

**URBAN AREA PLANNING COMMISSION**

**MEETING MINUTES**

**August 10, 2016 – 6:00 P.M.**

**Council Chambers**

**1. ROLL CALL:**

The Urban Area Planning Commission met in regular session on the above date with Chair Gerard Fitzgerald presiding. Vice Chair Jim Coulter and Commissioners Loree Arthur, David Kellenbeck, Lois MacMillan, and Dan McVay were present. Commissioners Blair McIntire, and Robert Wiegand were absent. Also present and representing the City was Parks & Community Development (hereafter: PCD) Lora Glover.

**2. ITEMS FROM THE PUBLIC: None.**

**3. CONSENT AGENDA:**

**a. MINUTES: July 27, 2016**

**Pg. 1-8**

**b. FINDINGS OF FACT:**

**I. 405-00103-16 – Development Code Text Amendments Articles 2, 10 and  
19 Planning Commission Findings of Fact – Type IV**

**Pg. 9-14**

**II. 104-00102-16 – Blackberry Lane Subdivision Tentative Plan**

**Pg. 15-28**

**MOTION/VOTE**

**Commissioner Kellenbeck moved and Commissioner McVay seconded the motion to approve the consent agenda and from July 27, 2016 as presented. The vote resulted as follows: “AYES”: Chair Fitzgerald, Vice Chair Coulter, and Commissioners McVay, Arthur and Kellenbeck. “NAYS”: None. Abstain: Commissioner MacMillan. Absent: Commissioners McIntire and Wiegand.**

**The motion passed.**

**4. PUBLIC HEARINGS:**

- None.

## 5. OTHER ITEMS/STAFF DISCUSSION:

- Lora let the commission know that Stephen M R Covey will be coming to Grants Pass on September 16<sup>th</sup>, if any commissioners would like to attend please let Lora know. She has tickets available out of the training budget.
- The Tree Committee would like to revise the landscaping requirements, specifically with commercial projects, in order to get an adequate canopy. They would like parking lots like Winco and Home Depot to have a larger canopy. Lora discussed the possibly of giving future development flexibility to cluster trees rather than one every 10 spaces. The tree committee would also like to see larger landscaping islands. Jim Love provided comments and a wish list for the commission to review. The tree committee also made mention of concerns about the condition of the existing trees in some of the parking lots. Lora let the commission know that city staff can start drafting an amendment for review.
- Commissioner Fitzgerald asked if anyone has approached the businesses. Lora let the commission know that they have not yet, they will be reaching out to them about the existing trees getting damaged and not receiving adequate care.
- Commissioner Fitzgerald asked about the planter size. Lora said there is a minimum standard, but we may need to increase the standards. Mr. Love is making suggestions to modify the standards.
- Lora let the commission know that Jeff said this is a hard area for new trees, especially in the hardscape with the heat. The idea to cluster may help to increase the canopy density as well as to help the trees thrive.
- Commissioner MacMillan asked if the businesses with the dying trees are currently not meeting standards. Lora let her know that the trees may need to be replaced but that happens at times, city staff will be reaching out to them to make sure they meet the standards of care. Commissioner MacMillan asked if the landscaping will change due to the new buildings at the Winco complex. Lora let her know that the landscaping was approved under the Winco application; they will just need to maintain what is already in place.
- Lora let the commissioner know that there will be an open house on the Allen Creek Road improvements. It will be held next Tuesday from 4-6pm at the Josephine County Public Works office. The proposed road designs are in the packet that Lora gave to the commissioners. City staff sent out notices and surveys to the property owners and neighbors. Over 400 notices went with a

survey for preferences. They have been getting 30-40 people on each open houses, but they wanted more feedback and sent out survey with postage paid postcard to return to see what preferences were. City staff will tally up the survey results and take it forward to Council for a final decision on the street design.

