning Commission may require installation of walls and/or fences as a condition of development in a land use approval. When so conditioned by a land use action, no further land use review is required for the fence or wall.
- D. Measuring fence height Fence height shall be measured from the average height of the grade adjacent to where the fence is to be located. If a fence is to be constructed on top of a berm, the height shall be measured from the bottom of the berm. Where the natural grade changes (i.e., hillside or swale) the fence, hedge, and wall height shall change with the grade.
- E. Temporary fences A temporary fence may be constructed with wire, rolled plastic, wood or other suitable material as determined by the City Manager or designee. The City Manager or designee shall establish me time duration for a temporary fence not to exceed 12 months. All temporary fences, prior to installation, must first have the approval of the City Manager or designee.
- F. Hedges Hedges located within five feet of a property line abutting a street shall not exceed a maximum height of three and one-half feet.
- G. Gates Gates shall not open or swing into public right-of-way.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.52.030 MATERIALS

Fences and walls shall comply with the materials standards set forth in this subsection.

- A. Fences Fences shall be constructed of materials specifically designed and manufactured for fencing purposes, including, but not limited to, wood, wrought iron, vinyl, aluminum, and chain link (with a top rail support). Materials not specifically designed as fencing material, include, but are not limited to, corrugated cardboard, corrugated metal, plywood, wooden pallets, concrete rubble, and junked material, are prohibited.
- B. Walls Walls shall be constructed of materials specifically designed and manufactured for use as walls, including, but not limited to, masonry, rock, concrete, concrete block, or other similar materials.

- C. Hazardous materials Fences and walls shall not be constructed of or contain any material that will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous materials, except as follows:
 - 1. Barbed wire is permitted on top of a six-foot tall fence in the industrial (M) zone. The total height of the fence and barbed wire is limited to seven feet. Barbed-wire-only fences are prohibited except as allowed in subsection "a." below:
 - a. Livestock Containment Where cattle, sheep, horses or other livestock are permitted or existed when the property was annexed to The City, barbed wire is permitted when used to contain or restrict livestock provided that the fences are posted at 15-foot intervals with clearly visible warnings of the hazard.
 - Above ground electrically charged fences are only permitted when used to pasture or control livestock, for farming or other similar agricultural uses in zones where such uses are permitted and when the following standards can be met:
 - a. On boundary fences, the electrically charged wires shall be located on the inside face of the fence posts;
 - b. The electrically charged fence shall not exceed four feet in height;
 - c. The electrically charged fence shall be a pulsed charge system, and not a continuous charge system; and
 - d. Warning signs stating, "Warning, Electric Fence" shall be posted at intervals not less than 15 feet.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.52.040 LOCATION AND HEIGHT – RESIDENTIAL ZONES

Residential Zoning Districts (R-1, R-2, R-3, MU). The maximum height of a fence and wall within residential zoning districts shall be as follows:

- A. Fences and walls.
 - Front yard abutting street Fences and walls within a front yard abutting a street shall not exceed a maximum height of three and one-half feet when constructed with solid materials (i.e. wood fence) or four feet when constructed with open material (i.e. chainlink fence).
 - 2. Side and rear yards abutting street
 - a. Fences and walls located less than three feet from a street property line shall not exceed a maximum height of three and one-half feet when constructed with solid materials (i.e. wood fence) or four feet when constructed with open material (i.e. chain-link fence).

- b. Fence and walls located more than three feet from the street property line shall not exceed a maximum height of seven feet.
- 3. Interior side and rear yards Fences and walls located at a property line not abutting a street shall not exceed a maximum height of seven feet.
- 4. Through lots Fences and walls shall be constructed in accordance with the front setbacks required by underlying zone on both streets.
- 5. Flag lots On flag lots, the maximum height of a front yard fence or wall shall not exceed seven feet, provided the front yard of the flag lot is abutting interior side or rear yards on all sides.
 - a. Fences and walls located in the portion of the pole that abut a front or corner side yard (i.e. from the street property line to the front building line of the adjacent property, or respective front setbacks required by underlying zone, whichever is less) shall not exceed a maximum height of three- and one-half feet when constructed with solid materials (i.e. wood fence) or four feet when constructed with open material (i.e. chain-link fence).

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.52.050 LOCATION AND HEIGHT – NON-RESIDENTIAL ZONES

Not applicable.

17.52.060 PLACEMENT OF FENCING ON PUBLIC RIGHTS-OF-WAY OR EASEMENTS

Not applicable.

17.52.070 PATHWAY FENCING

- A. When residential construction includes a pathway or walkway intended to be constructed adjacent to these pedestrian type features, the Applicant shall install along the full length of the property frontage intersecting or encountering these features, a fence composed of metal, rock or vinyl material with the supporting wood treated posts placed on an adequate concrete footing. Pathway or walkway type fencing shall be installed in such a fashion as to provide better visibility from adjacent homes or buildings and to assure public safety and avoid a tunneling effect associated with tall fences bordering narrow pathways.
- B. See-through pathway fencing shall not exceed five feet in height and solid fencing shall not exceed four feet in height the length of the property frontage intersecting or encountering the pathway, walkway or greenbelt.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.52.080 FENCES REQUIRED FOR SIGHT-OBSCURING PURPOSES

Not applicable.

17.52.090 FENCE ADVERTISING OR SIGNAGE

A. Except as noted in item "B.", no signage may be installed on fencing except for advisory purposes (such as "no trespassing") consistent with the sign code provisions in this Development Code. No such sign shall exceed two square feet and no such sign shall be located closer than 20 feet from any other sign posted on the same fence.

B. Signs may be placed on the interior side of fences delineating athletic fields, such as the outfield fence at a baseball park.

The applicant concurs will all.

17.52.100 SWIMMING POOL FENCING

All swimming pools shall be enclosed by a locking fence of at least six (6) feet in height. An existing structure or structures may be incorporated into the fence design.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

END CHAPTER 17.52

CHAPTER 17.54 LANDSCAPING

17.54.20 SCOPE

- A. Landscaping required All construction, expansion, or redevelopment of structures or parking lots for commercial, multi-family, or industrial uses shall be subject to the landscaping requirements of this Section. No building permit shall be issued for new construction or for additions to existing buildings without compliance with this Section.
- B. Plan submittal With the exception of land divisions, landscaping plans shall be submitted for all Type II and Type 111 land use applications.

For an R-1 zone, low-density residential development, landscaping per this chapter is not required.

END CHAPTER 17.54

CHAPTER 17.56 YARD AND LOT STANDARDS

17.56.010 SCOPE

Every building erected shall be located on a lot as herein defined.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.56.020 YARDS APPLY ONLY TO ONE BUILDING

No required yard or other open space or required driveway provided around or for any building or structure for the purpose of complying with the provisions of this Development Code shall be considered as providing a yard or open space for any other building. No yard or other required space on an adjoining lot shall be considered as providing a yard or open space on the lot whereon the building is to be erected.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.56.030 FRONT YARD PROJECTIONS

The following features, when not more than one story high, may project into the front yard setback area, provided the projection shall come no closer than 10 feet from the property line; planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels, and other ornamental features, uncovered porches, covered but unenclosed porches.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.56.40 SIDE YARD PROJECTIONS

- A. Cornices, eaves, gutters and fire escapes may project into a required side yard not more than one-third of the width of the required side yard.
- B. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels and ornamental features may project not more than 1.5 feet into a required side yard, provided the chimneys and flues shall not exceed 6 feet in width.
- C. Uncovered decks and patios attached to the main building, and no more than 3-feet in height when measured directly beneath the outside edge of the deck or patio, may be extended to the side yard property line. This provision shall exclude street side yards.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.56.50 REAR YARD PROJECTIONS

A. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters and other ornaments features, may project not more than 1.5 feet into a required rear yard, provided the chimneys and flues shall not exceed 6 feet in width.

- B. A fire escape, balcony, outside stairway, cornice or other unenclosed, unroofed projections may project not more than 5 feet into a required rear yard.
- C. The following features, when not more than one story high, may project into the rear yard setback area: planter boxes, chimneys and flues, steps, cornices, eaves, gutters, belt courses, leaders, sills, pilasters, lintels, and other ornamental features, uncovered porches, covered but unenclosed porches.
- D. No permitted projection into a required rear yard shall extend within 10-feet of the center line of an alley or within 5-feet of a rear lot line if no alley exists.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

17.56.060 VISION CLEARANCE

A clear vision area shall be maintained where streets and private points of access intersect. The clear vision area shall conform to the following:

- A. Measurement A clear vision area at an intersection shall be the triangular area established according to the following procedure:
 - A line extending a certain number of feet from the intersection along a public street rightof-way:
 - A line extending a certain number of feet from the intersection along the intersecting access;
 - 3. A third line that creates the triangular clear vision area by connecting the ends of the lines described in 1. and 2., above.
- B. Street-driveway The clear vision area for a street-driveway intersection shall be 10 feet along the driveway from its intersection with the street right-of-way and 20 feet along the street right-of-way at the point of intersection with the driveway.
- C. Street-alley The clear vision area for street-alley intersections shall be 10 feet along the alley from its intersection with the street right-of-way and 20 feet along the street right-of-way at the point of intersection with the alley.
- D. Street private access easement The clear vision area for street-access easement intersections shall be 10 feet along the access easement from its intersection with the street right-of-way and 20 feet along the street right-of-way at the point of intersection with the access easement.
- E. Corner lots (street-street intersection) The clear visions area for corner lots shall be 20 feet along the right-of-way of each intersecting street.
- F. Prohibited development A clear vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 36 inches in height, measured from the top of

the curb or, where no curb exist, from the established street centerline grade, except that the following may be allowed in the clear vision area:

- 1. Trees, provided all branches and foliage are removed to a height of eight feet above Grade;
- 2. Telephone, power, and cable television poles; and
- 3. Telephone switch boxes provided they are less than ten inches wide at the widest dimension.
- G. Exemption. Clear visions areas shall not be required at intersections containing traffic signals.

The applicant concurs with all. Compliance will be assured at the time of building permit application.

END CHAPTER 17.56

END OF PART VI

LINN COUNTY ASSESSOR'S MAP T13S, R01E, SECT. 33 TAX LOTS 2800 AND 3502

EXHIBIT 'A-1'

LEGAL DESCRIPTION

Parcel I: Being a part of the Newton Russell and Susan L. Russell, D.L.C. No. 41, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, and being more particularly described as follows, to-wit: Beginning at a 3-inch wagon skein set on the East line of a Country Road which is South 0°16′30″ East 2197.70 feet and South 89°54′30″ East 20.00 from the Northeast corner of the George Young D.L.C. No. 42 in said Township and Range; thence South 89°56′30″ East 900.90 feet to a 3 inch wagon skein set on the East line of the lands of the Grantors herein named; thence North 0°16′30″ West along said East line 942.46 feet to the Southeast corner of tract conveyed to Hermans by Deed recorded in Book 204, page 763, Deed Records of Linn County, Oregon; thence North 89°56′30″ West 900.90 feet on the South line of said Hermans tract to a 3/4" by 29″ bolt set on the East line of said County Road; thence south 0°16′30″ East 942.46 feet parallel to the West line of the said Russell D.L.C. No. 41 to the place of beginning.

Parcel II:

Parcel 3, PARTITION PLAT 2022-074, recorded on September 9, 2022 as Instrument No. 2022-15655, Linn County Deed Records, Linn County, Oregon.

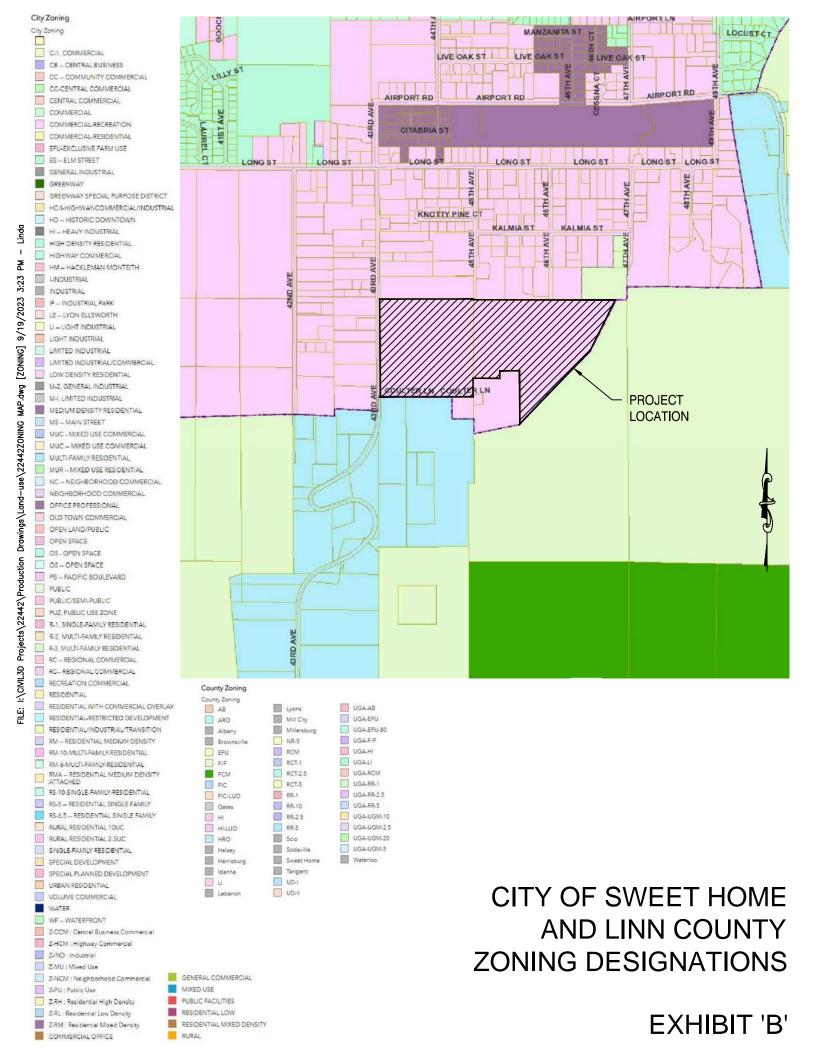
EXHIBIT A-2 ADJACENT PROPERTY OWNERS

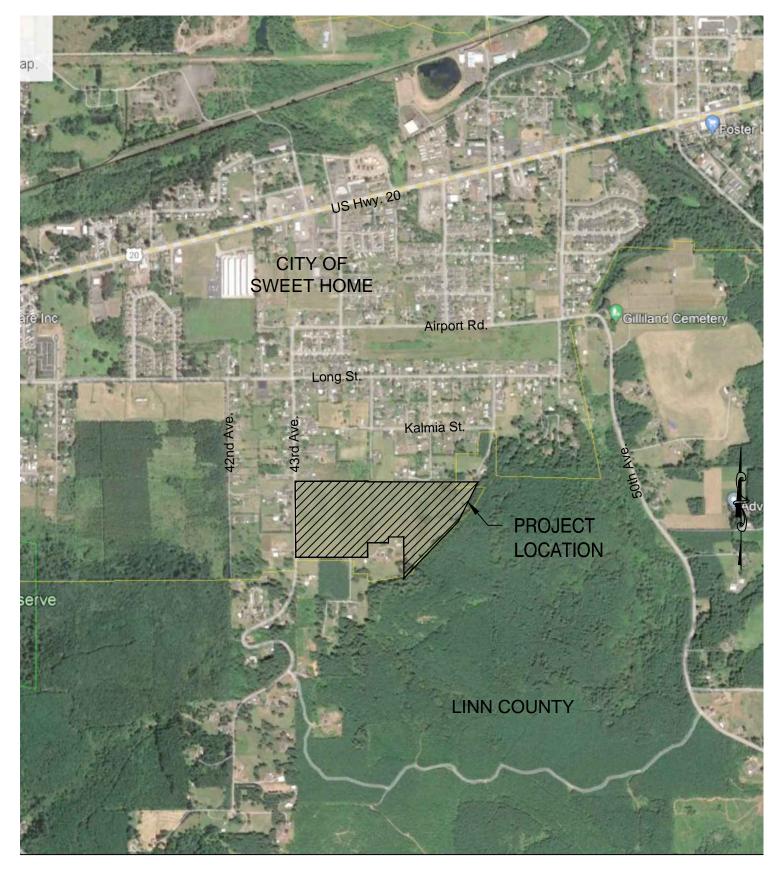
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Owner	ARMSTRONG CLIFFORD & ALISEA RENEE	Mailing Name	REINHOLD ROBERT A & PATTI S
Mailing Address	979 43RD AVE	Mailing Address	1086 46TH AVE
	SWEET HOME OR 97386		SWEET HOME OR 97386
Map #	13S01E33-D0-02800	Map #	13S01E33-D0-03000
Mailing Name	CORDLE CONSTRUCTION LLC	Mailing Name	STEVEN & DANIELLE HANSCAM
			REV LIV TRUST
Mailing Address	38747 SCRAVELHILL RD NE	Mailing Address	4427 COULTER LN
	ALBANY OR 97322		SWEET HOME OR 97386
Map #	13S01E33-D0-03502	Map #	13S01E33-D0-03300
Mailing Name	CORDLE CONSTRUCTION LLC	Mailing Name	TIMBER SERVICE CO INC
Mailing Address	38747 SCRAVEL HILL RD NE	Mailing Address	PO BOX 446
	ALBANY OR 97322		SWEET HOME OR 97386-0446
Map #	13S01E33-D0-03600	Map #	13S01E33-D0-03605
Mailing Name	CORDLE CONSTRUCTION LLC	Mailing Name	DEFFENBAUGH CHARLES &
			JUANITA
Mailing Address	38747 SCRAVEL HILL RD NE	Mailing Address	1084 46TH AVE
	ALBANY OR 97322		SWEET HOME OR 97386
Map #	13S01E33-D0-03602	Map #	13S01E33-DO-03400
Mailing Name	CORDLE CONSTRUCTION LLC	Mailing Name	COULTER LARRY E & WILMA Y
			TR
Mailing Address	38747 SCRAVEL HILL RD NE	Mailing Address	4423 COULTER LN
	ALBANY OR 97322		SWEET HOME OR 97386
Map #	13S01E33-D0-03700	Map #	13S01E33-DO-03500
Mailing Name	BRENNEMAN CYNTHIA A	Mailing Name	COULTER LARRY E & WILMA Y TR
Mailing Address	1083 46TH AVE	Mailing Address	4423 COULTER LN
	SWEET HOME OR 97386-1208		SWEET HOME OR 97386
Map #	13S01E33-D0-03800	Map #	13S01E33-D0-03501
Mailing Name	THRASH KATHERINE	Mailing Name	COULTER LARRY E & WILMA Y
			TR
Mailing Address	1118 47TH AVE	Mailing Address	4423 COULTER LN
	SWEET HOME OR 97386-1213		SWEET HOME OR 97386
Map#	13S01E33-D0-03601		
Mailing Name	CONLEY TIMOTHY D &		
	SIMPSON DANIELLE D		
Mailing Address	1080 46TH AVE		
	SWEET HOME OR 97386		

Map #	13S01E33-AD-05700	Map #	13S01E33-AD-05706
Mailing Name	HOVATER DONAL C & CINDY M	Mailing Name	MCCUBBINS DEVELOPMENTS
			LLC
Mailing Address	955 45TH AVE	Mailing Address	PO BOX 522
	SWEET HOME OR 97386-1207		SWEET HOME OR 97386

Map#	13S01E33-AC-05100	Map #	13S01E33-AC-04400
Mailing Name	AIELLO CASEY J	Mailing Name	MILES SCOTT C MILES-RUSSELL
			ALISSA R
Mailing Address	1093 43RD AVE	Mailing Address	1068 45TH AVE
	SWEET HOME OR 97386-3121		SWEET HOME OR 97386

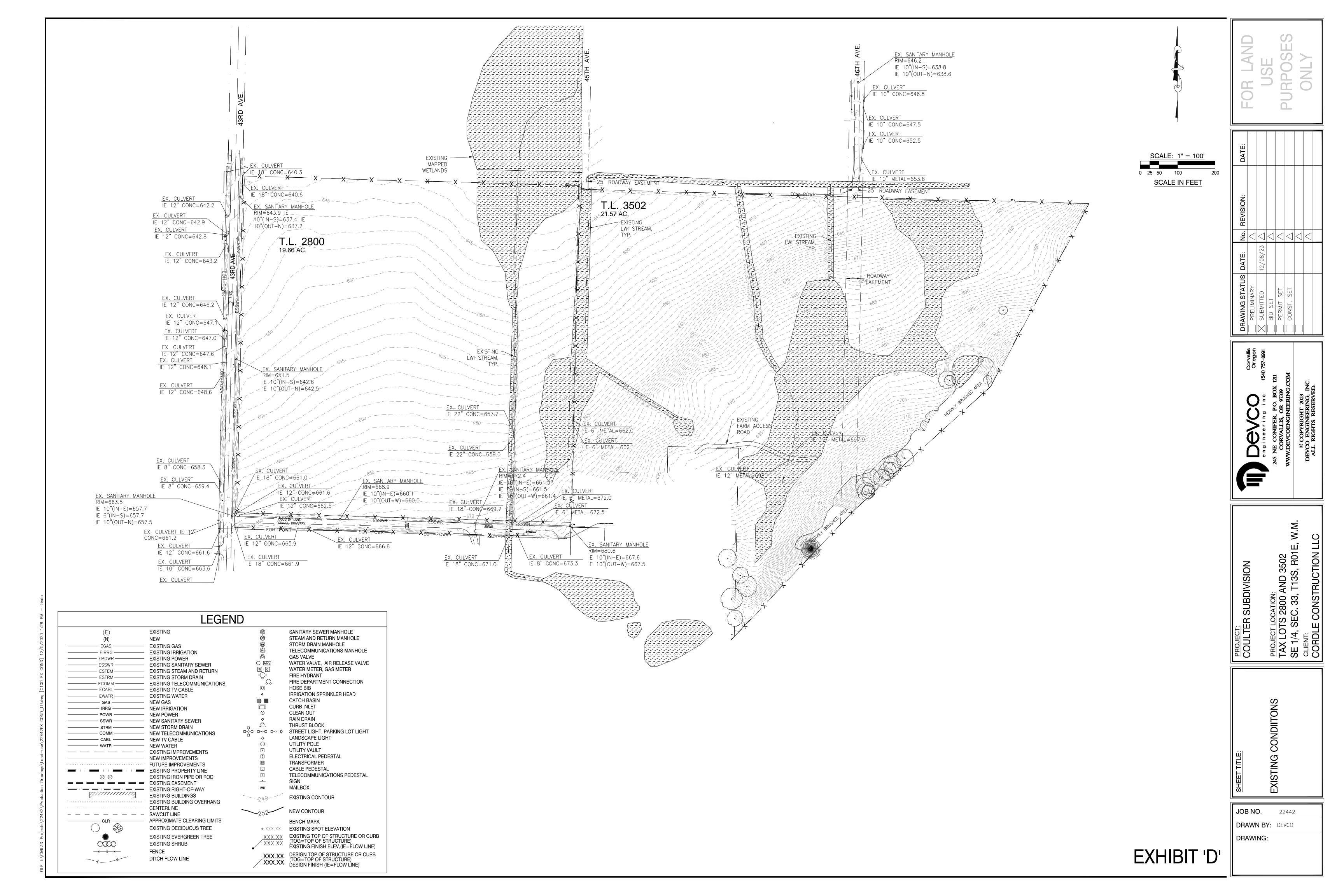
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Mailing Name	CROTTS JAMES F & JANIS I	Mailing Name	GION CORT
Mailing Address	988 43RD AVE	Mailing Address	1082 43RDAVE
	SWEET HOME OR 97386-3114		SWEET HOME OR 97386-3120
Map#	13S01E33-DB-00800	Map#	13S01E33-DB-00501
Mailing Name	BATINICH MARKOW &	Mailing Name	PLATTNER LAURA & PLATTNER
	VIRGINIA L		ALAN
Mailing Address	1189 S 39TH ST	Mailing Address	1084 43RD AVE
	SPRINGFIELD OR 97478		SWEET HOME OR 97386
Map#	13S01E33-DB-00700	Map#	13S01E33-DB-00400
Mailing Name	HUTCHINS NICKEY B & JUANITA	Mailing Name	FOULTNER JERRY L & JOANNE
	G TR		M
Mailing Address	1074 43RD AVE	Mailing Address	1086 43RD AVE
	SWEET HOME OR 97386		SWEET HOME OR 97386-3120
Map #	13S01E33-DB-00600	Map #	13S01E33-DB-00100
Mailing Name	BROOKFIELD MARSHALL &	Mailing Name	SCHONING MICHELLE A
	BROOKFIELD REA		
Mailing Address	1078 43RD AVE	Mailing Address	806 NW 4TH ST STE B
	SWEET HOME OR 97386-3120		CORVALLIS OR 97330