- Lora invited the commissioners to attend the open house if they would like or she can give an update with the results after.
- The city will be unable to put a soccer complex in at Allen Creek due to the need for future development for Allendale School. They are working on putting a soccer complex at Gilbert Creek Park and possibly entering into an IGA for the school to use it.
- Commissioner Coulter asked if the trees and shrubs that aren't cutting it be planted in the fall. Lora said that the City could condition it but they would need to put down a deposit and get refunded at a later date after the landscaping was put in place. They usually don't want to do that and would rather get it done at the time.
- The commission asked what the last page of the packet shows. Lora let them know it was a rendition of a location access plan that Tom drafted. It is there to show how future properties can be developed. Staff would like to eliminate as many private streets that would come straight out to Allen Creek and this is a suggestion of how the subdivisions can connect to each other. This plan is not set in stone and is just an initial concept.

#### **6. ITEMS FROM COMMISSIONERS:**

- The commission would like to know when each position will be up for renewal. Blair McIntire for 8/29/2016 and Dan McVay for 9/26/2016 are up for immediate renewal. The rest are as follows: David Kellenbeck - 12/01/18, Loree Arthur - 05/18/19, Robert Wiegand - 1/05/19, Lois MacMillan - 11/18/17, Jim Coulter - 07/16/18, and Gerard Fitzgerald - 08/26/19. Lora will send the current roster to the commissioners.
- The commission would like a review of parking requirements for offices. Commissioners Arthur and MacMillan both feel that there isn't enough parking available, specifically in the Hawthorn to Hillcrest area. Lora brought up that the

commission actually reduced the parking regulations during the last code amendment with part of the urban growth boundary. There is now you only one space necessary per residential dwelling as before it was based on the number of bedrooms.

- Commissioner MacMillian doesn't feel that there is sufficient parking and disagreed when Tom brought it forward the last time. She is concerned about how conditions will be when Allcare comes in.
- Lora let the commission know that they will be going through Valley Lights for the fourth time and there will be density increases. They are proposing extra parking on one side but not the other. She would like to see it implemented that in the future that do not allow private streets that do not have parking off of arterials that do not have parking. Staff is looking at reviewing that. They are also looking at removing bike lanes on Gladiola to provide parking for the residents there.
- In order to change the parking regulations the commission would need to go back through the amendment process to change the development code.

#### **MOTION/VOTE**

**Commissioner Arthur moved and Commissioner Kellenbeck seconded the motion to request that Tom revisit the changes that were made for parking throughout the city. The vote resulted as follows: "AYES": Chair Fitzgerald, Vice Chair Coulter, and Commissioners McVay, Arthur, MacMillan, and Kellenbeck. "NAYS": None. Abstain: None. Absent: Commissioners McIntire and Wiegand.**

**The motion  
passed.**

- Commissioner Coulter would like to hold a workshop on days that are slow like today. There will be subdivisions coming up and goal setting. They will schedule for the next meeting that either has a minor public hearing or no public hearing like this meeting.

**7. ADJOURNMENT:**

Chair Fitzgerald adjourned the meeting at 6:43 P.M.

Next Meeting: August 24, 2016

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Gerard Fitzgerald, Chair  
Urban Area Planning Commission

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Date

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.



**CITY OF GRANTS PASS  
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**LINCOLN/LOWER RIVER ROAD SUBDIVISION  
TENTATIVE PLAN & MAJOR VARIANCE  
STAFF REPORT**

<b>Procedure Type:</b>	Type III: Urban Area Planning Commission	
<b>Project Number:</b>	104-00105-16 & 301-00110-16	
<b>Project Type:</b>	Subdivision Tentative Plan & Major Variance	
<b>Owner/Applicant:</b>	Three Rivers Housing, LLC	
<b>Engineer/Agent:</b>	Justin Gerlitz P.E.	
<b>Property Address:</b>	902 Lincoln Road	
<b>Map and Tax Lot:</b>	36-06-24-AB, TL 100 (see <i>Exhibits 1 &amp; 2</i> )	
<b>Zoning:</b>	R-1-8 (City)	
<b>Size:</b>	1.09 acres	
<b>Planner Assigned:</b>	Justin Gindlesperger	
<b>Application Date:</b>	July 21, 2016	
<b>Application Complete:</b>	July 22, 2016	
<b>Date of Staff Report:</b>	August 15, 2016	Due: 08/15/2016
<b>Hearing Date:</b>	September 24, 2016	
<b>120 Day Deadline:</b>	November 21, 2016	

**I. PROPOSAL:**

The proposal is for a five (5) lot subdivision in the R-1-8 zoning district located at the southwest corner of Lincoln Road and Lower River Road (see *Exhibit 3*). Three of the proposed lots will have access to SW Ironwood Drive from a shared private driveway and the remaining two (2) lots will have access to Lincoln Road from a shared driveway at an existing access approach.

In conjunction with the application for the subdivision, the applicant has applied for a Major Variance to Section 12.152 and Schedule 12-5, which establishes the minimum lot requirements. The applicant is proposing a minimum lot of fifty (50) feet for Lot 5 where sixty-five (65) feet is required and sideyard setbacks of five (5) feet where the minimums are six (6) feet and ten (10) feet for the R-1-8 zoning district. The applicant's narrative in response to the variance criteria is attached (see *Exhibit 4*).

**II. AUTHORITY:**

Section 2.050, Schedule 2-1, Section 6.050 and Section 17.031 of the City of Grants Pass Development Code, authorize the Planning Commission to consider the request and make a decision to approve, approve with conditions, or deny.

**III. CRITERIA:**

The decision on the Tentative Plan and Major Variance must be based on the criteria contained in Sections 6.060 & 17.413 of the Development Code.

#### IV. APPEAL PROCEDURE:

Section 10.050, City of Grants Pass Development Code, provides for an appeal of the Urban Area Planning Commission's decision to the City Council. An appeal application and fee must be submitted within twelve (12) calendar days of the Urban Area Planning Commission's oral decision. A statement of grounds to the appeal must be filed within seven (7) calendar days of the Urban Area Planning Commission's written decision.

#### V. BACKGROUND AND DISCUSSION:

##### A. Characteristics of the Property:

1. Land Use Designation:
  - a. Comprehensive Plan: Low Density Residential
  - b. Zone District: R-1-8
  - c. Special Purpose District: Grants Pass Irrigation District, Flood Hazard Overlay
  
2. Size: 1.09 acres
  
3. Frontage: Lower River Road, Lincoln Road, and Ironwood Drive
  
4. Access: The northern two (2) lots will have access from Lincoln Road. The southern three (3) lots will have access from Ironwood Drive.
  
5. Public Utilities:
  - a. Existing Utilities:
    - i. Water: 12-inch partial main in Lincoln Road, 12-inch main in Lower River Road, and 8-inch main in Ironwood Drive
    - ii. Sewer: 8-inch main in Ironwood Drive, and partial 8-inch main in Lincoln Road right-of-way
    - iii. Storm Drain: 12-inch line Lower River Road; 30-inch line in Lincoln Road
  
  - b. Proposed Utilities: None identified
  
6. Topography: Relatively flat
  
7. Natural Hazards: Special Flood Hazard Area (100-year flood plain)
  
8. Natural Resources: None identified

9. Existing Land Use:

- a. Subject Parcel: Existing residence and accessory dwelling unit.
- b. Surrounding: Low & Moderate Density Residential

**B. Background:**

The proposal is for a five (5) lot subdivision in the R-1-8 zoning district. The subject property is designated as Low Density Residential by the Grants Pass Comprehensive Plan. The applicant is proposing a subdivision with lots ranging in size from 7,177 square feet to 11,357 square feet that will comply with the zoning district and the comprehensive plan.