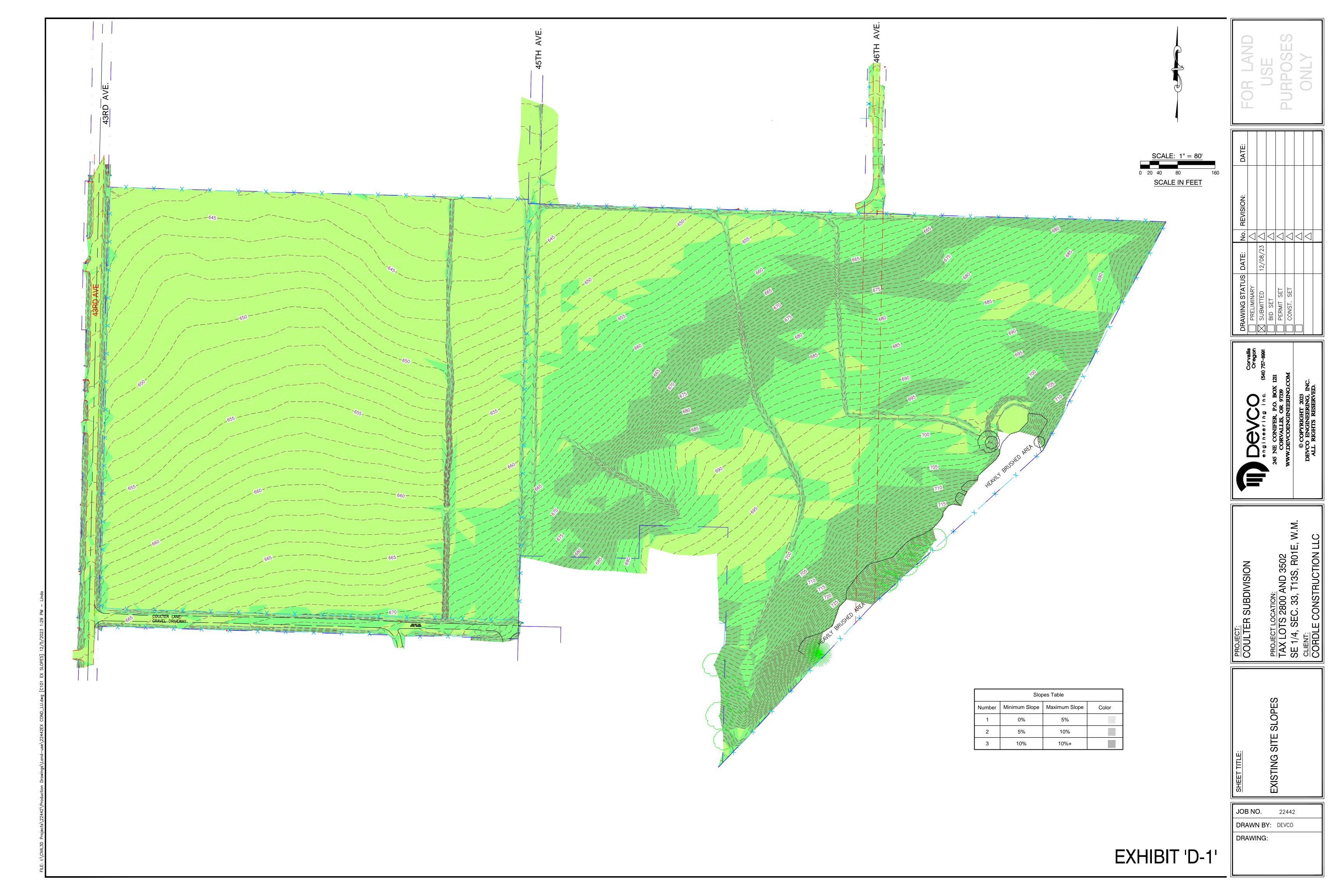


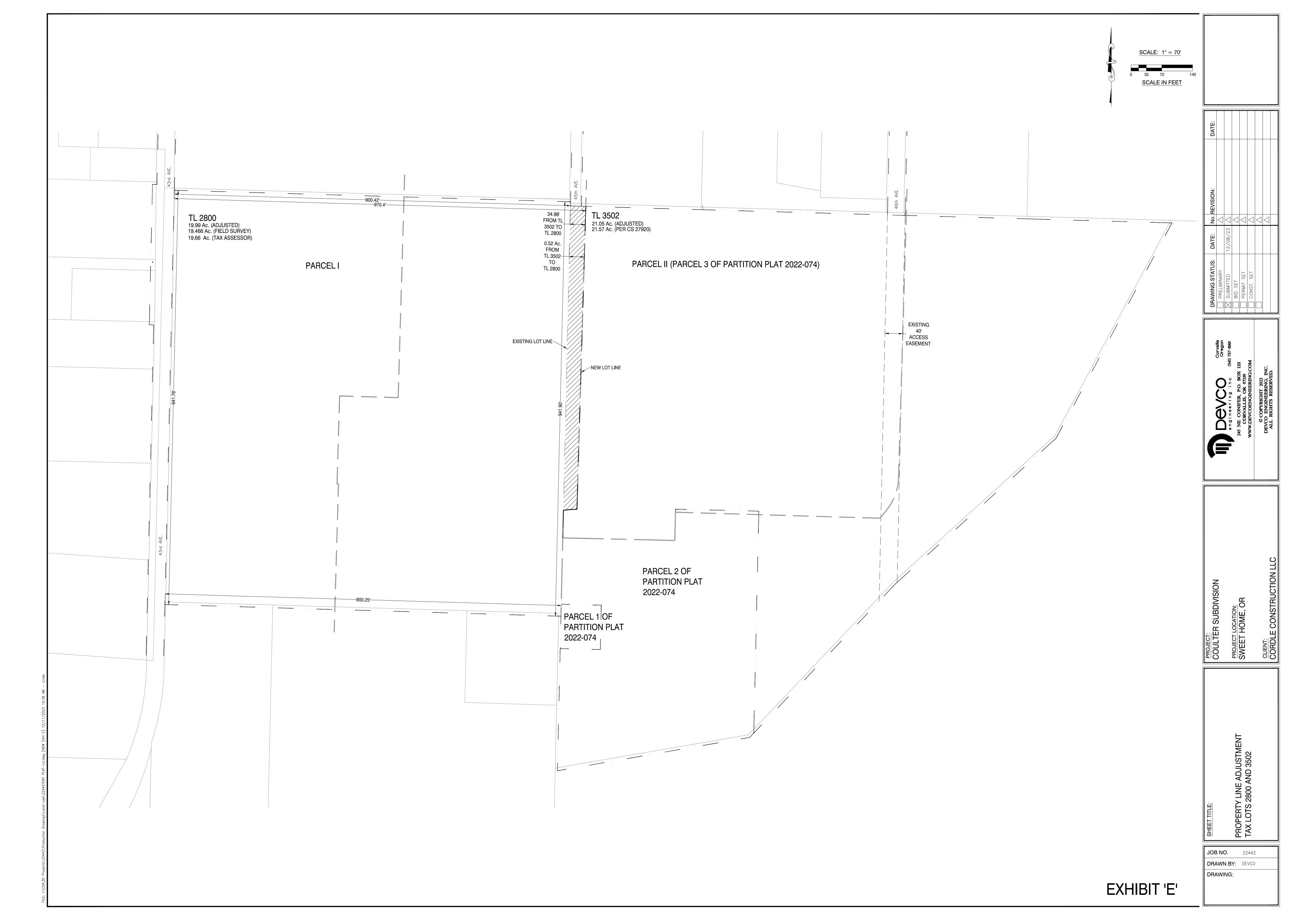


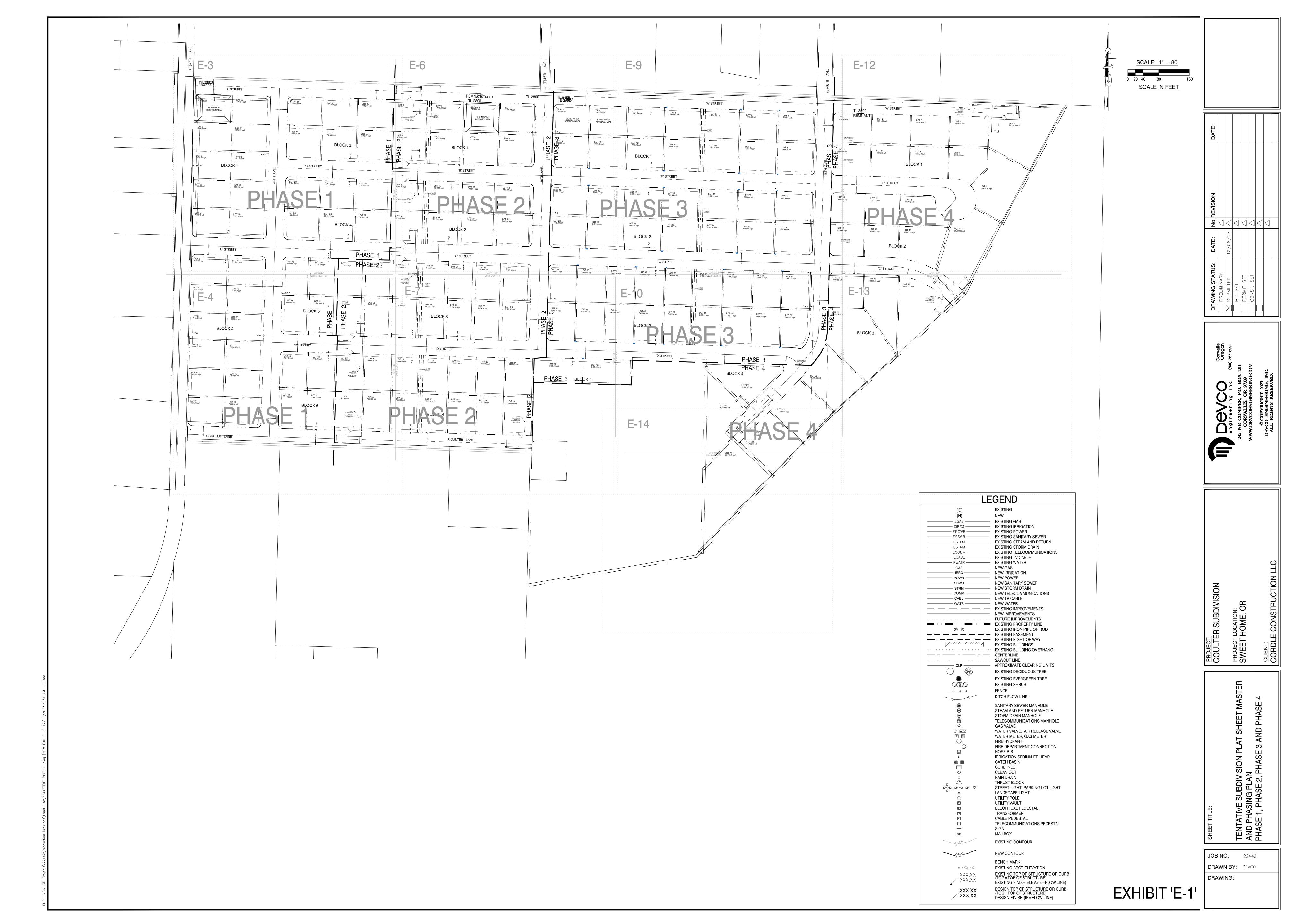
COULTER SUBDIVISION SWEET HOME, OREGON

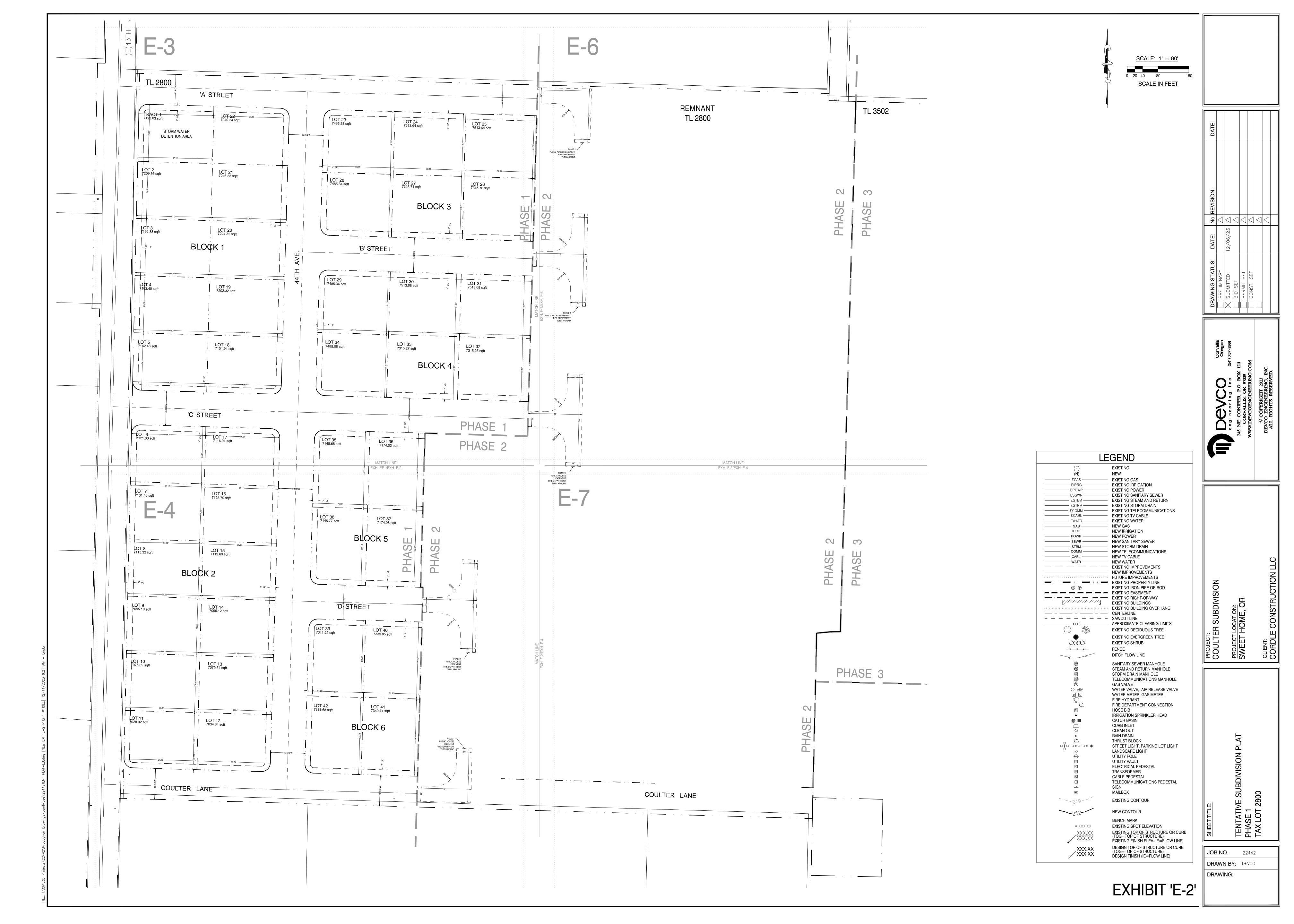
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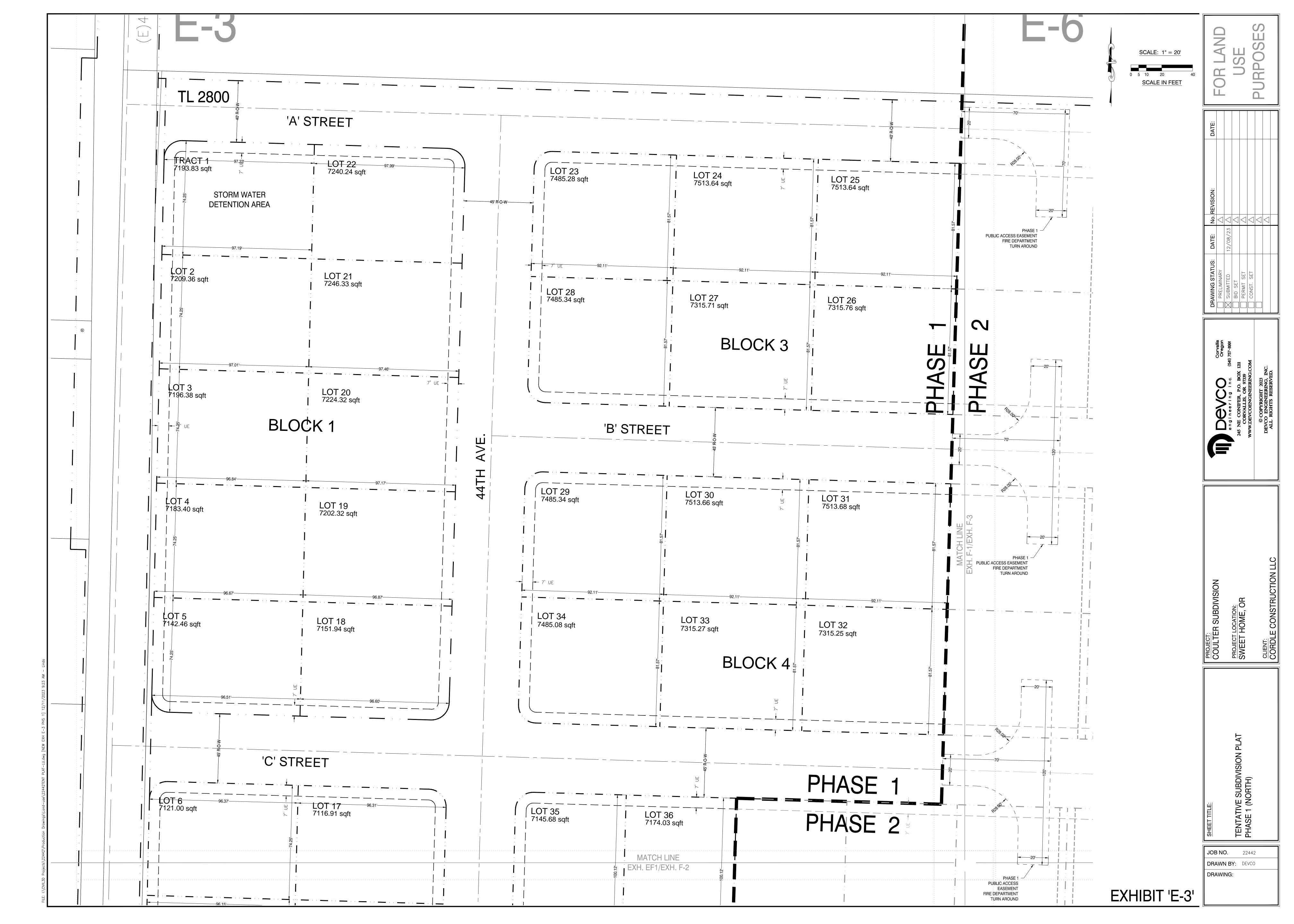