The proposed name of the subdivision, Lincoln/Lower River Road Subdivision, was not approved by the County Surveyor (see *Exhibit 5*). As a condition of approval, the applicant will be required to provide an alternate name on a revised tentative plan.

All lots in the proposed development have frontage along existing public streets. Three (3) lots will access SW Ironwood Drive from a shared private driveway and the other two (2) lots will access Lincoln Road from a shared driveway at an existing access approach.

In conjunction with the application for the subdivision, the applicant has applied for a Major Variance to Section 12.152 and Schedule 12-5, which establishes the minimum lot requirements. The applicant is proposing a minimum lot of fifty (50) feet for Lot 5 where sixty-five (65) feet is required and sideyard setbacks of five (5) feet where the minimums are six (6) feet and ten (10) feet for the R-1-8 zoning district.

The site is currently occupied by a residence and an accessory dwelling unit. The accessory dwelling unit has a full kitchen and can be considered a primary use on Lot 3 until the primary residence is constructed. The accessory dwelling unit does not appear to have all necessary permits. As a condition of approval, the accessory dwelling unit will be required to have all necessary permits and meet the accessory dwelling unit requirements prior to final plat.

The property is located with the Special Flood Hazard Area (100-year flood plain) on Panel No. 41033C – 0511E of the Flood Insurance Rate Map (FIRM). At the time of development of the individual lots, the applicant will be required to meet the flood development standards in Article 13.

**VI. CONFORMANCE WITH APPLICABLE CRITERIA:**

**A. CRITERIA FOR MAJOR VARIANCE ~ SECTION 6.060**

**Section 6.060 of the Development Code states that previously granted variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.**

- A. **Qualifying Condition.** The applicant shall demonstrate that the following elements are present to qualify for a variance.

**CRITERION (1):** Unique Physical Constraint or Characteristic. The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

- (a) The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or
- (b) The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

**Staff Response: Satisfied.** The property and request meet this criterion under subsection (b) above. The applicant is requesting a variance for lot width on Lot 5 and side yard setbacks on Lot 4. The property has existing conforming development that creates constraints to further development of the property. Based on the location of the existing structures to remain and the 10-foot right-of-way dedication to Lower River Road required on the north side of Lot 5, very little room remains to create a standard width lot for a single-family dwelling on the lot using a standard building setback. The variance would also permit development to be nearer the maximum in-fill density under current zoning.

**CRITERION (2):** Self-Created Constraint. If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

- (a) A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and
- (b) At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

**Staff Response: Satisfied.** The existing dwelling was built in 1890, long before current zoning constraints were developed, limiting lot width. The current owner has not altered the existing circumstances. The variance serves the public interest by permitting the subdivision to be closer to the maximum density allowed by the R-1-8 zone and more efficiently use the property.

**CRITERION (3): Need for Variance.** The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

- (a) Allow Reasonable Use of an Existing Property. Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.
- (b) Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels. There need not be a hardship to the owner to qualify for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.
- (c) Allow Flexibility for Expansion of Existing Development. The location of existing development on the property poses a unique constraint to expansion in full compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

**Staff Response: Satisfied.** The proposed variance addresses (b) and (c) of this criterion. Both the location of the dwelling and the need to dedicate ten (10) feet of the Lower River Road frontage for future street improvements prevent creation of a lot between the dwelling and Lower River Road without a variance. The dwelling location also restricts the creation of other parcels without a variance to the standard sideyard setback requirements. As proposed, Lot 4 would have 5-foot setbacks, which is consistent with the R-2 zoning district on the north side of Lower River Road. The variance permits maximum compliance with density standards without having to remove existing structures.

**CRITERION (4): No Other Reasonable Alternative.** Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

- a. Lot line adjustment.
- b. Modified setback option, pursuant to Section 22.200.
- c. Alternate solar standards, pursuant to Section 22.623.

**Staff Response: Not applicable.** None of the three alternatives would provide a viable option to relieve the need for the variance. The property is currently not divided and future development will comply with the remaining setbacks.