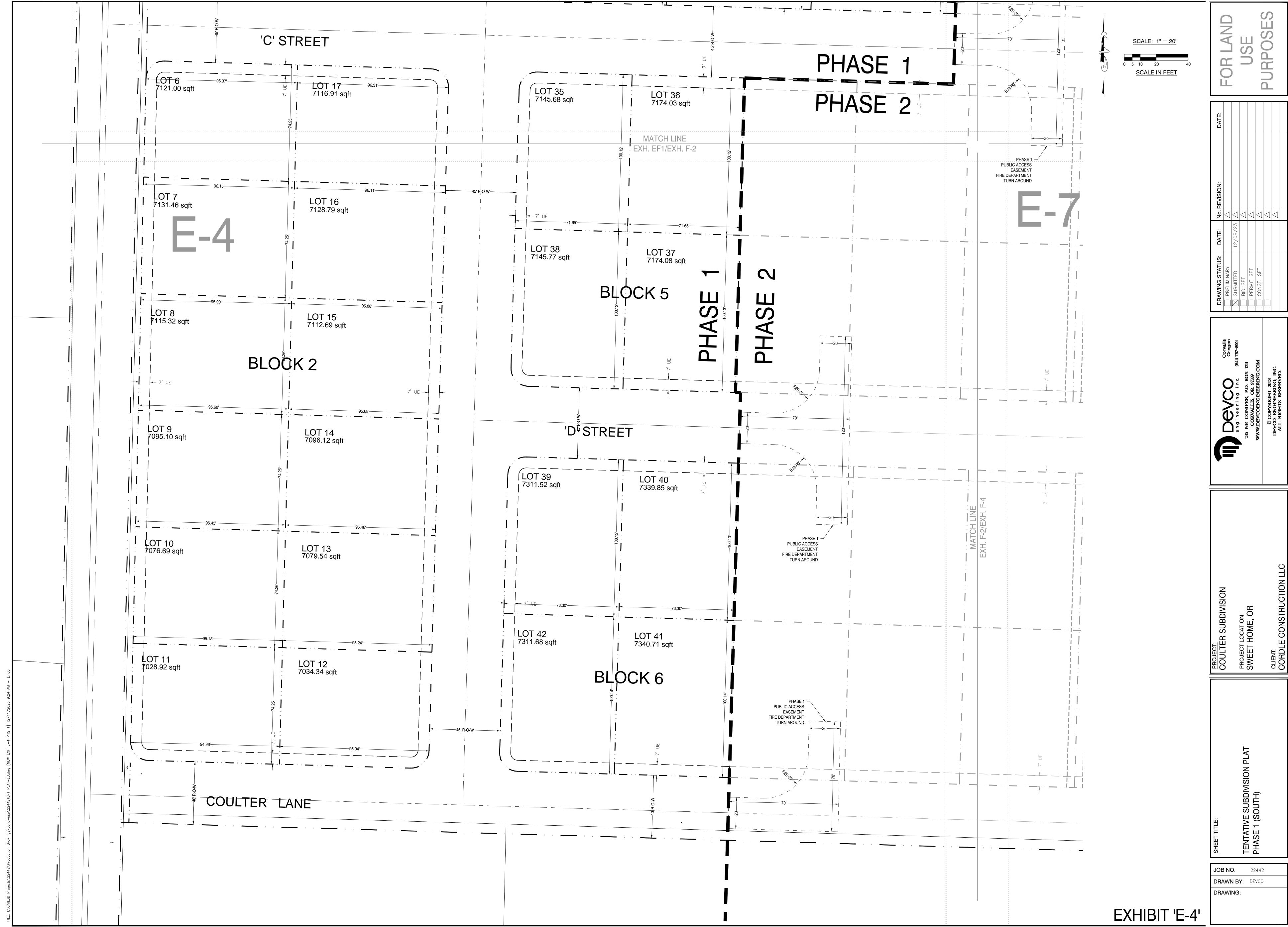


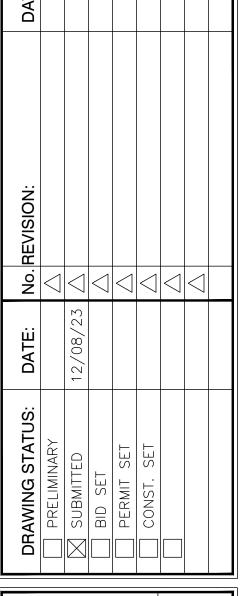




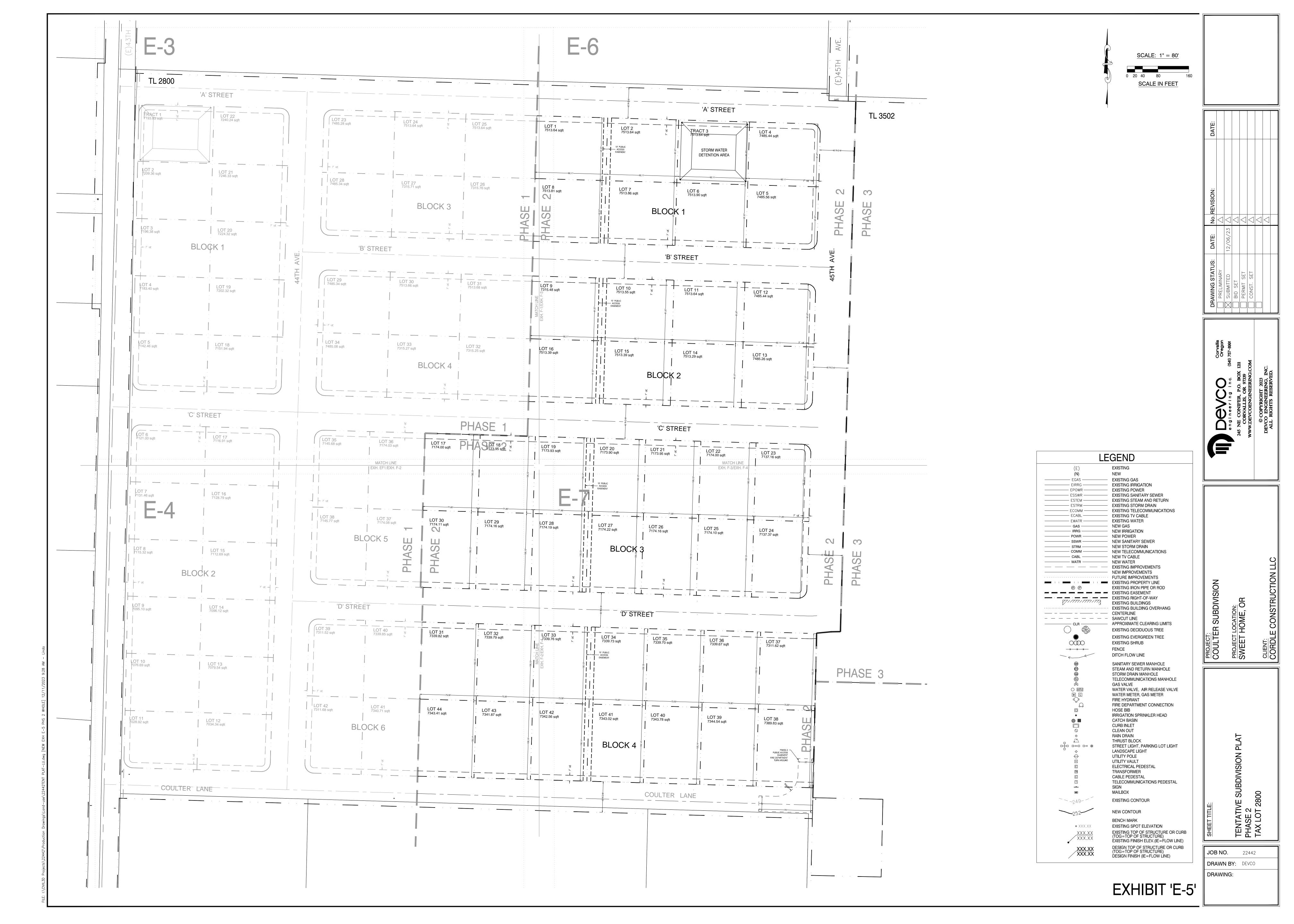


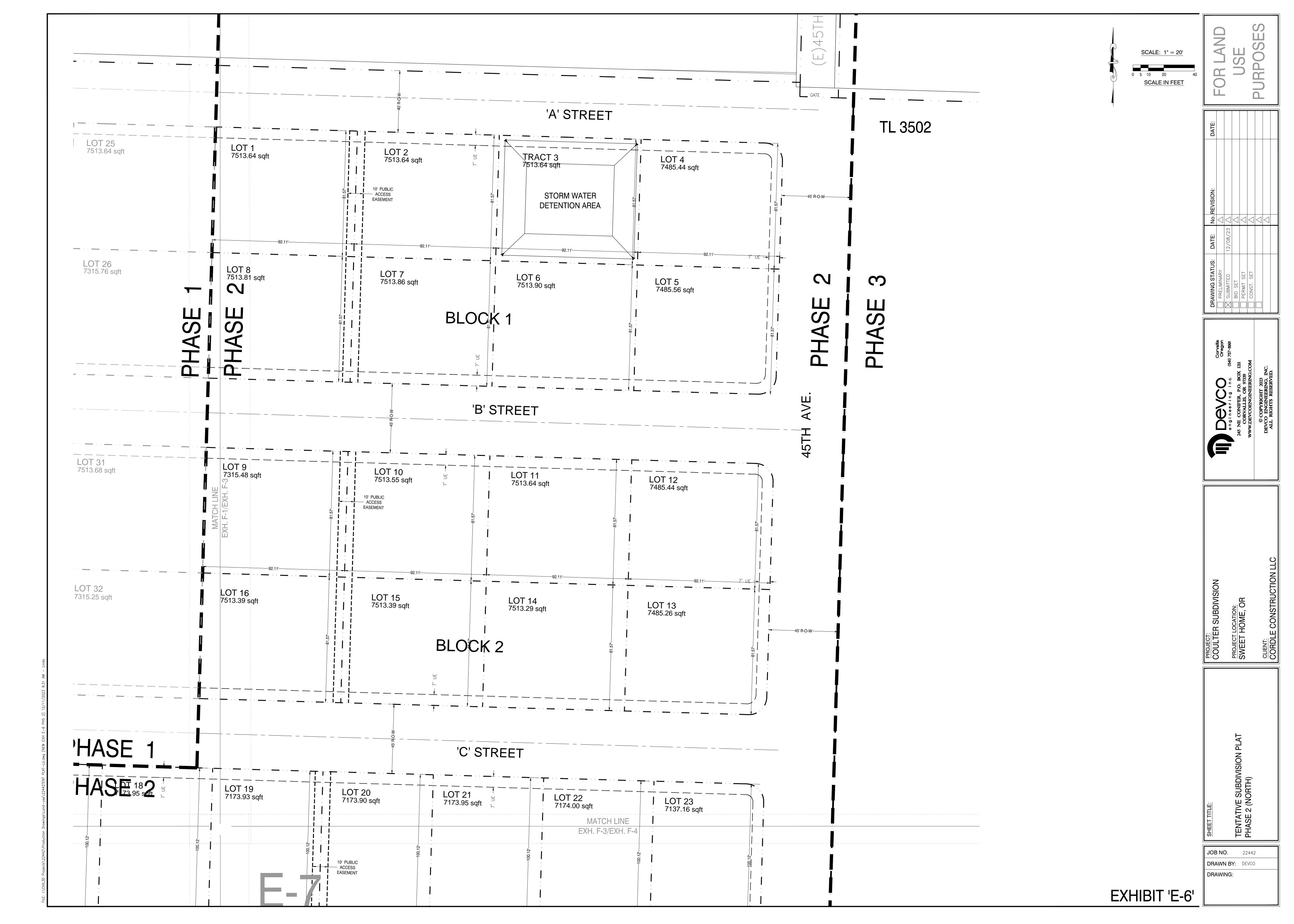


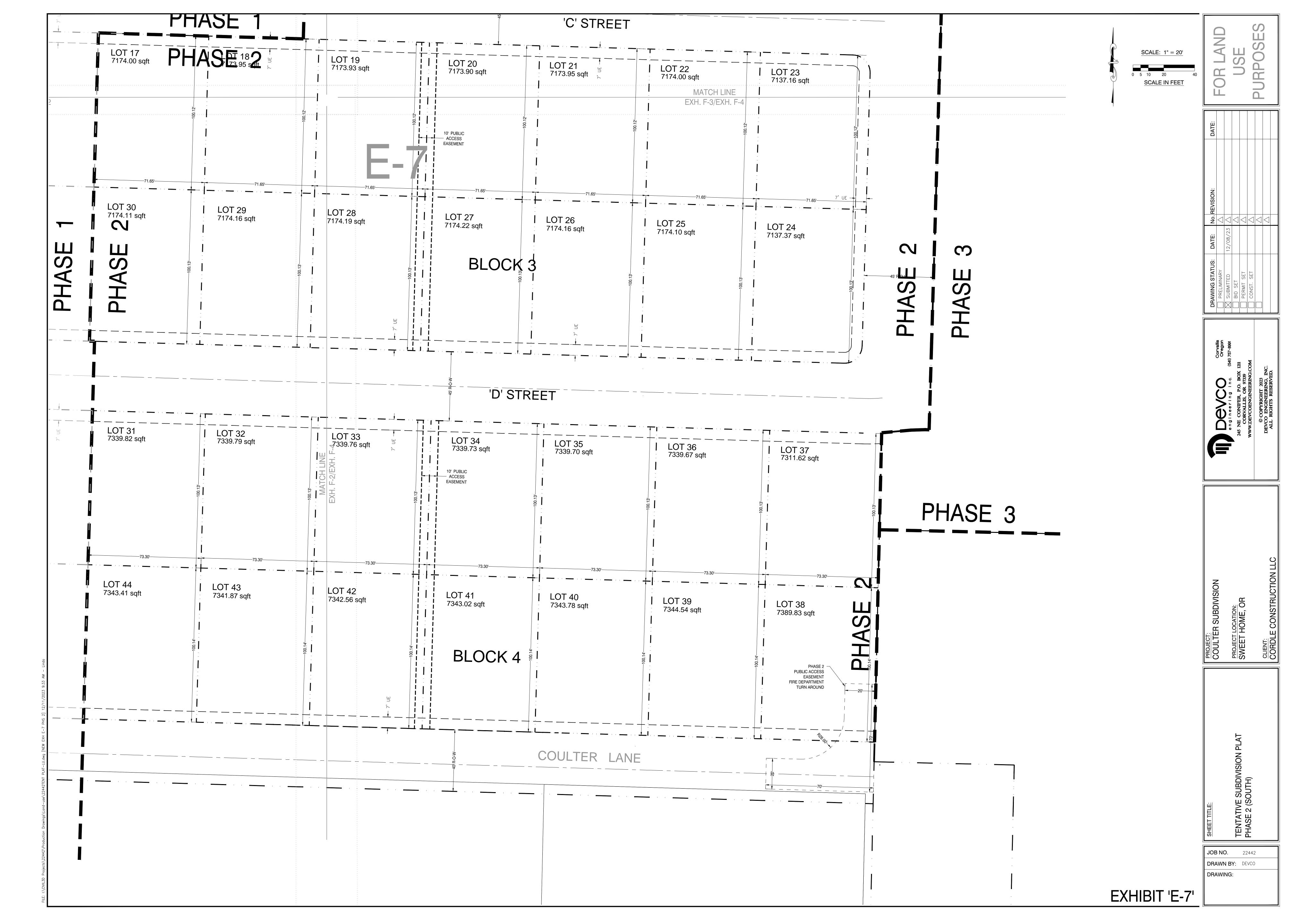


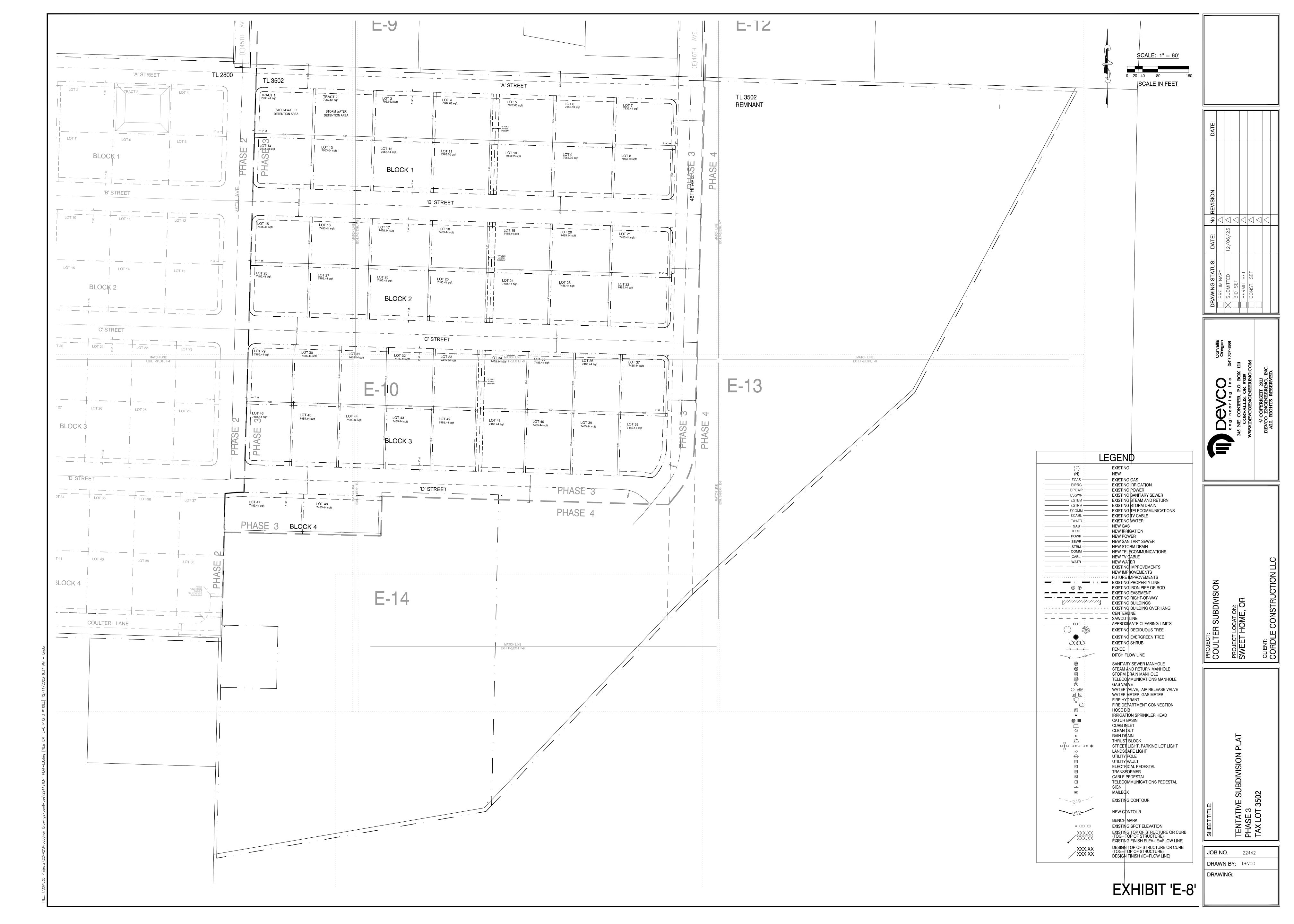


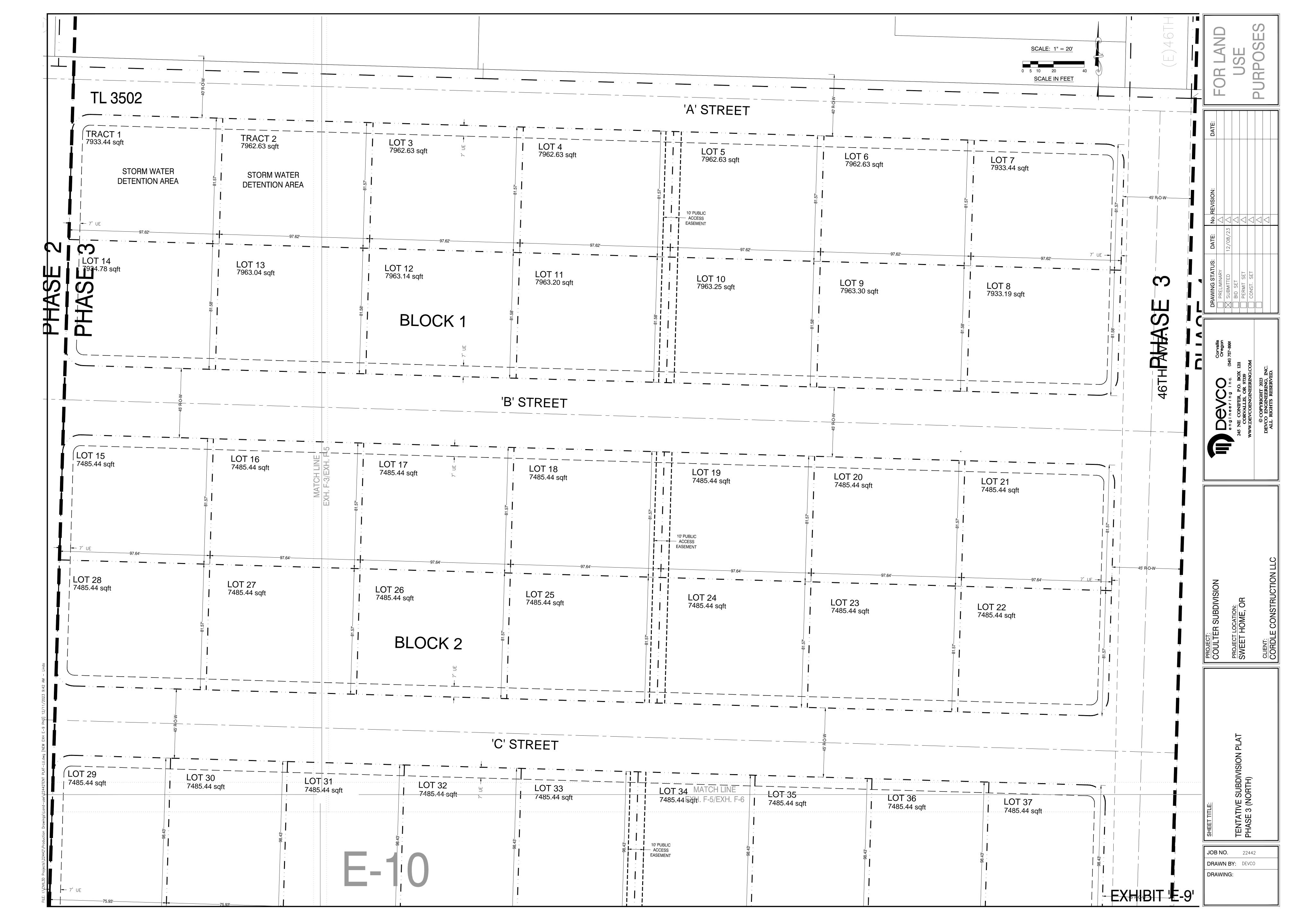
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engineering inc.	245 NE CONIFER, P.O. BOX 1211 CORVALLIS, OR 97339 WWW.DEVCOENGINEERING.COM	© COPYRIGHT 2023 DEVCO ENGINEERING, INC. ALL RIGHTS RESERVED.
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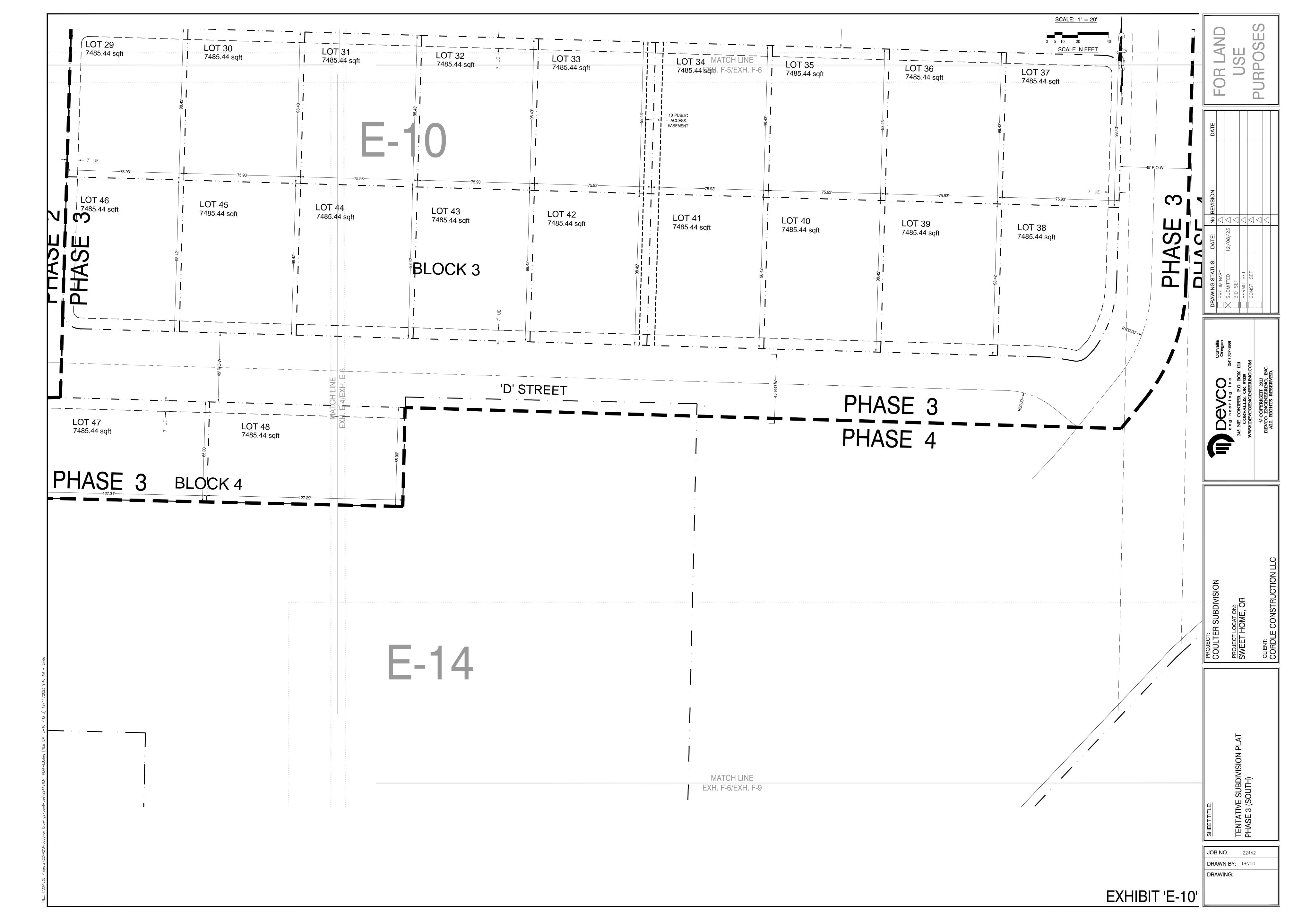