(B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

**CRITERION (5): Best Alternative.** When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

**Staff Response: Satisfied.** The requested variance is the best alternative based on existing site conditions. The property is surrounded by residential development and the variances will permit infill that is consistent with the development pattern in the area. The applicant does not propose deviations to minimum lot size or maximum density standards.

**CRITERION (6): Minimum Deviation.** Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the property that is not available to properties in the same zoning district subject to the same regulation.

**Staff Response: Satisfied.** The requested variance is the minimum deviation necessary for the creation of five lots without the removal of the existing structures. The location of existing structures can complicate future divisions of land. The variance does not convey a special right because it permits the property to be developed closer to the maximum density allowed in the R-1-8 zone.

**CRITERION (7): No Hazard.** The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

**Staff Response: Satisfied.** The proposed variance will not create hazards to public safety. All lots in the proposed development have frontage along existing public streets. Three (3) lots will access SW Ironwood Drive from a shared private driveway and the other two (2) lots will access Lincoln Road from a shared driveway at an existing access approach.

**CRITERION (8): Plan and Ordinance Consistency.** The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

**Staff Response: Satisfied.** The requested variance will not adversely affect the implementation of the Comprehensive Plan nor will it be materially detrimental or injurious to the purposes of the Comprehensive Plan or the Development Code. The purpose of Article 12 is to protect the right to use and enjoy real property. The proposed variance permits the applicant to achieve maximum density and more efficiently use the property without having to remove existing structures.

**CRITERION (9): Mitigate Adverse Impacts.** Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

**Staff Response: Satisfied.** Allowing the variance will not create adverse impacts. The proposed development will not impact nearby property owners or deprive them of the use of their property.

**CRITERION (10): No Significant Increase in Residential Density.** For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

**Staff Response: Satisfied.** The 1.09-acre property size permits a density of 6.22 dwelling units per acre, or a total of six (6) residential lots. The proposed subdivision consists of five (5) lots and will not exceed the maximum density of the zoning district.

**CRITERION (11): Recommendation of City Engineer.** The review body shall consider a written recommendation of the City Engineer when the variance is to any of the following standards:

- (a) A street, access, or utility development standard in Article 27 or 28 of the Code.
- (b) The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
- (c) To allow encroachment into existing or planned right-of-way or public utility easement. When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

**Staff Response: Not applicable.** The variance request does not pertain to street access, utility development and will not permit encroachment into a right-of-way. The property is located in the Flood Hazard area, but the requested variance does not pertain to the flood development requirements in Article 13.

**CRITERION (12): Additional Criteria.** Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(14) Street Section Design Standards.

**Staff Response: Not applicable.** Sections 27.121(11)(h)(4), 27.122(5) and 27.123(14) are not applicable to the variance request for the front yard setback encroachment.

**B. CRITERIA FOR TENTATIVE SUBDIVISION PLANS ~ SECTION 17.413**

**Section 17.413 of the City of Grants Pass Development Code states that the review body shall approve, approve with conditions or deny the request based upon the following criteria:**

**CRITERION (1):** The plan conforms to the lot dimension standards of Article 12, the base lot standards of Section 17.510, and the requirements of any applicable overlay district.

**Staff Response: Satisfied with Conditions.** The R-1-8 zone district requires a minimum lot size of 7,000 square feet. The proposed lots meet or exceed this base requirement. Each lot is required to have a minimum width of sixty-five (65) feet, as required by the Development Code, following approval of the requested variance for minimum lot width all lots will meet this base requirement.

**CRITERION (2):** When required, the proposed future development plan allows the properties to be further developed, partitioned, or subdivided as efficiently as possible under existing circumstances, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.

**Staff Response: Satisfied.** The proposed lots in the subdivision cannot be further divided due to minimum lot size requirements in the R-1-8 zoning district. The maximum development potential of the individual lots will be completed with the construction of single-family residences.