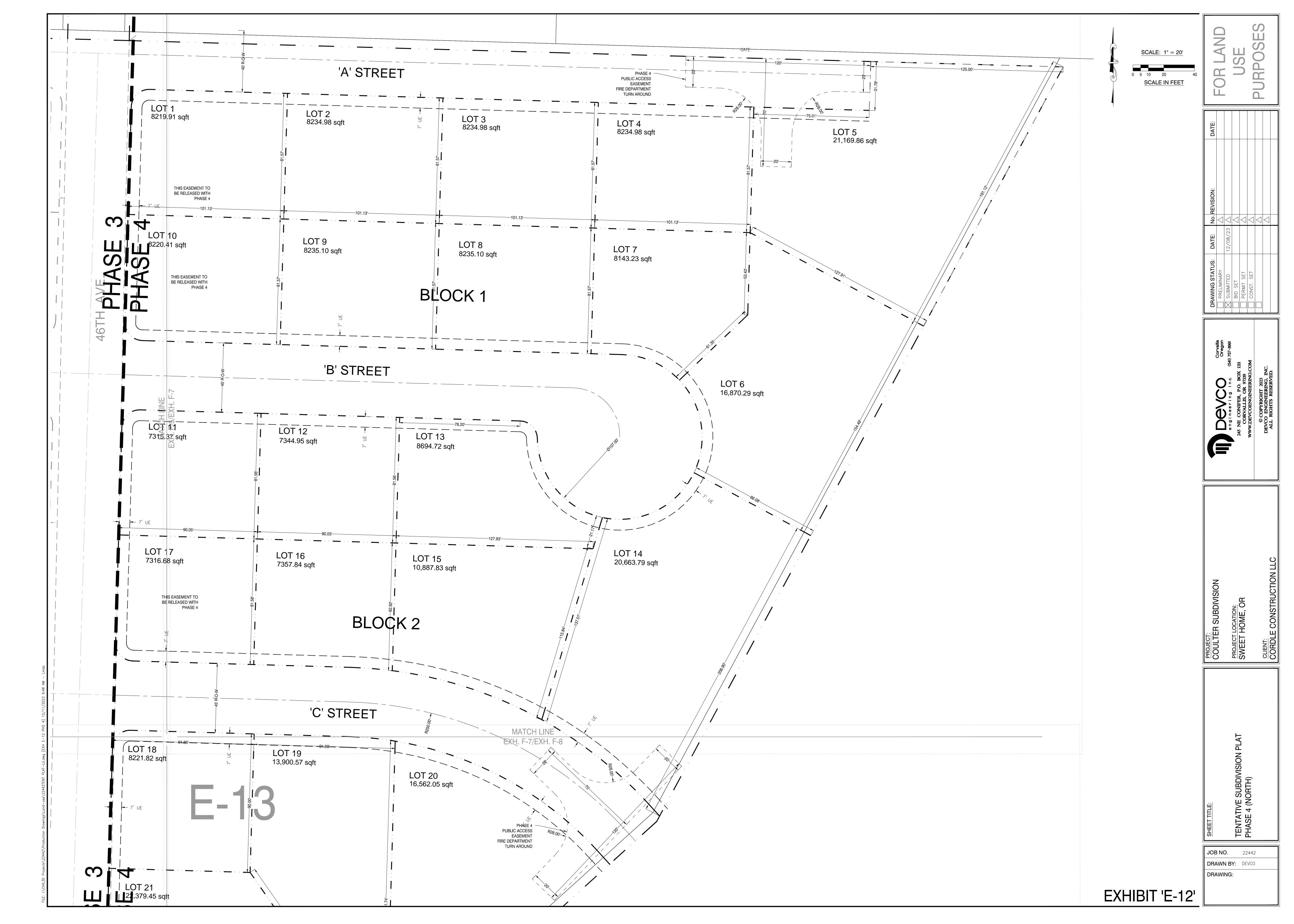


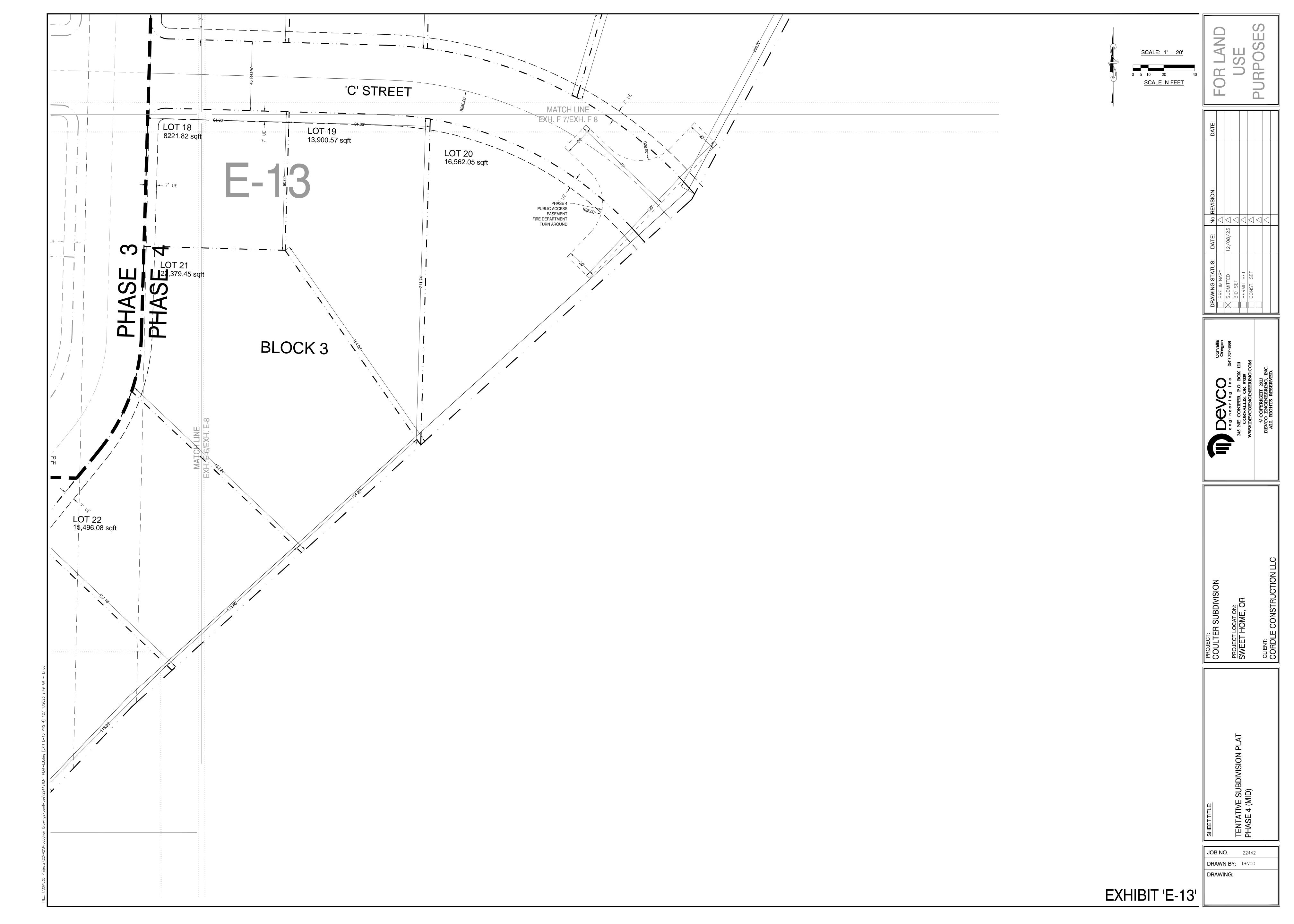


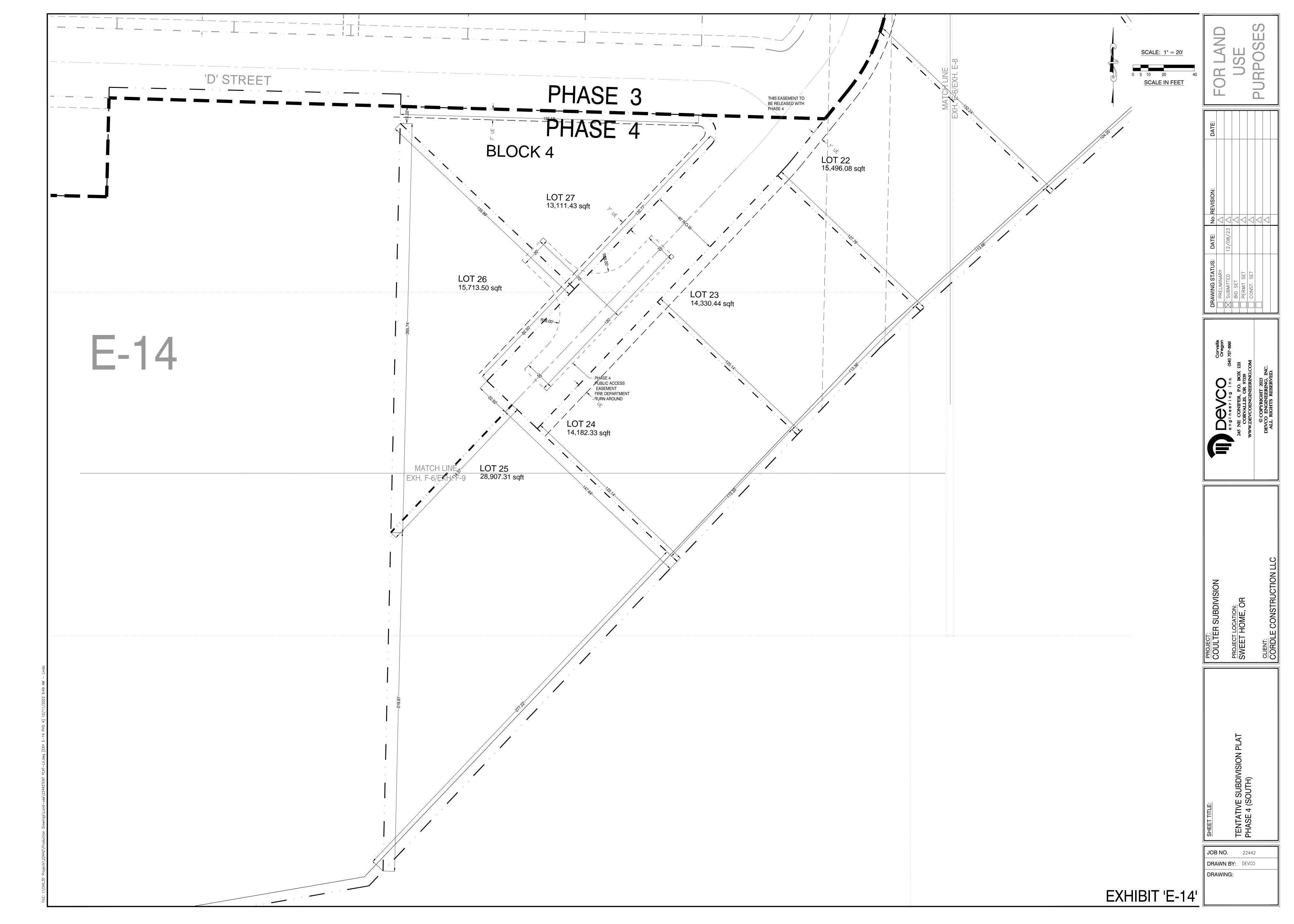




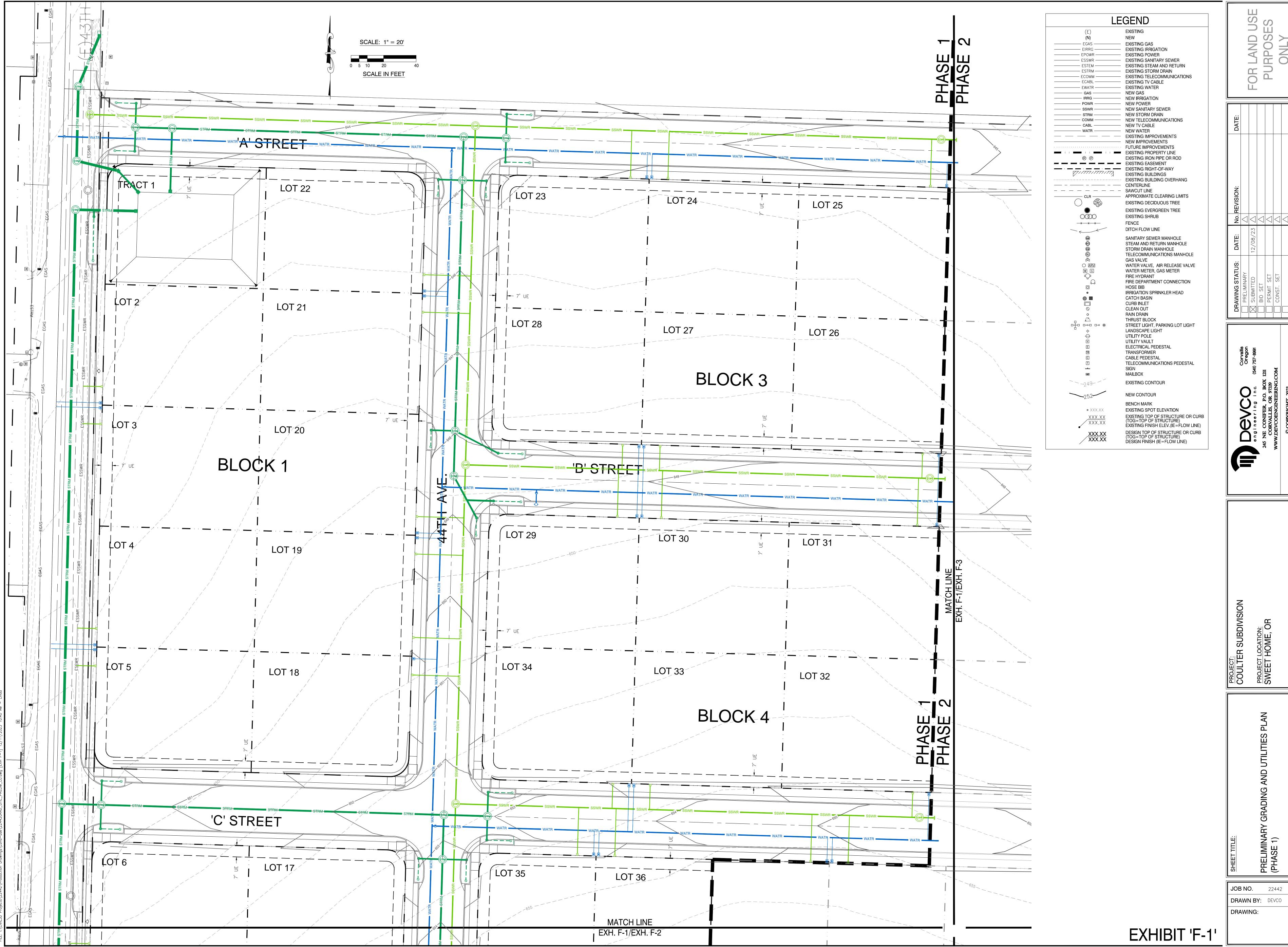




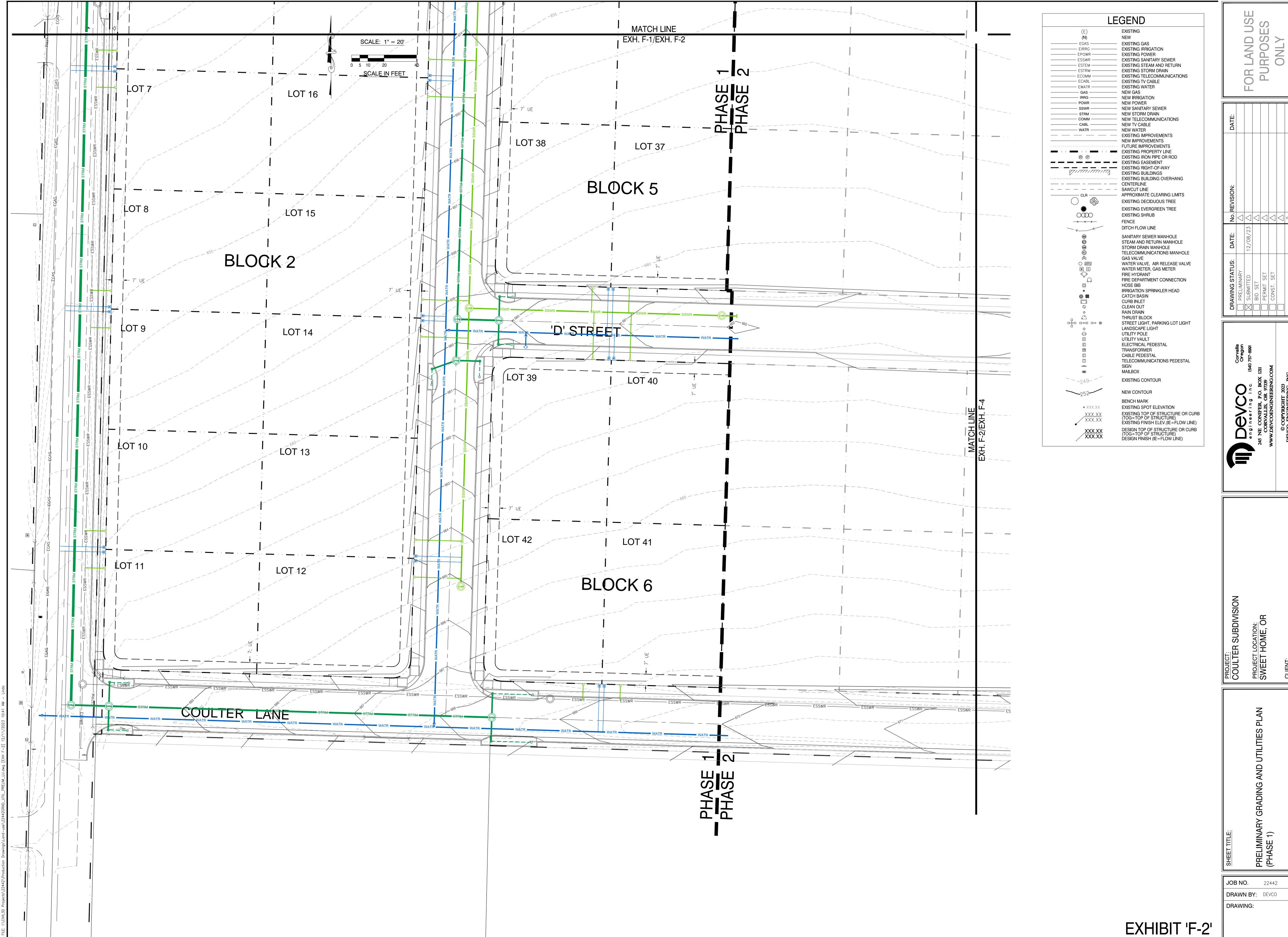


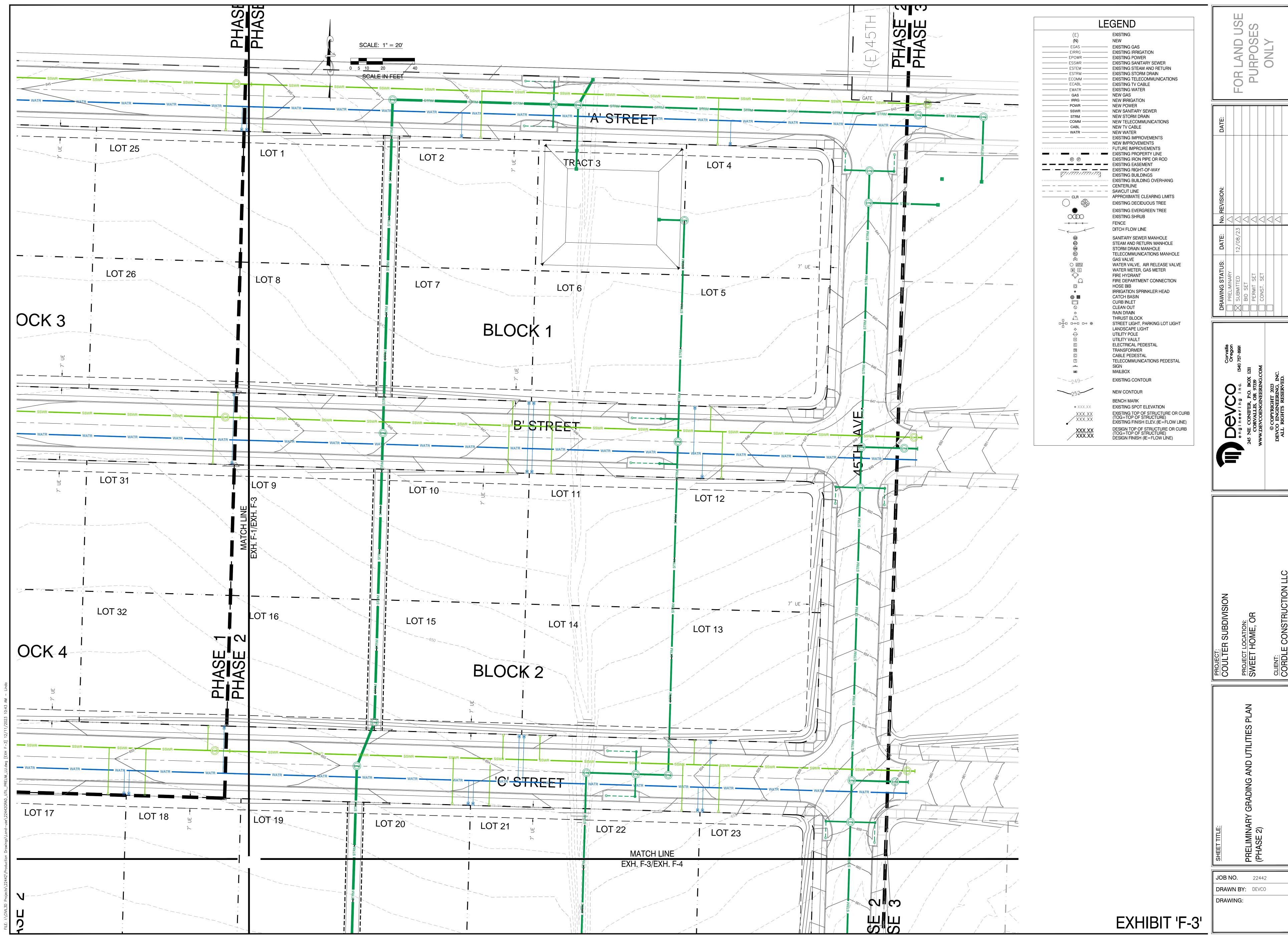


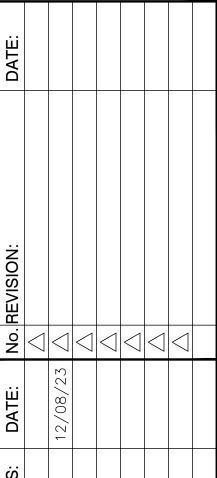




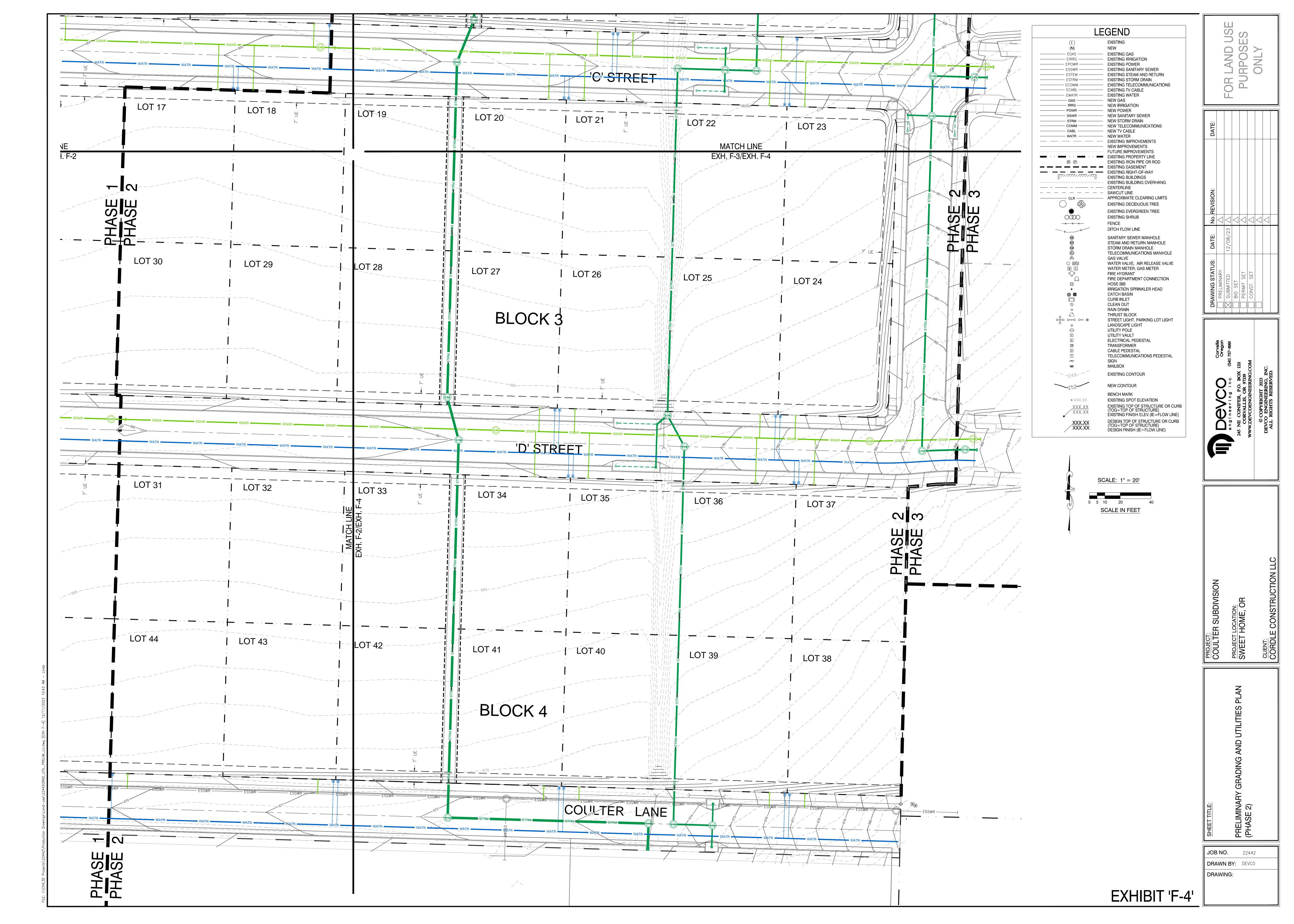
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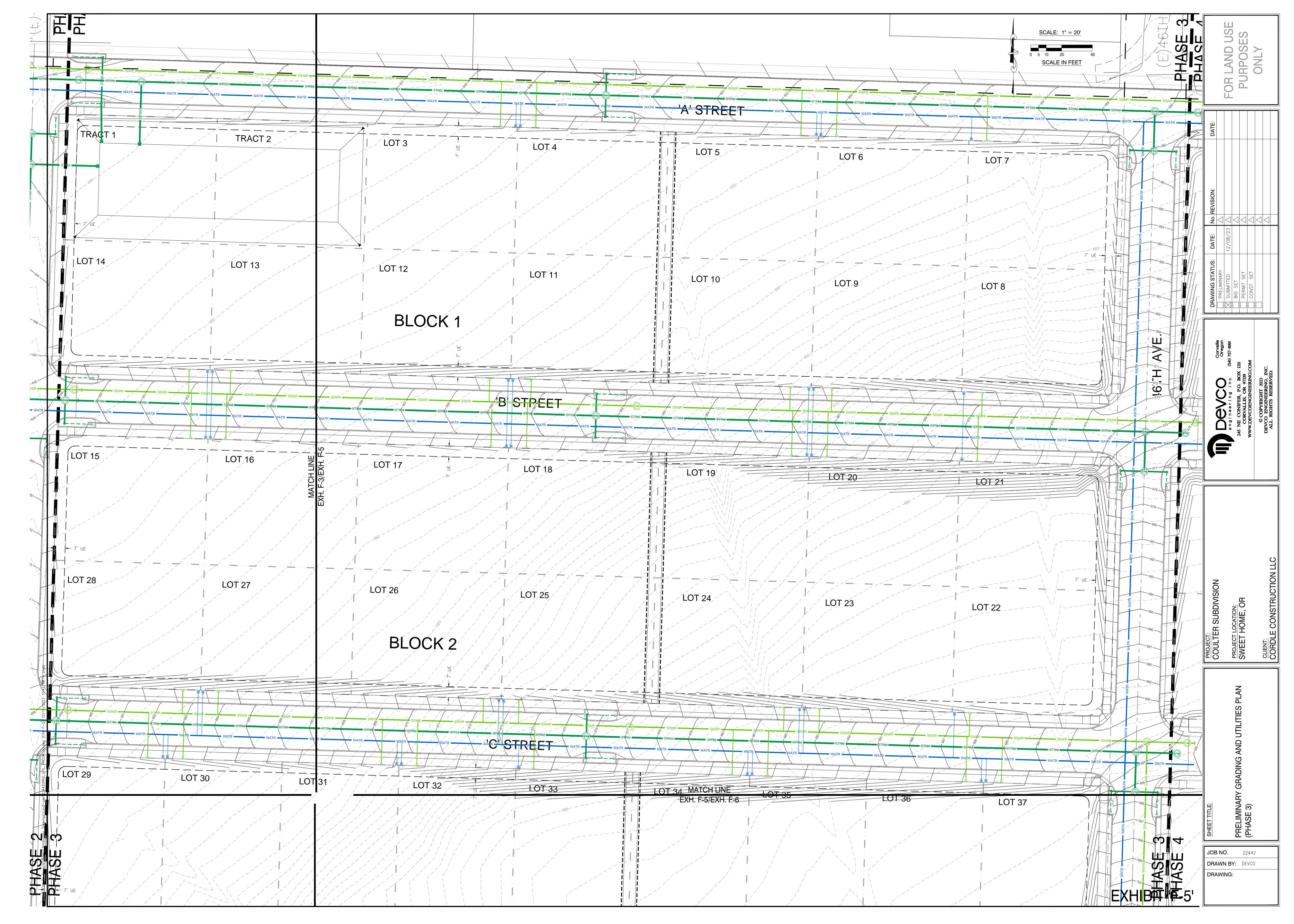


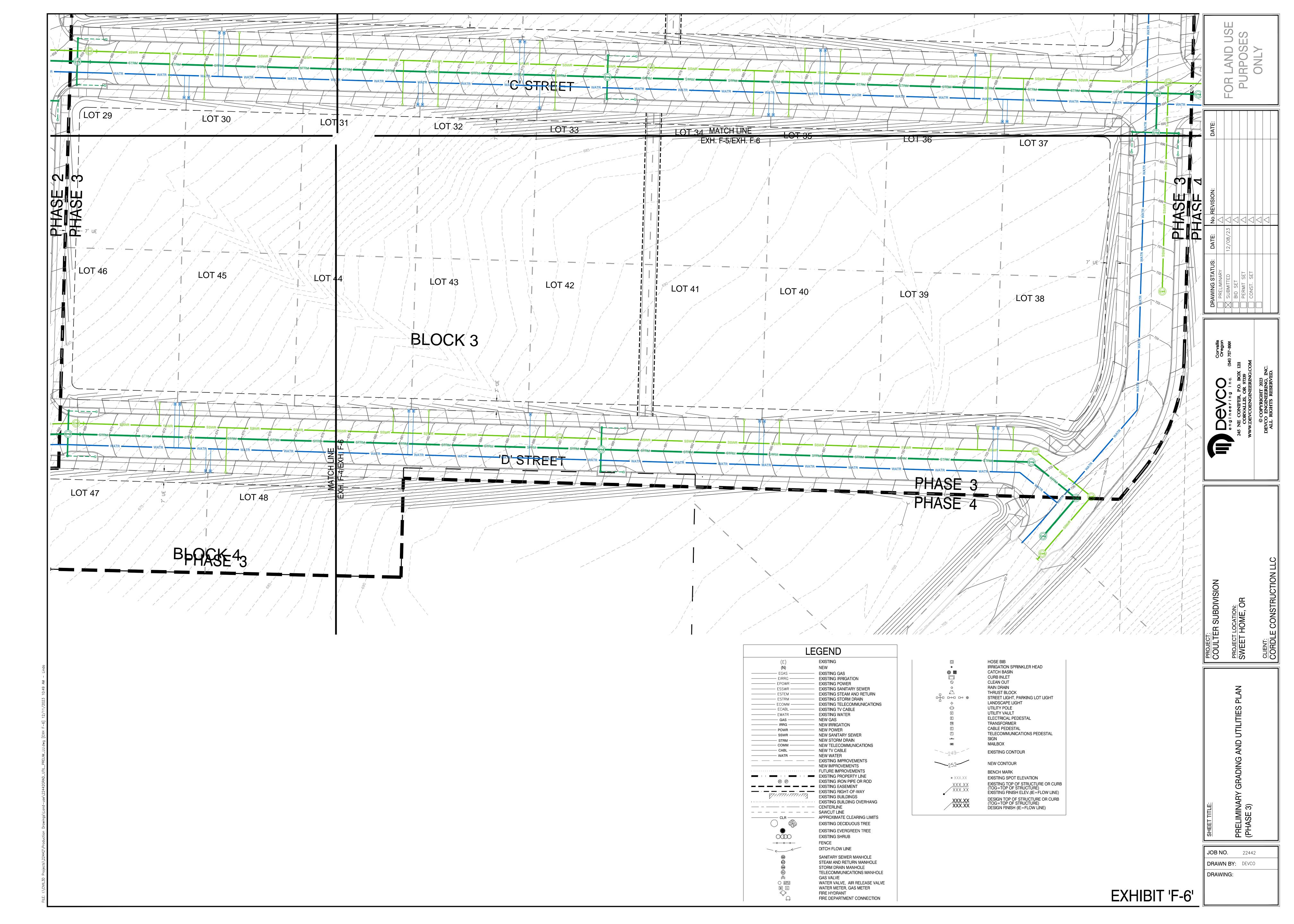


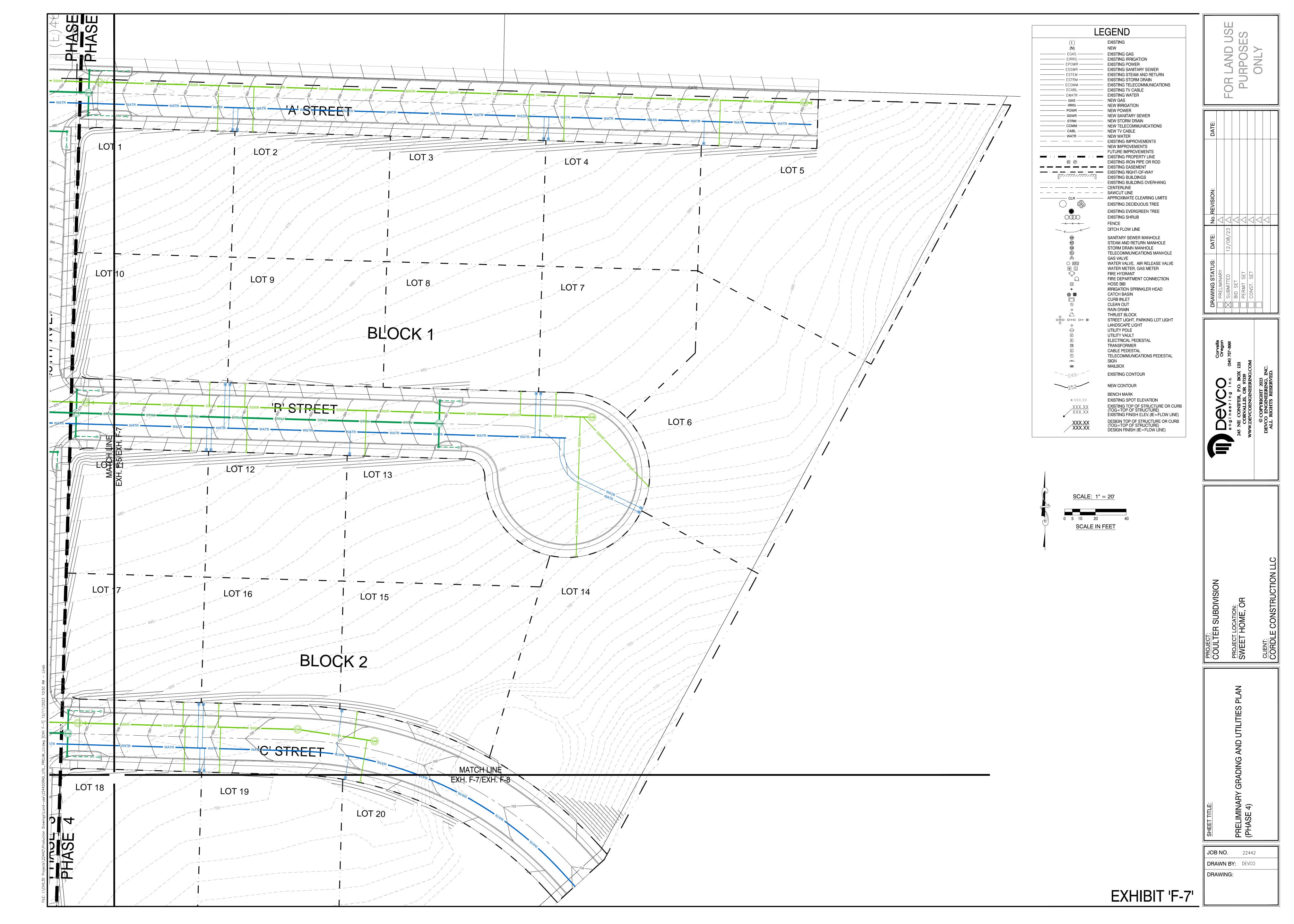


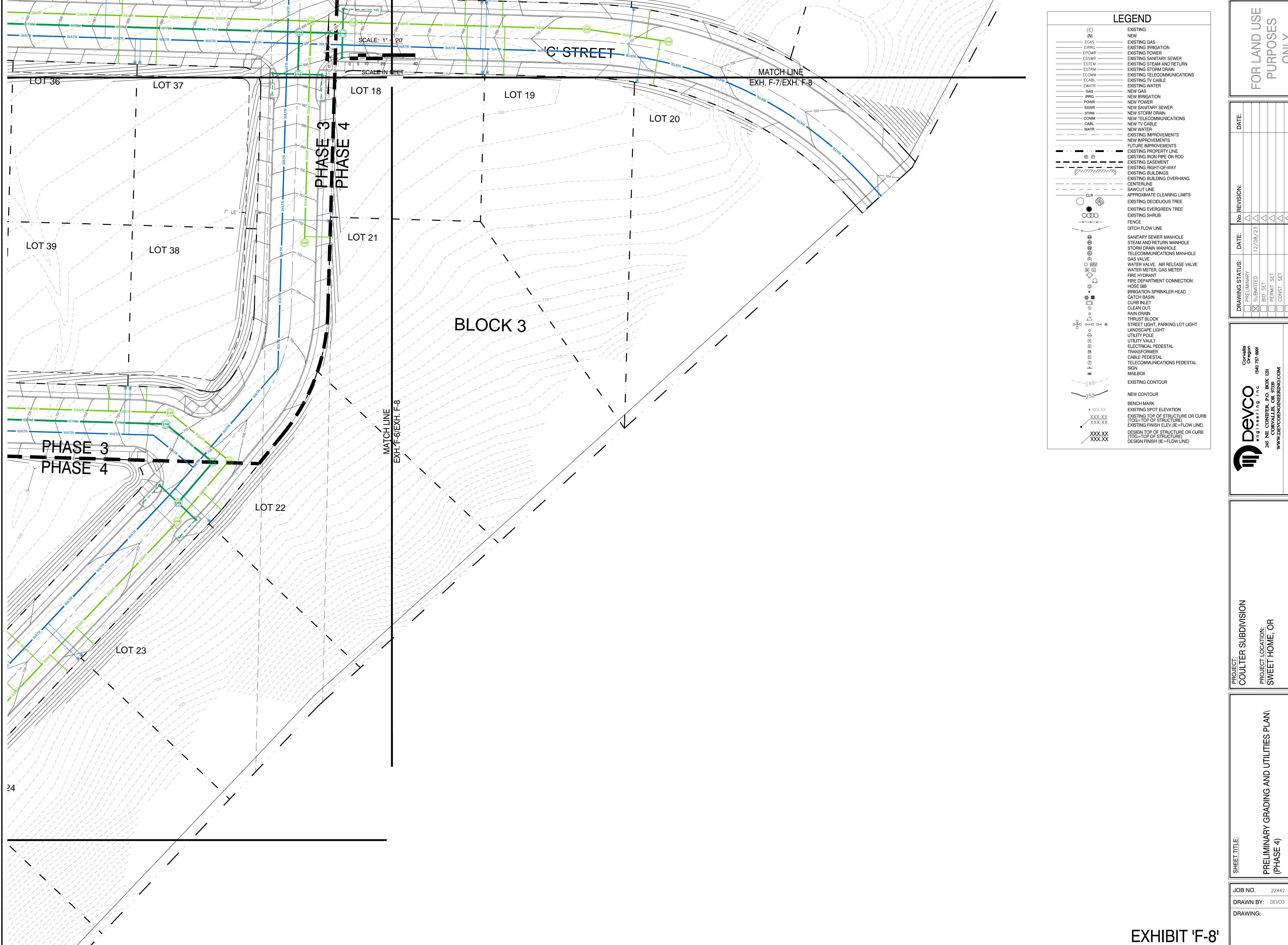
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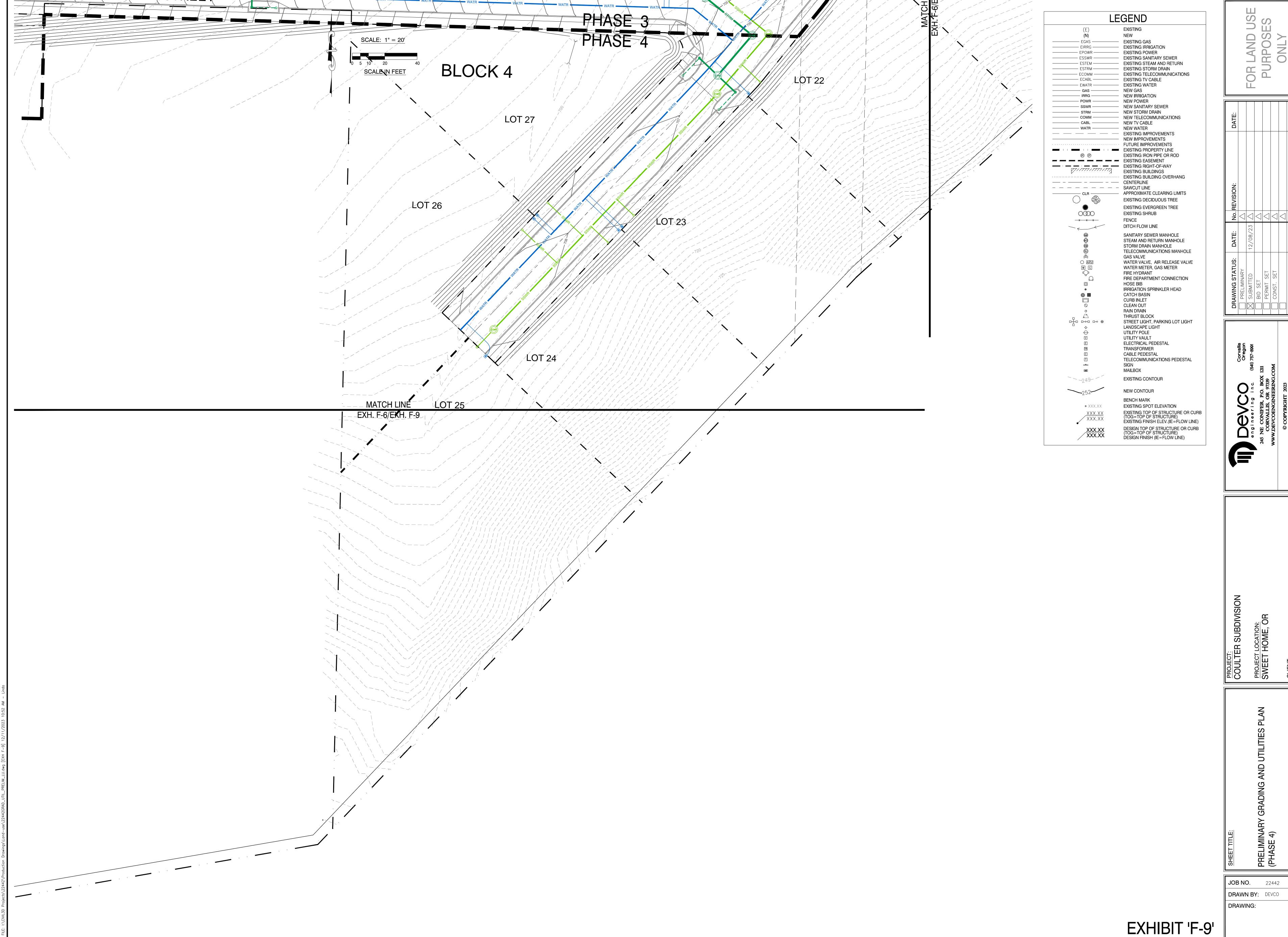