**CRITERION (3):** When one is required or proposed, the street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency and environmental compatibility.

**Staff Response: Satisfied with conditions.** The proposed subdivision does not include the construction of new streets as part of the development. All proposed lots front on fully developed streets, with the most recent revision being a full upgrade to Lincoln Road.

Three (3) lots will access SW Ironwood Drive from a shared private driveway and the other two (2) lots will access Lincoln Road from a shared driveway at an existing access approach. As conditioned below, the applicant will be required to submit a revised tentative plan that depicts shared access & maintenance easements for the shared driveway to Lots 1-3 and a separate access & maintenance easement for the shared driveway to Lots 4 & 5.

**CRITERION (4):** The proposed utility plan conforms to the applicable requirements of adopted utility plans, the requirements of Article 28 and other applicable laws, and best balances needs for economy, safety, efficiency and environmental compatibility.

**Staff Response: Satisfied with Conditions.**

**Water:** Water service will be provided from the existing main in Lincoln Road. As conditioned below, the applicant shall submit a detailed utility plan to the Engineering Division for review and approval. Separate water will be required for each lot. RP backflow devices will be required as “premises” protection on all water services both new and existing

**Sewer:** The tentative plan depicts a sewer service lateral for Lot 1 connecting to the existing sewer main in SW Ironwood Drive. The sewer main in SW Ironwood Drive is very shallow and the depth of the proposed lateral may not meet the required six (6) foot depth at the property line. As conditioned below, the applicant will be required to show proper depth of the lateral at the property line. If proper depth cannot be achieved, the applicant will be required to extend the existing sewer main in Lincoln Road to serve the property.

Sewer mains are required to be installed to serve all land divisions and are required along the full frontage of the development. The tentative plan does not depict the extension of 8-inch sewer mains along the entire frontage of the proposed development. As conditioned below, the extension of one or more sewer mains is required for the full frontage of the development if connection cannot be provided to Lot 1 from SW Ironwood Drive. The applicants will be required to submit a “no cash” Deferred Development Agreement for future sewer main extensions along the full frontage of Lincoln Road if a sewer lateral is provided to Lot 1 from SW Ironwood Drive (see **Exhibit 6**).

**Storm Water:** An existing thirty (30) inch storm drain is located in Lincoln Road. As conditioned below, the applicant shall submit storm drain calculations that must demonstrate that post-development run-off does not exceed pre-development run-off.

The property is located in the Grants Pass Irrigation District (GPID). The GPID commented that the applicant will need to contact the district regarding existing water rights on the property.

**CRITERION (5):** The tentative plan allows for the preservation or establishment of natural features or the preservation of historic features of the property, and allows access to solar energy to the extent possible under existing circumstances, including:

- (a) Providing the necessary information to complete the tree chart identified in Section 11.041.

**Staff Response: Satisfied with Conditions.** The applicant provided a tree canopy chart (see **Exhibit 8**) showing existing tree canopy and existing trees to be removed. The site has an existing tree-canopy cover of approximately 13.8%. As required by Section 11.041, residential developments in the R-1-8 zone shall maintain or re-establish a tree-canopy cover of 25% to 35%, which typically requires 4-5 trees per lot. The tree

plan indicates that the subdivision will achieve a 25 percent tree canopy upon development. As conditioned below, prior to final plat, the applicant shall submit a revegetation plan and pay applicable tree deposits per Section 11.060.

The solar lot standards in Section 22.632 requires that at least 80 percent of the lots in a residential subdivision have a north-south dimension of at least 80 feet or have a solar building line at least 85 feet north of the south property line. The proposed lots do not meet the requirements of this section. As conditioned below, the applicant will be required to submit a revised tentative plan that depicts a solar building line for each lot.

- (b) No cuts shall result in retaining walls greater than 15 feet high in a single wall from the finish grade or create any un-retained slopes greater than 100%.