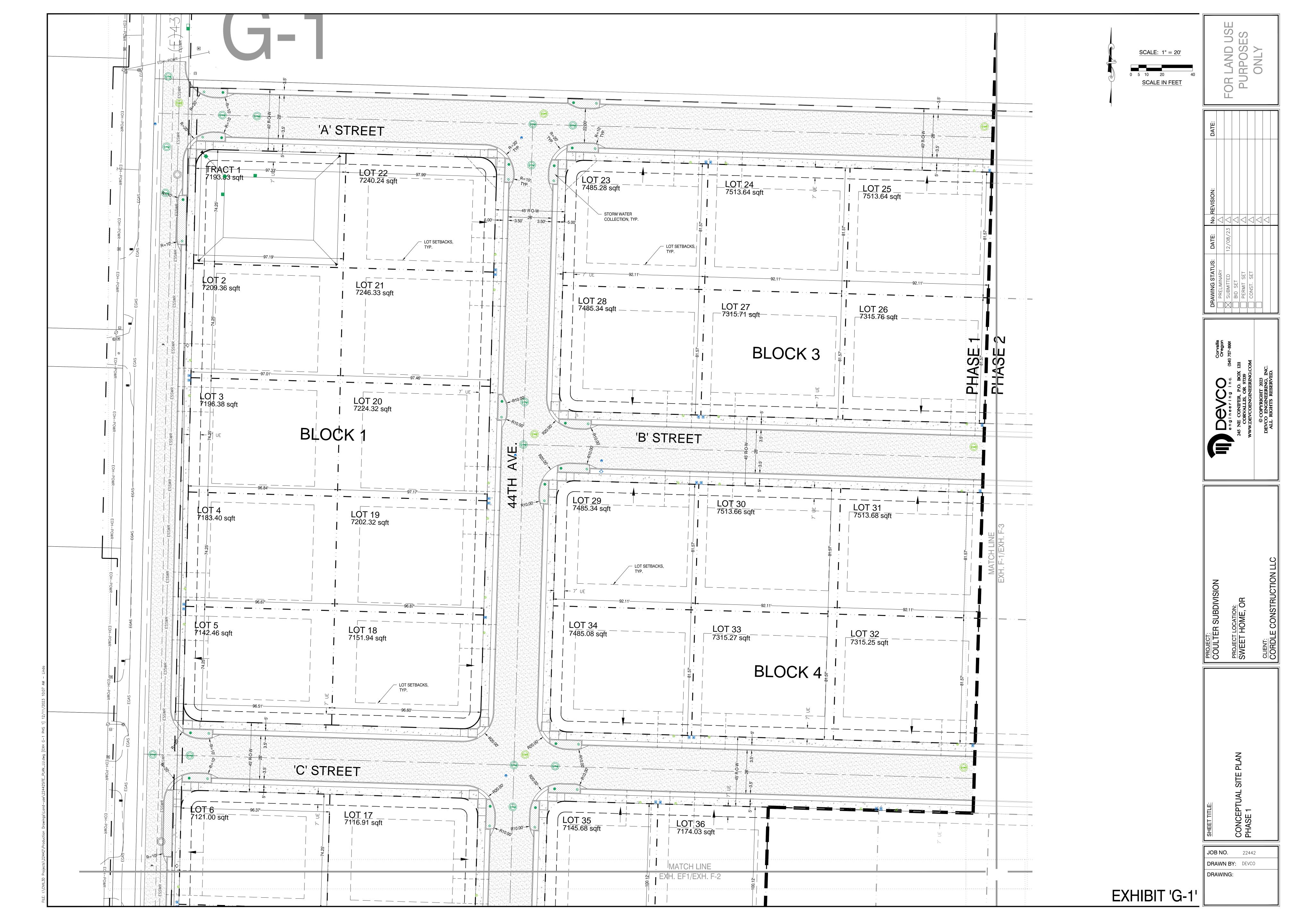


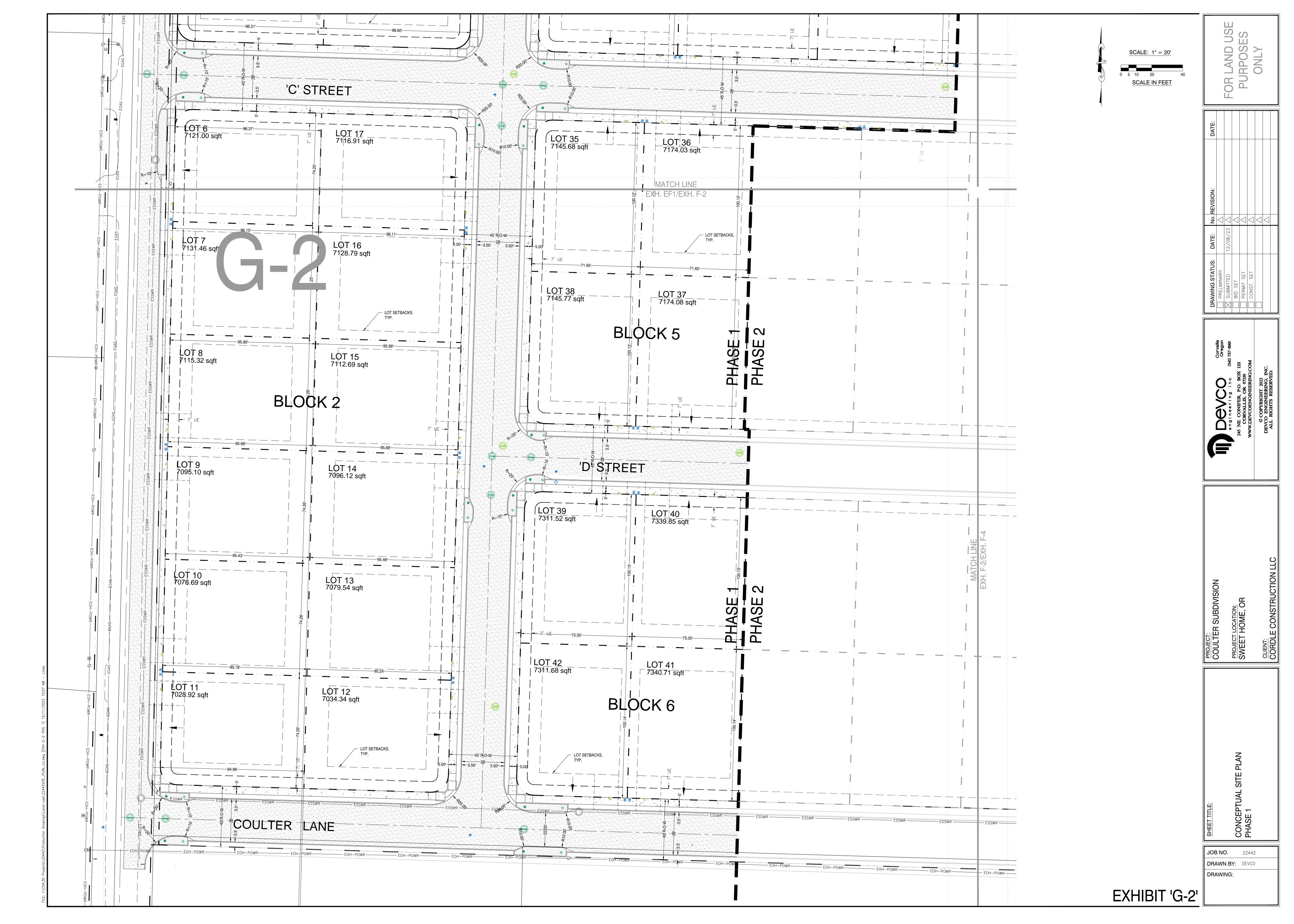
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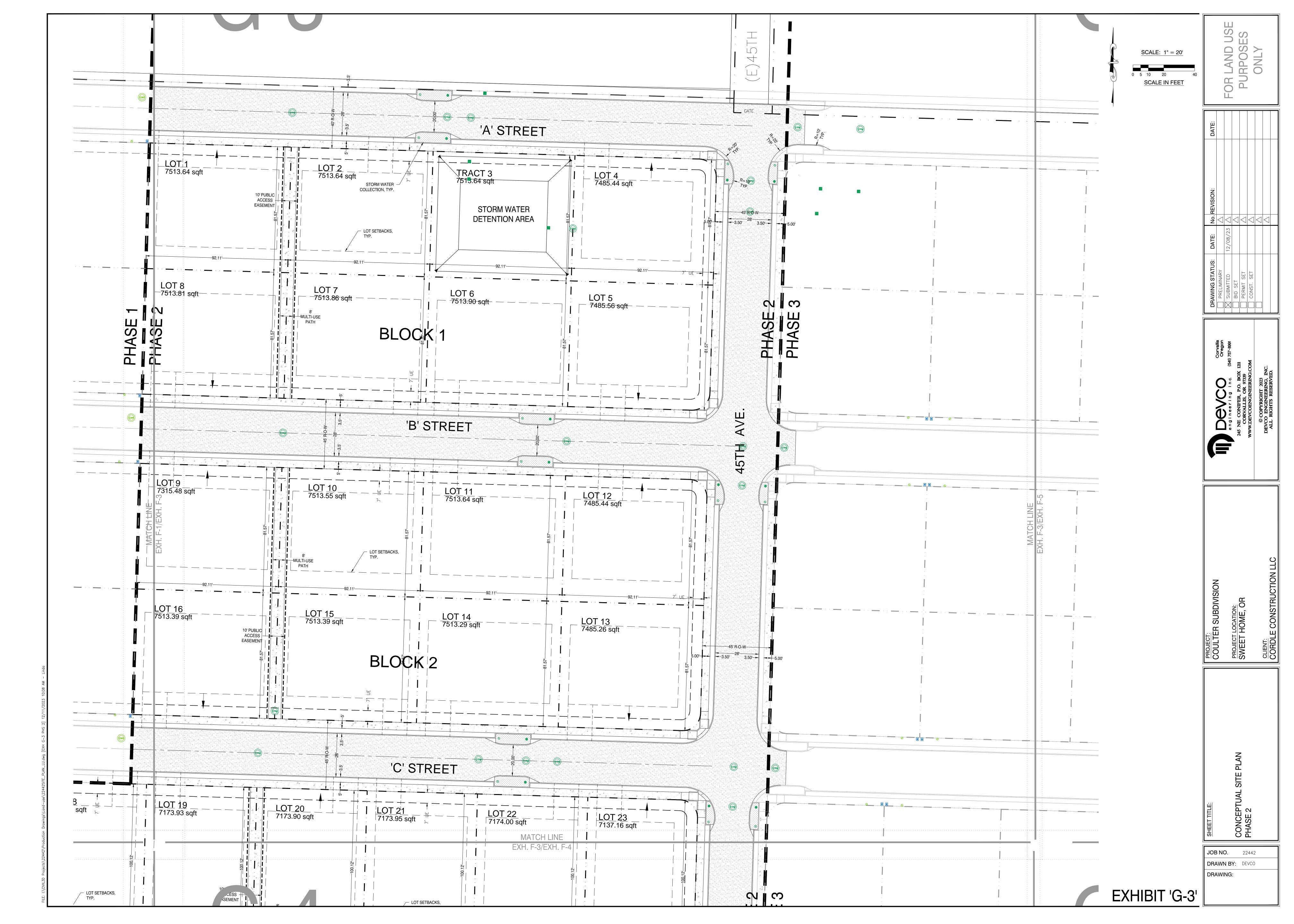


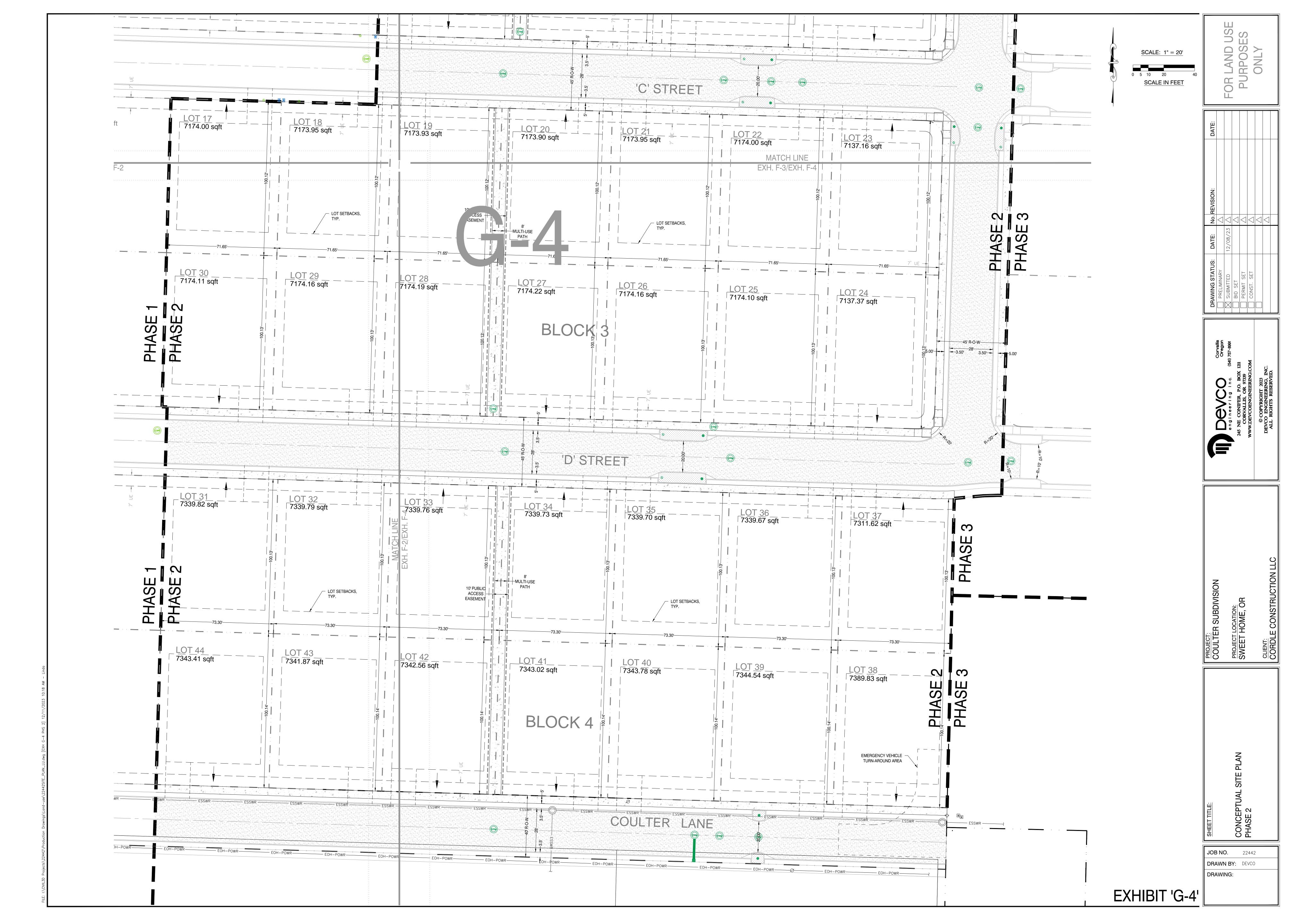
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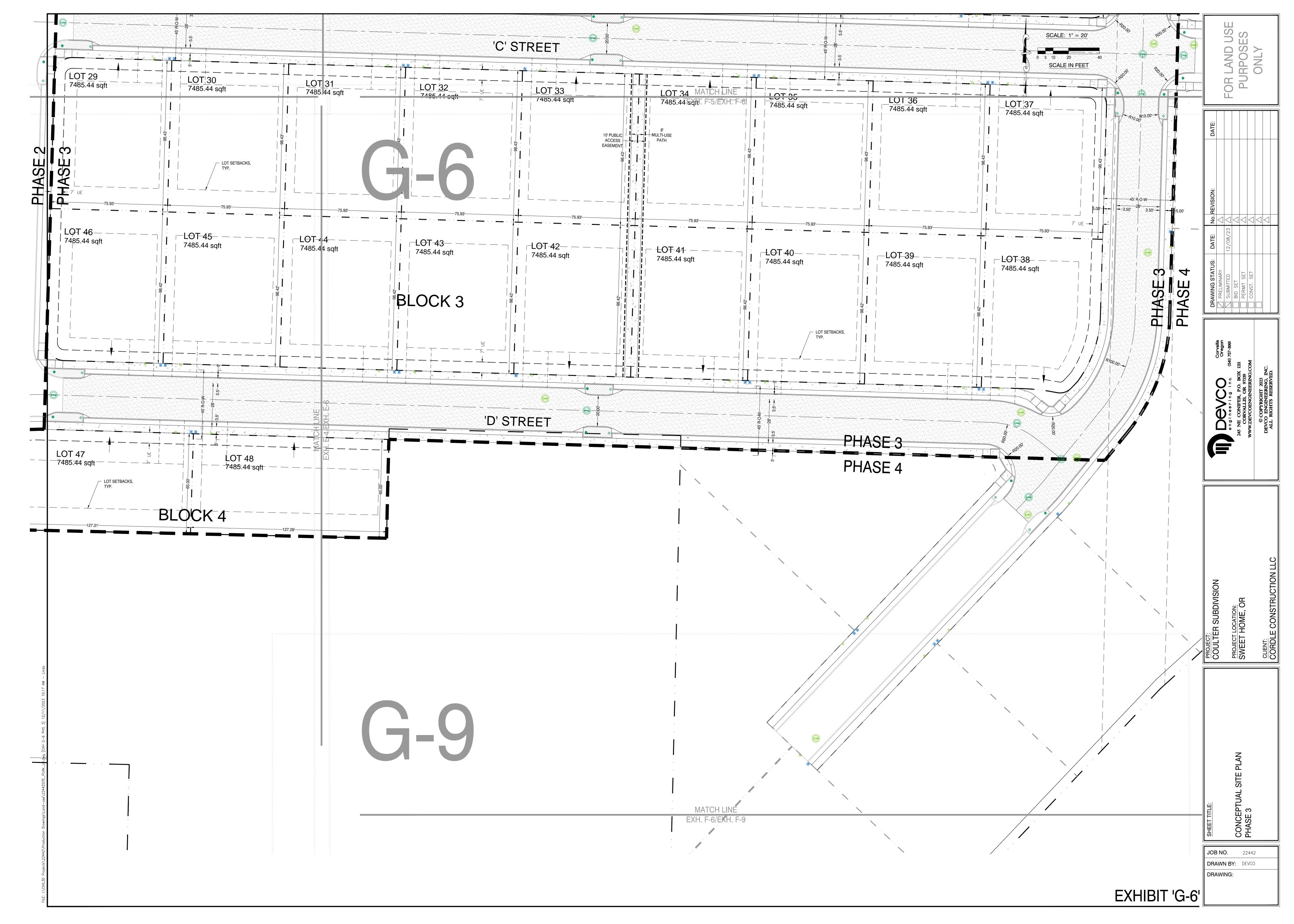


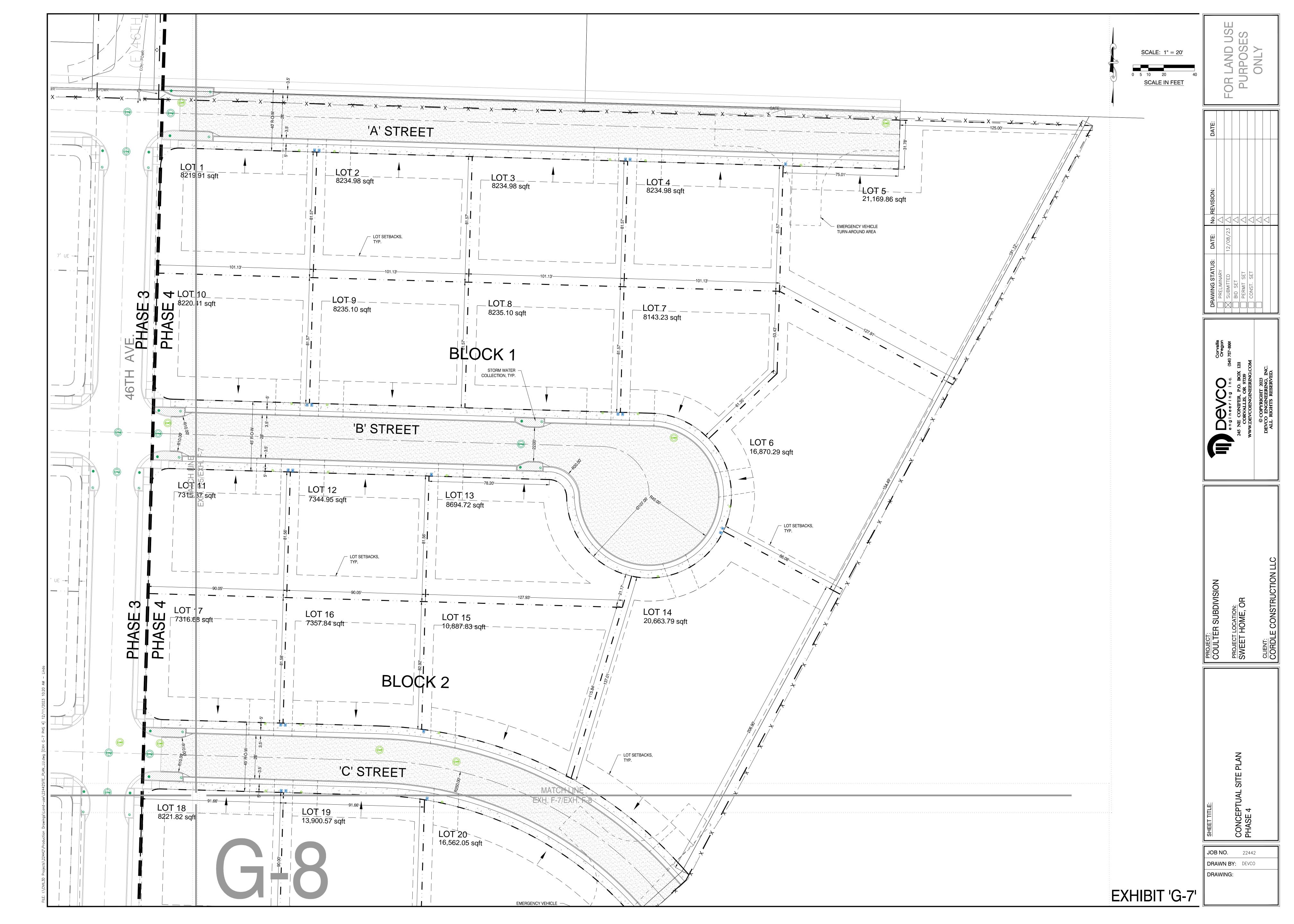


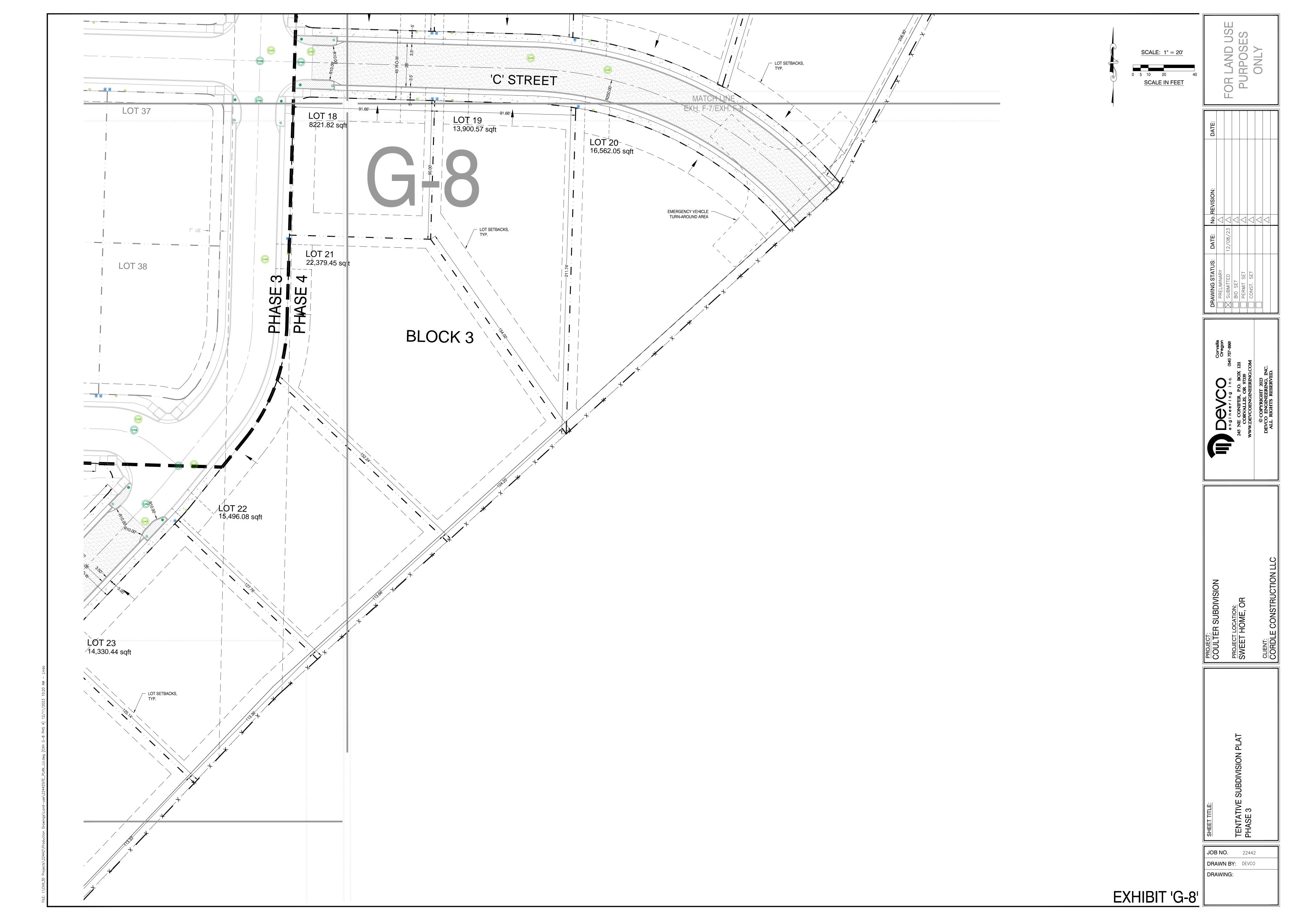


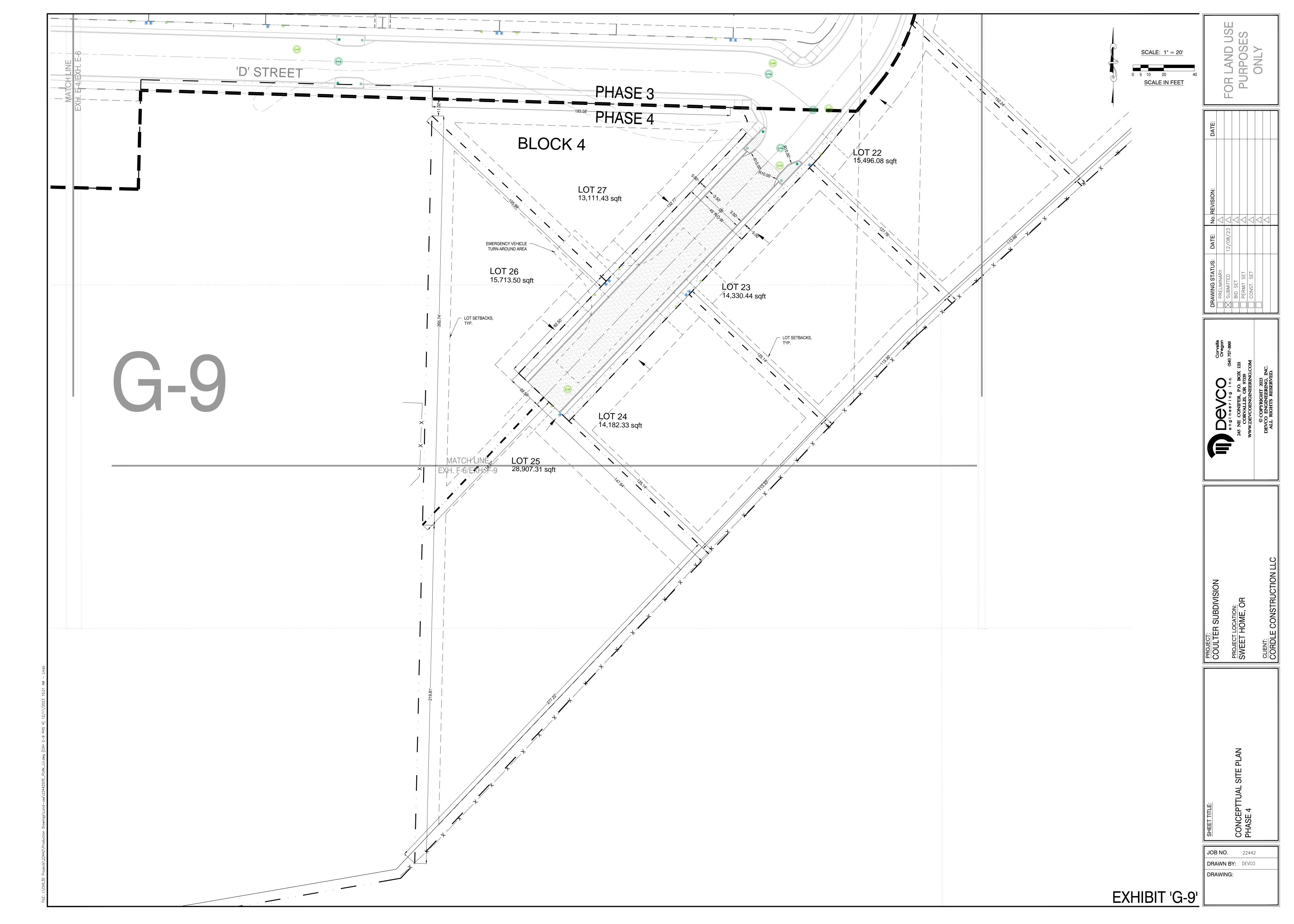


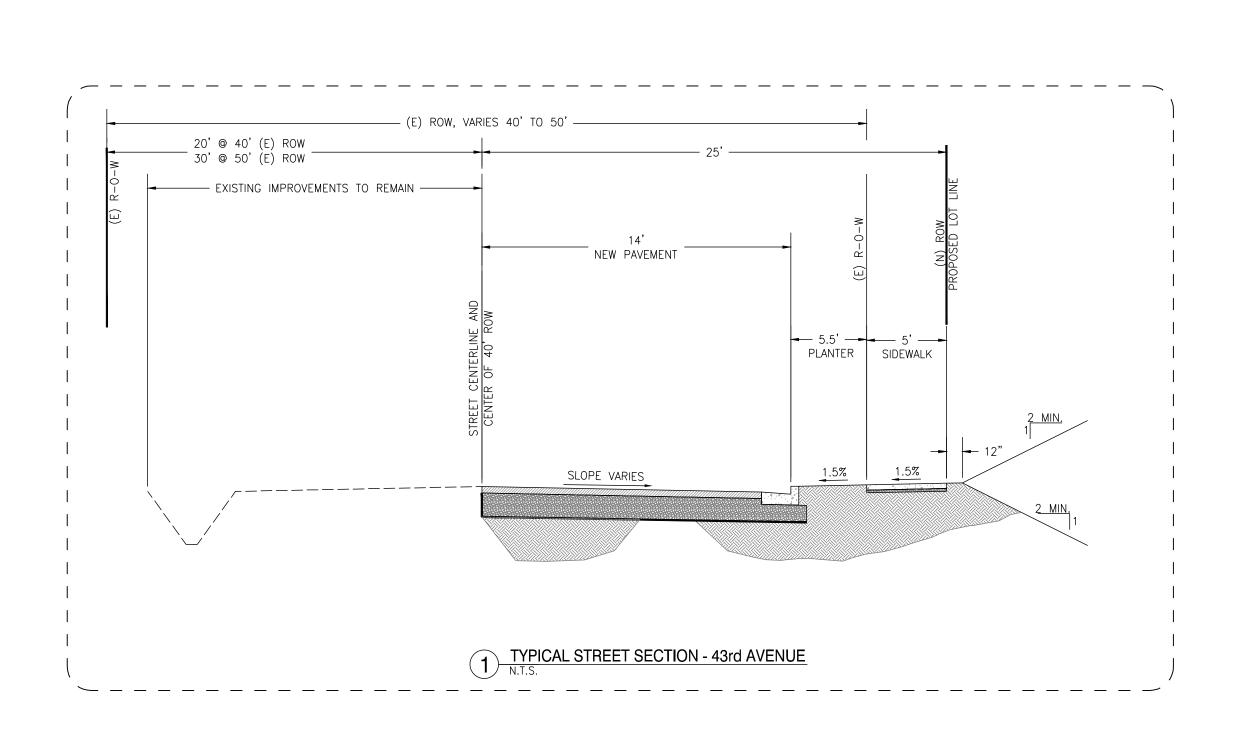












USE USE PURPOSES

DATE:		12/08/23			
DRAWING STATUS:	PRELIMINARY	SUBMITTED	□ BID SET	PERMIT SET	CONST. SET
Corvelle	Oregon 77-600	<u> </u>			

Corvali Orego (54) 757-699	K izii	IJ.
	245 NE CONIFER, P.O. BOX 1211 CORVALLIS, OR 9739 WWW.DEVCOENGINEERING.COM	© COPYRICHT 2023 DEVCO ENGINEERING, INC. ALL RICHTS RESERVED.
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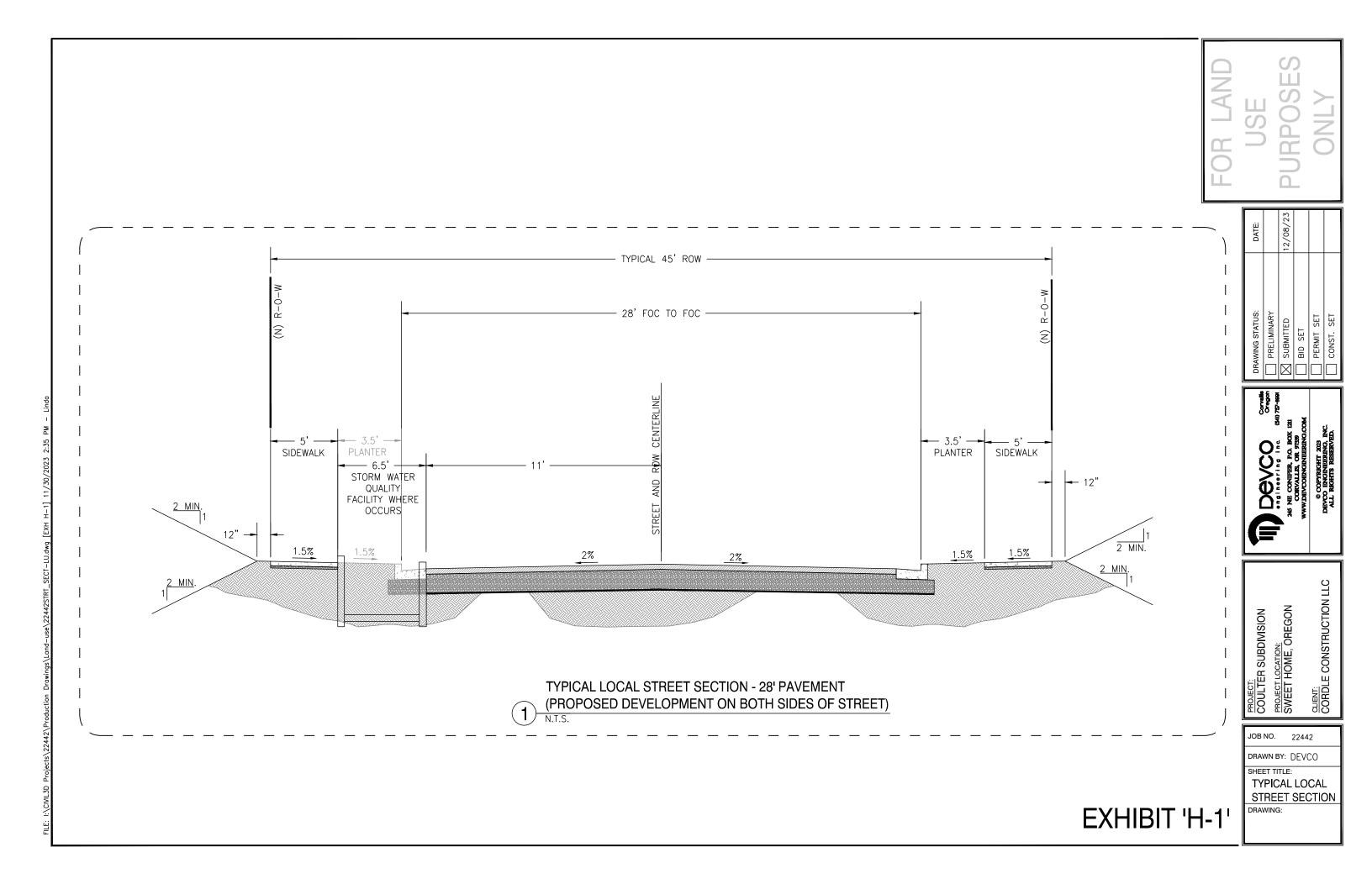
PROJECT:
COULTER SUBDIVISION
PROJECT LOCATION:
SWEET HOME, OREGON
CLIENT:
CORDLE CONSTRUCTION LLC

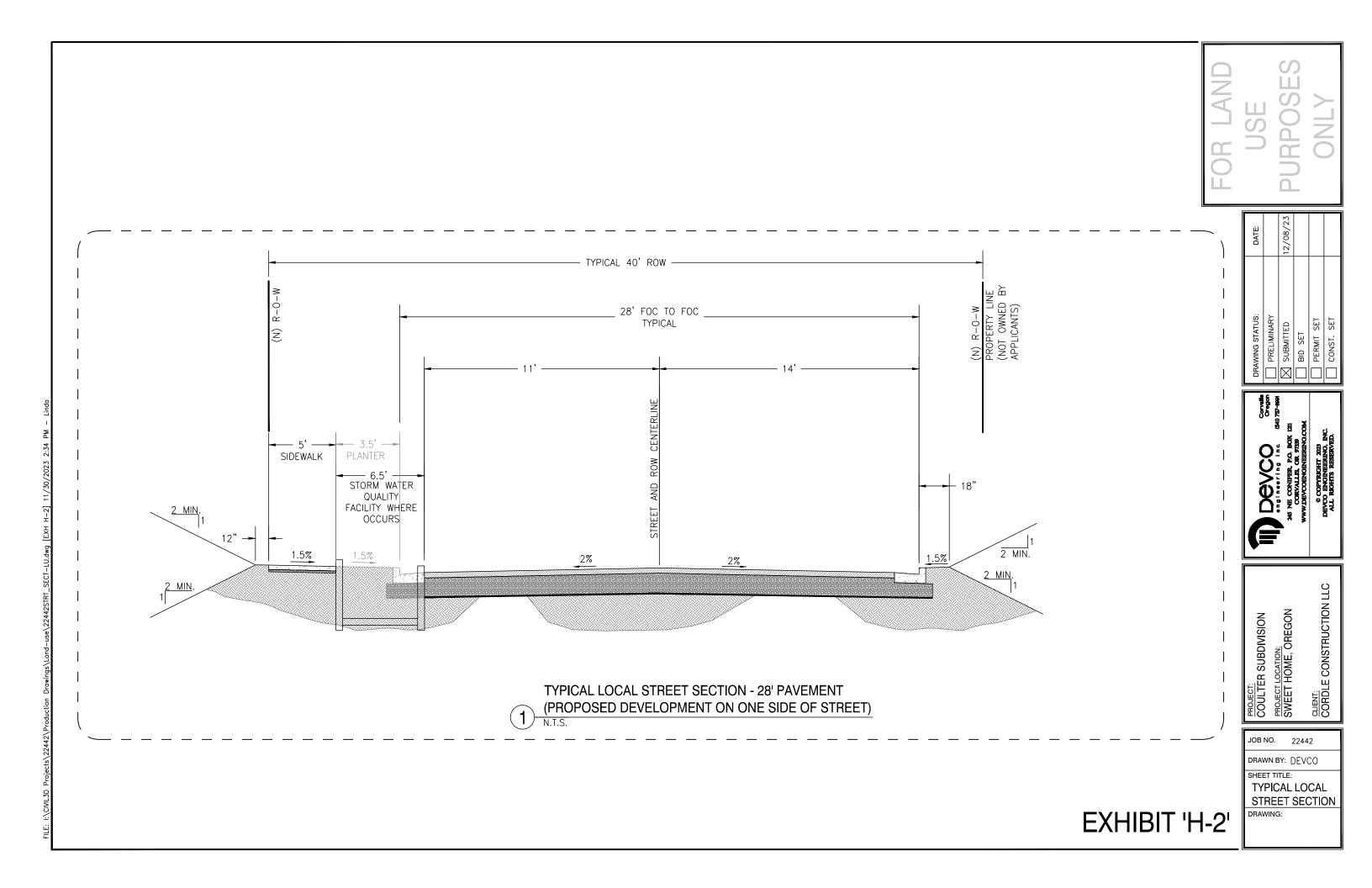
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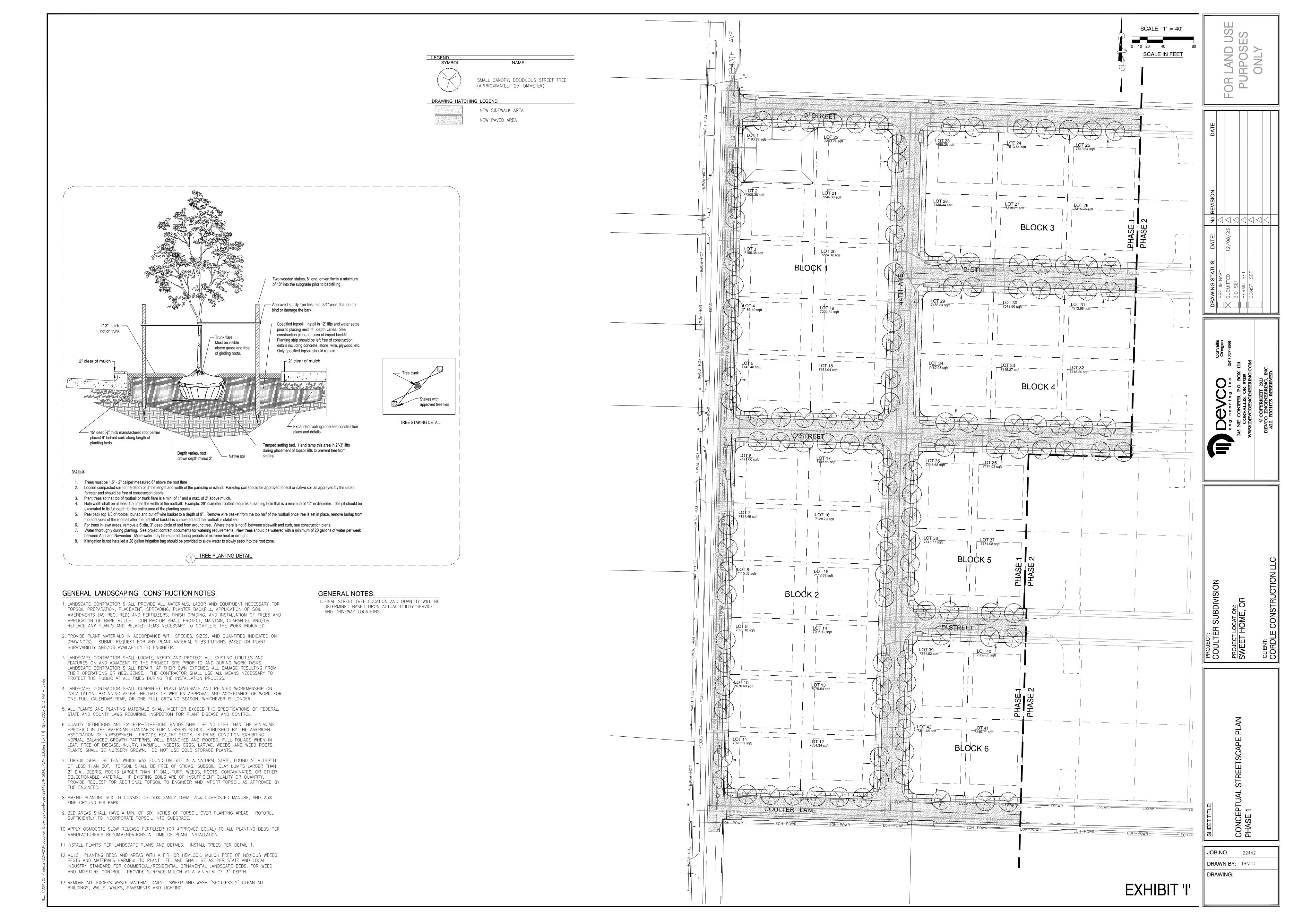
DRAWN BY: DEVCO

SHEET TITLE:
TYPICAL STREET
SECTION-43rd Ave.

EXHIBIT 'H'







LINN COUNTY SURVEYOR'S OFFICE

SUBDIVISION PLAT NAMING

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

PROPOSED NAME OF SUBDIVISION:	COVLTER
MAP AND TAX LOT NUMBER:	13501E33D 2800 \$ 3502
CITY JURISDICTION (Which City?) OR COUNTY JURISDICTION:	SWEET HOME
SURVEYOR'S NAME:	BRIAN SAILOR COLE SURVEYING
OWNER'S NAME:	MELINDA CORDLE, MEMBER CORDLE CONSTRUCTION LLC

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

Name of person reserving name: MELINDA CORDLE Address: 38747 SCRAFEL HILL RD NE ALBANY, OR Telephone number: 541 4 88 448	97322
Telephone number: 541 409 4290 Fax number:	
Signature: Maly av Date: 17-11-73	
Signature: Date: 2-11-23	

Date

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.

P.O. Box 100 Albany, OR 97321

Name approved

Linn County Surveyor's Office

Phone (541) 967-3857 Fax: (541) 967-3801

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

- Under 50MB A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.
- 50MB or larger A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- <u>OR</u> a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

- By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.
- By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy <u>OR</u> attached to the complete signed cover form if report submitted electronically.

Department of State Lands, 775 Summer Street NE, Suite 100, Sa Contact and Authorization Information	alem, OR 97301-1279. submitted electronically.
Applicant Owner Name, Firm and Address:	Business phone # (541) 409-4290
Mindy Cordle, Cordle Construction, LLC 38747 Scravel Hill Road Albany OR 97322	Mobile phone # (941) 409-4290 Mobile phone # (optional) E-mail: Mindyrcordle@gmail.com
Authorized Legal Agent, Name and Address (if differently Lyle Hutchens, MCH Project Strategies, LLC PO Box 1211 Corvallis, OR 97339	ent): Business phone # (541) 740-3679 Mobile phone # (optional) E-mail: lyle@mchps.net
I either own the property described below or I have legal author property for the purpose of confirming the information in the restricted Name: Lyle Hutchens	port, after prior notification to the primary contact. Signature:
Date: 02/20/2023 Special instructions regarding	
Project and Site Information	4
Project Name: 4425 Coulter	Latitude: 44.39406 Longitude: -122.686785 decimal degree - centroid of site or start & end points of linear project
Proposed Use: Residential	Tax Map # 13S01E33D. Tax Lot(s) 2800, 3500 Tax Map #
Project Street Address (or other descriptive location): 4425 Coulter Lane	Tax Lot(s) Township 13 S Range 1 E Section 13 QQ Use separate sheet for additional tax and location information
City: Sweet Home County: Linn	Waterway: River Mile:
Wetland Delineation Information	
Wetland Consultant Name, Firm and Address: Joe Bettis, Turnstone Environmental, Inc. PO Box 816 Philomath, OR 97370 The information and conclusions on this form and in the attach Consultant Signature:	Phone # (503) 283-5338 Mobile phone # (if applicable) E-mail: joe@turnstoneenvironmental.com ed report are true and correct to the best of my knowledge. Date: 02/20/2023
Primary Contact for report review and site access is	Consultant Applicant/Owner Authorized Agent
Wetland/Waters Present? ☐ Yes ☐ No Study	Area size: 46.20 Total Wetland Acreage: 10.5100
Check Applicable Boxes Below	
R-F permit application submitted Mitigation bank site EFSC/ODOE Proj. Mgr: Wetland restoration/enhancement project (not mitigation) Previous delineation/application on parcel If known, previous DSL #	☐ Fee payment submitted \$ ☐ Resubmittal of rejected report (\$100) ☐ Request for Reissuance. See eligibility criteria. (no fee) ☐ DSL # Expiration date X LWI shows wetlands or waters on parcel Wetland ID code SSR-2, SSR-3, SS□
For	Office Use Only
	/ DSL WD #
Date Delineation Received://	DSL App.#







Prepared for: Lyle E. Hutchens MCH Project Strategies, LLC 245 NE Conifer Blvd. Corvallis, OR 97330

Prepared by: Turnstone Environmental PO Box 816 Philomath, OR 97370

February 23, 2023



Wetland Delineation Report

for
4425 Coulter
Lane
Linn County, Oregon

PREFACE

Turnstone Environmental Consultants, Inc. (Turnstone) prepared this wetland delineation report for an approximately 46.20-acre Study Area located in Sweet Home, Linn County, Oregon. The findings of this report are based upon information gathered during the field investigation and upon state and federal laws regulating wetland areas. Turnstone staff utilized the Corps of Engineers Wetlands Delineation Manual (USACE 1987) along with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Region (Version 2.0) (USACE 2010) to conduct wetland delineations.

The wetland boundaries and classifications described in this document represent the best professional judgment of Turnstone staff. The decisions were based on the environmental circumstances and site conditions at the time of the field visit. Final verification of this wetland delineation is to be made by the appropriate federal, state, and local jurisdictions. Prior to final design or any construction activity on the site is to take place, all appropriate regulatory agencies should be contacted to verify the findings of this report and to obtain appropriate approvals and permits.

ACRONYMS

CFR	Code of Federal Regulations
DSL	Department of State Lands
ESH	Essential Salmonid Habitat
GIS	Geographic Information Systems
GPS	Global Positioning System

HGM Hydrogeomorphic

LiDAR Light Detection and Ranging
LWI Local Wetland Inventory
NWI National Wetland Inventory

NOAA National Oceanic and Atmospheric Administration

NRCS Natural Resources Conservation Service

OAR Oregon Administrative Rules
OHWM Ordinary High-Water Mark
PAB Palustrine Aquatic Bed
PEM Palustrine Emergent
RTK Real Time Kinematic

USACE United States Army Corps of Engineers
USDA United States Department of Agriculture
USFWS United States Fish and Wildlife Service

USGS United States Geologic Survey



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- Figure 3-NWI/LWI Map
- Figure 4-Soil Survey Map
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Appendix B: Antecedent Precipitation Tool

Appendix C: Wetland Delineation Data Forms and Ground-level Photographs

Appendix D: Literature Citations



A. LANDSCAPE SETTING AND LAND USE

The Study Area totals approximately 46.20-acres (2,012,446 sq. ft.), located on a pair of private tax lots in Sweet Home, Linn County, Oregon (Appendix A, Figures 1-6). The Study Area encompasses the entirety of tax lots 2800 and 3500¹ on tax map 13S01E33D. The Study Area is located in Section 33 in Township 13 South, Range 1 East. The centroid coordinates for the Study Area are 44.39406, -122.686785². Land use in the Study Area vicinity is devoted to residences, pasture lands and private forest lands. This wetland delineation report has been prepared to provide an account of areas potentially subject to regulations related to protection of wetlands and other waters.

The eastern portion of the Study Area is positioned on a hummocky slope, while the western portion is located on a generally level, slightly sloping terrace. The Study Area is grazed by cattle and vegetation is dominated by expanses of pasture grasses. Upland pasture areas tend to be dominated by tall oatgrass (Arrhenatherum elatius), tall fescue (Schedonorus arundinaceus), sweet vernalgrass (Anthoxanthum odoratum), bentgrass (Agrostis capillaris), and handful of weedy forbs including hairy cat's ear (Hypochaeris radicata), oxeye daisy (Leucanthemum vulgare) and tansy ragwort (Senecio jacobaea). Wetland pasture include a similar composition with increasing amounts of meadow foxtail (Alopecurus pratensis) and soft rush (Juncus effusus). A stand of Oregon white oak (Quercus garryana) along with common fruit and nut trees surround a home and farm buildings in southwest corner of tax lot 3500. Fence lines and ditches host a shrubby mix of roses (Rosa nutkana, R. pisocarpa, R. eglanteria), blackberry (Rubus armeniacus. R. laciniatus) and English hawthorn (Crataegus monogyna).

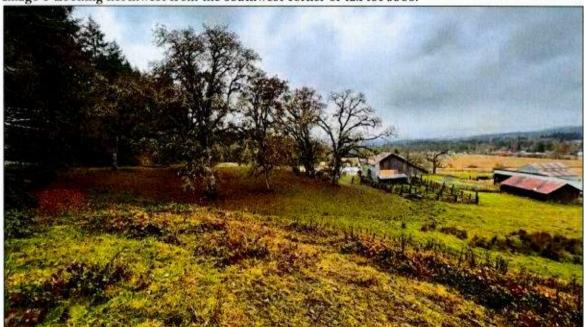


Image 1-Looking northwest from the southwest corner of tax lot 3500.



A proposed subdivision would create a new lot13S01E33D 3502, that would exclude the homesite and farm buildings onto lot 13S01E33D 3500.

NAD 1983, Oregon State Plane North (FIPS 3601)

B. SITE ALTERATIONS

No recent alterations were observed that would likely impact the character or extent of Study Area wetlands or other waters. Historic modifications include the excavation of ponds, trenching of ditches and construction of roads, all created in support of historic residential and agricultural uses of the property.

C. PRECIPITATION DATA

Study Area investigation was conducted November 29-30, 2022. Precipitation data is derived from the weather station at Foster Dam (NOAA 2022, GHCND: USC00353047). The station is located approximately 1.5 miles northeast of the Study Area.