**Staff Response: Satisfied.** The site is relatively flat; therefore cuts and fills are not expected to exceed 1-2 feet. No retaining walls are proposed.

- (c) No fills shall result in a retaining wall within the required setback from a property not included in the development plan greater than 6 feet in height from the finish grade or create any slopes which are greater than 100%.

**Staff Response: Satisfied.** Development of the site does not require cuts, but fills may be necessary as a method of achieving compliance with flood plain regulations and positive drainage away from the foundations. No retaining walls are proposed and cut/fill slopes will not exceed 5:1.

**CRITERION (6):** The plan complies with applicable portions of the Comprehensive Plan, this Code, and state and federal laws.

**Staff Response: Satisfied with Conditions.** The proposed subdivision name of "Lincoln/Lower River Road Subdivision" was not approved by the County Surveyor. In reviewing the County Clerk's and County Surveyor's records, he found that there are several existing subdivisions that use the words "Lincoln" and/or "Lower River" in one form or another. Based upon the County Surveyor's comments, the applicant will be required to submit an alternate subdivision name for review and approval. The County Surveyor's comments are attached as Exhibit 5.

Based upon the conditions listed below, along with the submittal of a revised tentative subdivision plan and utility plans as previously discussed, the applicant is demonstrating compliance with all applicable Grants Pass Comprehensive Plan, Development Code requirements, and state and federal laws given the conditions of approval stated below.

## VII. RECOMMENDATION:

Staff recommends the Planning Commission **APPROVE** the request for Major Variance request to Section 12.152, Schedule 12-5 of the Development Code.

Staff recommends the Planning Commission **APPROVE** the request for the five (5) lot subdivision with the conditions listed below.

## CONDITIONS OF APPROVAL:

**A. The following must be accomplished within 24 months of the Planning Commission's Decision and prior to issuance of a Development Permit. (Note: A Development Permit is required in order to obtain a grading permit.):**

1. Provide a letter from the Responsible Engineer who will be supervising the construction of the subdivision. The Responsible Engineer will be required to submit a letter at final plat application verifying that he/she supervised the grading and construction for the entire parcel and individual lots and that the grading and construction was completed according to approved plans.

If the responsible engineer proposes to delegate any of these responsibilities, the arrangement shall be approved in writing by the City Engineering Division prior to issuance of a Development Permit.

2. Provide information on the sewer lateral for proposed Lot 1. Information shall include the following:
  - a. Depth of the lateral at the property line from SW Ironwood Drive.
  - b. If the later meets the minimum service requirements, the applicant shall submit a signed and notarized "no cash" Deferred Development Agreement.
  - c. If the lateral does not meet the six (6) minimum depth requirement, the applicant will be required to extend the 8-inch sewer mains along the entire Lincoln Road frontage.
3. Submit a revised tentative plan showing the following:
  - a. Revised subdivision name for review and approval by the County Surveyor.
  - b. Shared access and maintenance easements for the shared driveway to Lots 1-3 and the shared driveway to Lots 4 & 5.
  - c. Solar building line for each lot, pursuant to Section 22.362.
4. Obtain an NPDES permit from the Department of Environmental Quality. Submit a copy of the approved permit to the Parks and Community Development Department.
5. Submit four (4) copies of civil drawings with appropriate review fees to the City Engineering Division for review and approval:
  - a. Provide an engineered drainage plan for the subdivision and tentative drainage plans for each lot. The plan shall include line size and percentage of fall. The drainage plan shall include the prevention of storm

water from crossing property lines unless within dedicated easements. GPID approval must be obtained prior to drainage into their system.

- b. Provide a grading plan and receive a grading permit prior to any earthwork. Include the creation of building pads in the grading plan if completed as part of the construction of the subdivision. If building pads are created as part of the grading of the subdivision then a map showing the extent of the grading will be required at the time of final plat.
- c. Provide an erosion control and dust control plan for the subdivision.
- d. Include any provisions of the NPDES permit on the construction plans.
- e. Present engineered construction drawings stamped by a registered Engineer, including plans and profiles if necessary, that detail the following improvements to the City Engineering Division for review and approval.