Table 1-Two-week precipitation data for period preceding field investigation (October site visit)

17-Nov	18-Nov	19-Nov	20-Nov	21-Nov	22-Nov	23-Nov
0.01	0.00	0.00	0.00	0.00	0.00	0.24
24-Nov	25-Nov	26-Nov	27-Nov	28-Nov	29-Nov†	30-Novt
0.02	0.00	0.23	0.00	0.37	0.21	0.07
†Dates	of field inves	tigation	Two Week	Total (in.)	1.	15

Source: National Climate Data Center, NOAA

Table 2-Percent of normal rainfall for the 2022 water year (10/1/2021-9/30/2022)

Month	Actual	Average	Percent of Normal	
Worth	(in)	(in)	Percent of Normal	
October (2021)	4.84	4.64	104%	
November	7.05	7.64	92%	
December	9.67	8.4	115%	
January (2022)	6.24	7.15	87%	
February	1.86	5.56	33%	
March	4.57	6.26	73%	
April	5.55	5.37	103%	
May	8.53	3.8	224%	
June	6.3	2.46	256%	
July	0.15	0.54	28%	
August	0.35	0.64	55%	
September	0.29	1.99	15%	
TOTAL:	55.4	54.45	102%	

Source: National Climate Data Center, NOAA

Table 3-Percent of normal rainfall for the partial 2023 water year (10/1/2022 to 9/30/2023)

Month	Actual	Average	Percent of Normal	
Month	(in)	(in)	Percent of Normal	
October (2022)	2.20	4.64	47%	
November	6.03	7.64	79%	
TOTAL:	8.23	12.28	67%	

Source: National Climate Data Center, NOAA



Table 4-Rainfall assessment for the preceding 3-month period

Prior Month		WETS Rainfall Percentile (in)		Measured	Condition (Dry, Wet,	Condition Value	Month	Multiply (previous two
rio	Month	30th	70th	Rainfall (in)	Normal)	11 des 2 manual es		columns)
1st (most recent)	November 2022	5.47	9.03	6.03	Normal	2	3	6
2nd	October 2022	3.26	5.46	2.20	Dry	1	2	2
3rd	September 2022	0.90	2.37	0.29	Dry	1	1	1
							Sum	9
		Rainfa	all of prior pe	eriod was:	11.41.27			Drier
drier than normal (sum is 6-9), normal (sum is 10-14), wetter than normal (sum is 15-18)							7 Drier	
WETS Station: FOSTER	DAM, OR 353047 (Coop)	1991-2020						*/
	DAM, OR 353047 (Coop) er Dam, Oregon USC003							

Source: National Climate Data Center, NOAA

D. METHODS

Preliminary Resource Review

Prior to the field investigation and report preparation, reference materials were compiled and reviewed to aid in the detection of wetlands and non-wetland waters. The materials reviewed included:

- 7.5-Minute Quadrangle for Sweet Home, Oregon (O-44122-D6) (USGS 2020)
- Linn County GIS data and maps. (Linn County 2022).
- Custom Hydric Soils List: Study Area Shape file (NRCS 2022b)
- Historic USGS Topographic Maps (Topoview) (USGS 2022a)
- National Climate Data Center precipitation data (NOAA 2022)
- National Hydrography Dataset Version 2.3 (USGS 2022b)
- National Wetland Inventory United States Fish and Wildlife Service (USFWS 2022)
- Oregon 8 Digit Hydrologic Unit Code Map (USGS 2007)
- Statewide Wetland Inventory Map (DSL 2022).
- Western Regional Climate Center WETS tables (NRCS 2000)

Precipitation Analysis

In order to inform field wetland delineation methods and procedures, climate data were analyzed to determine whether recent rainfall was sufficient to expect normal hydrology indicators be present at wetland sampling locations. Precipitation was analyzed by comparing rainfall amounts to historical averages (1991-2020) for the complete 2022 water year as well as the 2023 water year through November 2022. Recent precipitation was also analyzed using a weighted scoring that compares historical averages to rainfall measured the three months prior to field investigation (Sumner et al. 2009). Additionally, the Antecedent Precipitation Tool (APT) (Deters 2020) was used to analyze precipitation in a 90-day period preceding the investigation dates.

1.15 inches of rain fell in the two weeks preceding field investigation, consistent with below normal precipitation for the autumn (Table 1). The 2022 water year ended at 102-percent of normal (Table 2). The 2023 water year through November 2022, was at 67-percent of normal (Table 3). Analysis of precipitation over the preceding three months using the "Sumner" methodology determined that recent conditions were "drier" (Table 4). Additionally, the Antecedent Precipitation Tool (APT) (Deters 2020) was used to analyze precipitation in a 90-day period preceding field investigation. The APT concluded that conditions were "drier than normal."



Results of the APT are attached in Appendix B. In light of recent drier than normal precipitation, a "two-factor" wetland delineation approach was applied: plots containing qualifying hydric soils and hydrophytic vegetation determinations would be considered wetland.

National Wetland Inventory and Local Wetlands Inventory

National Wetland Inventory (NWI) and Sweet Home (LWI) data were reviewed prior to the delineation site visit (Appendix A, Figure 3). The NWI shows a single wetland in the Study Area, a farm pond on the southern portion of tax lot 3500 (USFWS 2022). The Sweet Home LWI shows several wetland areas on tax lot 3500 and the eastern portion of tax lot 2800 (Pacific Habitat Services 2000).

Soil Survey Analysis

Study Area NRCS major component soil units are illustrated in Table 5. About two-thirds of the Study Area is mapped with hydric soil units. Hydric soil units in the Study Area include clayey alluvium and colluvium, respectively positioned on stream terraces and lower slopes.

Table 5-Study Area soil mapping

Map Unit	Map Unit Name	Major Component Hydric?	Acres in Study Area	Percentage of Study Area
23	Clackamas gravelly silt loam	No	6.56	14.2%
36D	Dupee silt loam, 3 to 20 percent slopes	No	5.50	11.9%
51C	Jory silty clay loam, 2 to 12 percent slopes	No	3.83	8.3%
72F	Nekia silty clay loam, 30 to 50 percent slopes	No	0.14	0.3%
75C	Panther silty clay loam, 2 to 12 percent slopes	Yes	13.35	28.9%
77A	Pengra silt loam, 1 to 4 percent slopes	Yes	7.16	15.5%
2205A	Conser silty clay loam, 0 to 3 percent slopes	Yes	9.38	20.3%
2224A	Courtney gravelly silty clay loam, 0 to 3 percent slopes	Yes	0.28	0.6%
	Totals		46.20	100.0%

Source: USDA NRCS, Web Soil Survey

Site Specific Methods

The field investigation utilized the "Routine Onsite" method from the Corps Wetland Delineation Manual (USACE 1987) as guidance. The delineation utilized wetland indicators and data forms from the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0) (USACE 2010). The Study Area was traversed by foot and a visual assessment was conducted of hydrophytic vegetation, suspect topographical features, and dry-season wetland hydrology indicators. Recent drier than normal conditions required that the field investigation assume wetland hydrology would be present for areas harboring both qualifying hydric soil indicators and hydrophytic vegetation. Wetland scientists established 52 sample plots to determine the location of Study Area wetlands and uplands. (Appendix A-Figure 6).

Sample plot soil pits were dug to a depth of 20 inches, unless restricted by fill or shallow bedrock. Absolute aerial cover of plant species was reported for tree, shrub, woody vine, and herb layers, utilizing 10-, 5-, 5-, and 1-meter square plots, respectively. Numerous unrecorded soil pits and probes were also utilized to "rough-in" wetland boundaries prior to final boundary mapping and recording of formal plot data. Wetland data forms are included in Appendix C. Soil colors (wetted) were determined using The Globe Soil Color Book (Visual Color Systems 2012). Photo points were established near sample points to document site conditions at the time of field investigation and are included with the wetland data forms in Appendix C. On site determinations were possible for all portions of the Study Area.



Searches for and mapping of ordinary high-water marks (OHWMs) was predicated upon examining for the physical and biological characteristics associated with water courses outlined in Army Corps of Engineers' Regulatory Guidance letter 05-05 (USACE 2005). For Study Area ditches and ponds, all of which are at least partially excavated, OHWMs are coincident with the top of bank, where the channel slopes meet the adjoining terrace.

Image 2- Looking west at the eastern portion of Wetland 1.



Image 3- Looking south-southwest at the eastmost portion of Wetland 1.



E. DESCRIPTION OF WETLANDS AND NON-WETLAND WATERS

Wetlands

Wetland 1-Slope, PEM (10.08 ac. 438,900 sq. ft.)

Wetland 1 is positioned on a hillslope interspersed with terraces and excavated drainages. The wetland is grazed by cattle and dominated by pasture grasses. Dominant plant species include bentgrass, meadow foxtail, tall fescue, and soft rush. Several ditches are trenched through the wetland, ostensibly created in order to help drain the area for agricultural uses. Soils are silty or clayey throughout the wetland, occasionally with inclusions of coarse alluvium. Wetland hydrology appears to be driven by slope groundwater emergences that occur along the upper portion of the wetland, which is located at the toe of a hillside to the south. Additionally, runoff from adjoining lands to the south, as well as direct precipitation on poor draining soils provide inputs to maintain wetland hydrology. Dry conditions preceding the delineation likely contributed to some wetland plots not exhibiting shallow groundwater or saturated soils, however Oxidized Rhizospheres Along Living Roots (indicator C3) were present to provide a primary indicator of wetland hydrology where direct observation of wetland hydrology was not possible. Twenty pairs of plots were used to delineate Wetland 1. A short section of gravel road crosses the wetland, just north of the farm buildings. The wetland heads on tax lot 3500 and appears to extend offsite to the north onto adjacent lots, although offsite wetlands may be limited by homesite and roads construction.

Wetland 2-Slope, PEM (0.43 ac. 18,695 sq. ft.)

Wetland 2 is located in the southwest corner of tax lot 3500, located just south of a home and gardens. The wetland is positioned on a sloping terrace west of an excavated pond (Pond B). Pasture grasses and soft rush dominate vegetation. Adjacent uplands host pasture grasses, English daisy (*Bellis perennis*) and dandelion (*Taraxacum officinale*), as well as ornamental trees and shrubs. The wetland rises at slope groundwater discharges on its eastern edge; groundwater is likely augmented by seeps occurring at the base of the berm containing Pond B. Despite recent dry conditions, shallow groundwater and saturated soils were observed in wetland plots. Wetland soils are dominated by clayey colluvium, with depleted layers near the surface and wetland plots either qualified for the Depleted Matrix (F3) or Redox Dark Surface (F6) hydric soil indicators. Two pairs of plots were used to delineate Wetland 2. The wetland extends offsite to the west onto tax lot 3400.



Image 4- Looking east at the northern edge of Wetland 2.



Non-wetland waters

Non-wetland waters include a pair of excavated ponds and five sections of ditches. Non-wetland water details are included in Table 6.

Table 6-Non-wetland water details

Non-Wetland HGM Water Name		Cowardin	Notes	Maximum OHWM Width (ft.)	Length (ft.)
Ditch A	Riverine	R4SBCx	Excavated channel, trenched through Wetland 1 and upland.	5	295
Ditch B	Riverine	R4SBCx	Excavated channel, trenched through Wetland 1 and upland.	2.5	291
Ditch C	Riverine	R4SBCx	Excavated channel, trenched through upland; western section of channel fades at edge of Wetland 1.	2	322
Ditch D	Riverine	R4SBCx	Excavated channel, trenched through Wetland 1.	3	592
Ditch E	Riverine	R4SBCx	Excavated channel, trenched through Wetland 1 and upland. The channel is crossed with a farm road and culverts.	13	922
Non-Wetland Water Name	ндм	Cowardin	Notes	Area (ac.)	Length (sq. ft.)
Pond A	Palustrine	PABFx	Excavated farm pond; fill spoils form pond banks.	0.09	3,761
Pond B	Palustrine	PABFx	Excavated farm pond; fill spoils form pond banks.	0.22	9,631

4425 Coulter Lane Sweet Home Wetland Delineation



Image 5- Looking north-northeast at the west side of Pond A.



Image 6- Looking east at Pond B.





Image 7- Looking south (upstream) at Ditch E and culvert.

F. DEVIATION FROM NWI & LWI

The sole NWI feature mapped is a pond. No other delineated features are shown in the NWI. While the delineation roughly correlates to the LWI mapping, the delineation resulted in more wetlands than shown in the LWI. In particular, the LWI did not identify the westernmost portions of Wetland 1; these areas hosted numerous wetland plots and probes illustrating wetland conditions there. While there are slight differences in the geographic alignment of the delineation as compared to the LWI, the local inventory provides a useful approximation of the wetland extents in the Study Area.

G. MAPPING METHOD

Sample points, OHWMs and wetland boundaries were collected using an EOS™ Arrow 200 GPS receiver paired with a mobile computer equipped with ESRI™ Collector software. Real time kinematic (RTK) positioning over a digital cellular network was utilized to correct GPS data "on-the-fly" and points and resulting polygons are accurate horizontally to within 1-meter. To calculate areas and create associated figures, GPS data was collected in a WGS 84 geographic coordinate system and later transformed into a local coordinate system, NAD 1983 State Plane Oregon North FIPS3601 Feet. Photo points shown in wetland figures were digitized in GIS and locations are approximate.



H. RESULTS AND CONCLUSIONS

Two wetland areas totaling 10.51 acres (457,595 sq. ft.) were delineated in the Study Area (Table 7). Two ponds and five segments of ditches are also present in the Study Area (Table 6).

Table 7-Summary of Wetlands

Wetland Name	HGM	Cowardin	Area Acres	Area Square Feet
Wetland 1	Slope	PEM	10.08	438,900
Wetland 2	Slope	PEM	0.43	18,695
Totals			10.51 457,595	

I. DISCLAIMER

This report documents the investigation, best professional judgment, and conclusions of the investigator. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the appropriate agencies. Jurisdictional determinations issued by the Oregon Department of State Lands must conform with OAR 141-090-005 through OAR 141-090-0055, while jurisdictional determinations issued by the Army Corps of Engineers are made in accordance with 33 CFR 331.2.



Appendix A

Figures

- Figure 1-Overview Map
- Figure 2-Tax Lot Map
- Figure 3A-NWI Map
- Figure 3B-LWI Map
- Figure 4-Soil Survey Map
- Figure 5-Recent Aerial Photo Map
- Figure 6-Wetland Delineation Map (Overview & Detail Maps)



Figure 1: Overview Map

4425 Coulter Lane Cordle Construction Wetland Delineation



1/30/2023

Sweet Home, Linn County, Oregon

1:10,000





Notes:

- 1. Topographic basemap courtesy USGS The National Map, 2023.
- 2. Tax Lot boundaries provided by Linn County, assumed accurate to within 1-meter.
- 3. Native size of map layout is 11"x17".



Figure 2: Tax Lot Map

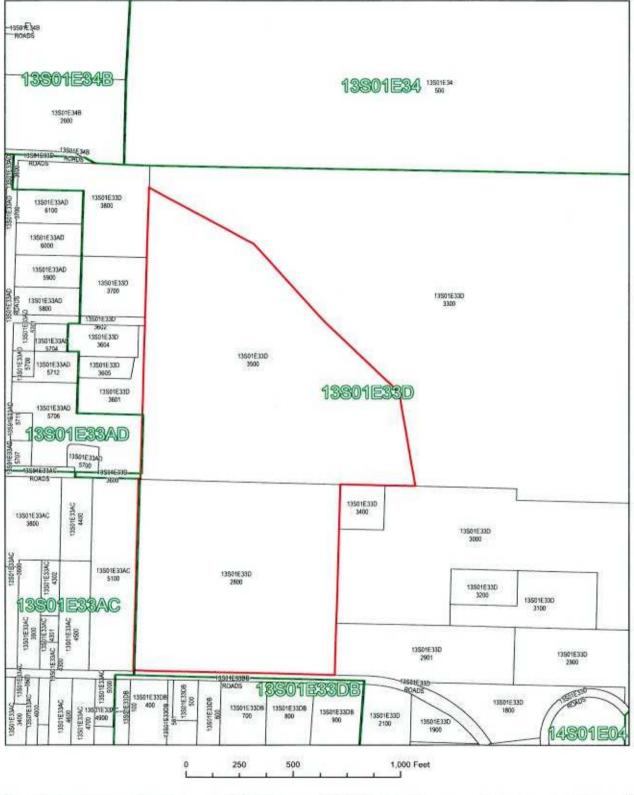
4425 Coulter Lane Cordle Construction Wetland Delineation



1/30/2023

Sweet Home, Linn County, Oregon

1:3,500



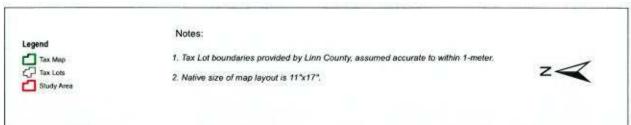


Figure 3:

NWI & LWI Map

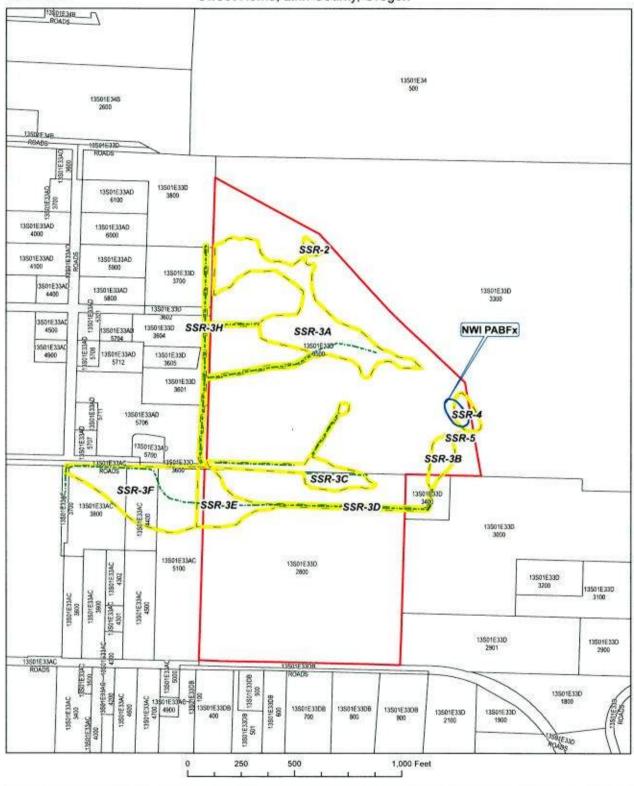
4425 Coulter Lane **Cordle Construction** Wetland Delineation



1:3,500

1/30/2023

Sweet Home, Linn County, Oregon



Notes:







Legend

... LWI_Stream

- 1. Tax Lot boundaries provided by Linn County, assumed accurate to within 1-meter.
- 2. National Wetland Inventory (NWI) data courtesy USFWS, 2023.
- 3. Local Wetland Inventory (LWI) data courtesy Pacific Habitat Services, Inc., 2000.
- 4. Native size of map layout is 11"x17".



Figure 4:

NRCS Soil Map

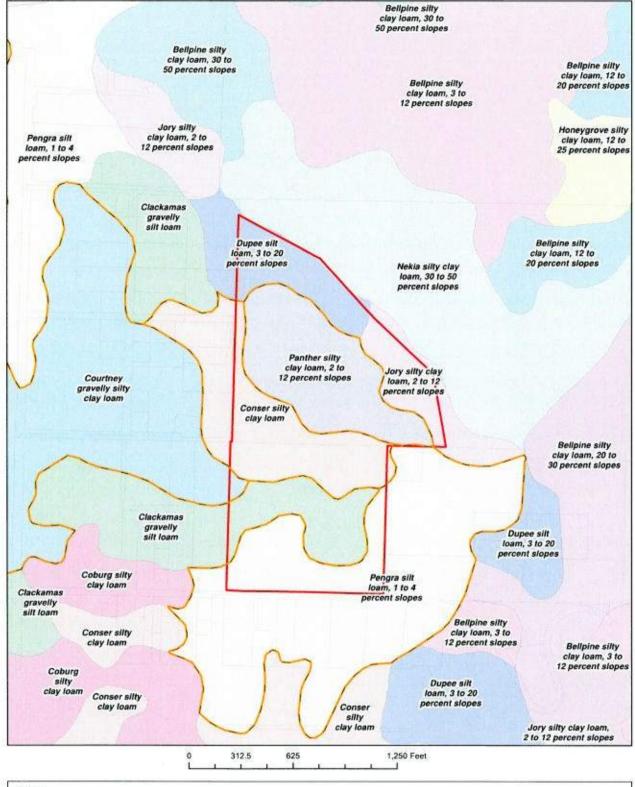
1/30/2023

4425 Coulter Lane Cordle Construction Wetland Delineation



Sweet Home, Linn County, Oregon

1:4,500



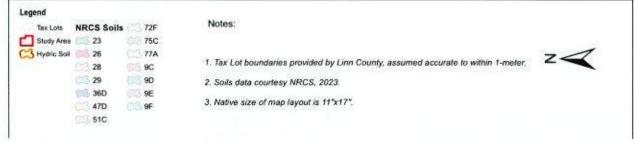


Figure 5:

1/30/2023

Recent Aerial Imagery Map 4425 Coulter Lane Cordle Construction Wetland Delineation

Sweet Home, Linn County, Oregon

1:3,000



Legend



Notes:

- 1. Tax Lot boundaries provided by Linn County, assumed accurate to within 1-meter.
- 2. Aerial imagery courtesy ESRVMaxar, 2021 (flight date 9/26/2021).
- 3. Native size of map layout is 11"x17".



Figure 6: Wetland Delineation Map

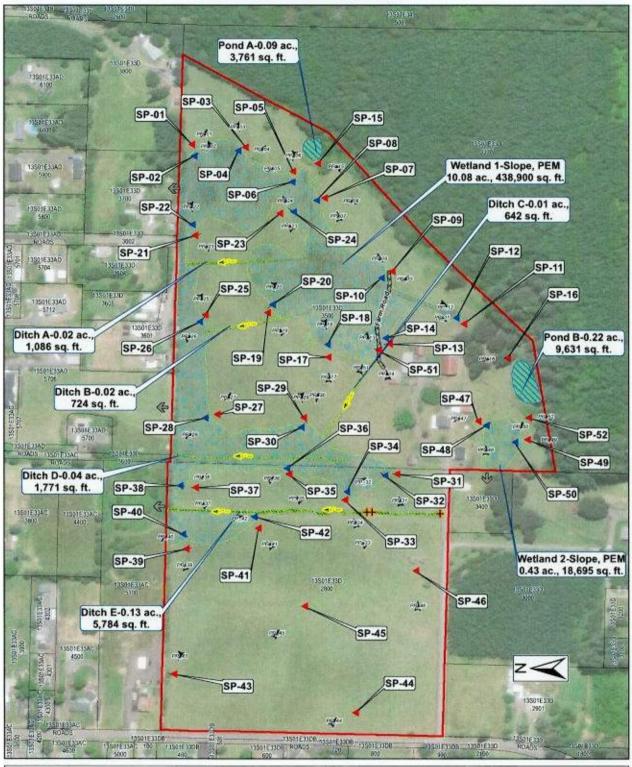
4425 Coulter Lane Cordle Construction Wetland Delineation

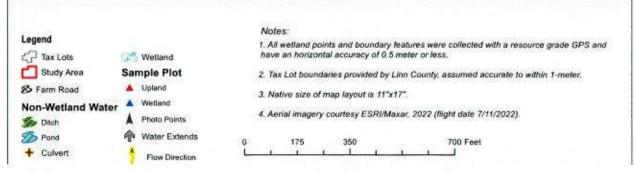


7/3/2023

Sweet Home, Linn County, Oregon

1:2,500





Legal Description Property Transferred from Parcel II to Parcel I

A tract of land located in the Newton Russell Donation Land Claim No. 41, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, and being more particularly described as follows:

Commencing at the Northwest corner of Parcel II (Parcel 3) of Partition Plat 2022-074, also the Point of Beginning; thence North 89°51′50″ East, 34.98 feet to a point on the North line of said Parcel II (Parcel 3); thence South 00°05′38″ East, 688.97 feet; thence South 87°10′48″ West, 11.86 feet; thence South 83°95′33″ West, 19.03 feet to a point on the East line of said Parcel II (Parcel 3); thence North 00°26′39″ West, 691.78 feet to the Point of Beginning. Containing 22,680 square feet (0.52 Ac.) of land, more or less.

Legal Description Resultant Property 1 (Tax Lot 2800)

Parcel I: Being a part of the Newton Russell Donation Land Claim No. 41, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, and being more particularly described as follows: Beginning at the Northwest corner of Parcel I of Partition Plat 2022-074(?), also the Point of Beginning; thence North 89°54'30" East, 900.39 feet; thence South 00°26'39" West, 941.90 feet; thence South 89°55'04" West, 900.25 feet; thence North 00°27'10" West, 941.76 feet to the Point of Beginning. Containing 19.466 Ac. of land, more or less.

Together and with:

Commencing at the Northwest corner of Parcel II (Parcel 3) of Partition Plat 2022-074, also the Point of Beginning; thence North 89°51′50″ East, 34.98 feet to a point on the North line of said Parcel II (Parcel 3); thence South 00°05′38″ East, 688.97 feet; thence South 87°10′48″ West, 11.86 feet; thence South 83°95′33″ West, 19.03 feet to a point on the East line of said Parcel II (Parcel 3); thence North 00°26′39″ West, 691.78 feet to the Point of Beginning. Containing 22,680 square feet (0.52 Ac.) of land, more or less.

Total combined land area being 19.99 Acres, more or less.

Legal Description Resultant Property 2 (Tax Lot 3502)

A tract of land located in the Newton Russell Donation Land Claim No. 41, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, and being more particularly described as follows:

Parcel II:

Parcel 3, PARTITION PLAT 2022-074, recorded on September 9, 2022 as Instrument No. 2022-1565, Linn County Deed Records, Linn County, Oregon.

Less that property described as:

Commencing at the Northwest corner of Parcel II (Parcel 3) of Partition Plat 2022-074, also the Point of Beginning; thence North 89°51′50″ East, 34.98 feet to a point on the North line of said Parcel II (Parcel 3); thence South 00°05′38″ East, 688.97 feet; thence South 87°10′48″ West, 11.86 feet; thence South 83°95′33″ West, 19.03 feet to a point on the East line of said Parcel II (Parcel 3); thence North 00°26′39″ West, 691.78 feet to the Point of Beginning. Containing 22,680 square feet (0.52 Ac.) of land, more or less.

Parcel II (Parcel 3) resultant land area of 21.05 Acres, more or less.