**Street Improvements:**

- i. Identify Mailbox locations.
- ii. Reflect street lighting in accordance with Section 27.121.16 of the Development Code.
- iii. Obtain encroachment permits prior to any work in the right-of-way.

**Utility Plan:**

- i. Separate sewer and water services shall be required for separate lots.
- ii. Extension of 8-inch sewer main in Lincoln Road if sewer service cannot be provided to Lot 1 from SW Ironwood Drive.
- iii. RP backflow devices shall be required as “premises” protection on all water services both new and existing.
- iv. All “premises” backflow prevention devices shall be located within 10 feet behind each water meter.
- v. DC backflow devices shall be required as “point of use” protection on all water services containing multiple zone irrigation systems.
- vi. All public water services shall be located within the public right of way of Lincoln Road.
- vii. Water services on existing water mains shall be installed by City crews.

viii. The developer shall be responsible for all costs related to the relocation and/or adjustment of existing water valves, air releases, water services and blow off assemblies.

ix. The developer shall submit engineered drawings for review by the utility division prior to construction.

6. Sign a Developer Installed Agreement for Public Improvements.

**B. The following must occur within 18 months of issuance of the Development Permit and prior to Final Plat approval:**

1. Submit a tree revegetation plan in accordance with Section 11.060:
  - a. Location of trees or groups of trees remaining on site post development as related to new lot lines.
  - b. A tree planting plan identifying general locations of where new trees will be planted and include the height, caliper and species of trees recommended to be planted.
  - c. The percentage of tree canopy proposed to be re-established. The calculation shall be based upon the type of trees to be planted and number of trees needed per lot, and shall meet the conditions of tentative plan approval.
  - d. Demonstration of efforts to promote diversity of tree species.
  - e. The Tree Re-vegetation Plan shall be recorded along with the final plat/plan.
2. Pay the tree deposit fee in the amount of \$300 for each new lot (Section 11.060.2).
3. Provide separate sewer and water services are required for each lot. Private sewer and water lines shall not cross other lots.
4. Existing private laterals reutilized by the new development shall be TV inspected prior to reuse. All defects discovered during the TV inspection shall be corrected prior to reuse by the new development.
5. Regularly sweep all adjacent streets during construction.
6. Install power, telephone, cable television and natural gas lines underground and within the 10 foot City Utility Easements.
7. Pay all engineering inspection fees due.

8. Submit a letter from the Responsible Engineer stating that he/she supervised the grading and construction for the entire parcel and individual lots and the grading and construction was completed according to approved plans.
9. All water services on existing public water lines shall be installed by City of Grants Pass Water Distribution Crews. All encroachment fees related to the installation of water services shall be the responsibility of the developer.
10. Complete installation of the public utility services as reflected on the approved utility plans and required by the Utility Division.
11. Obtain all necessary permits to ensure the existing guest house meets the standards required of a single-family dwelling
12. Provide a copy of any proposed CC&R's & deed restrictions if they are desired by the developer. There are no CC&Rs or deed restrictions required as a condition of this approval.
13. Provide a land division guarantee issued by a title company.
14. Submit a final plat in accordance with Section 17.422 of the City of Grants Pass Development Code. Incorporate any modifications or conditions required as part of tentative approval. A professional land surveyor must survey the subdivision. A plat check by the City Surveyor and payment of appropriate fees is required. Failure to comply with this condition will nullify the approval of the Tentative Plat. Include the following on the plat:
  - a. All easements indicated on approved construction plans.
  - b. Dedicate a ten (10) foot wide City Utility Easement to the City of Grants Pass along all necessary street frontages.
  - c. A ten (10) foot right-of-way dedication along Lower River Road.
  - d. Include any necessary drainage and cross access easements.

After all signatures are obtained, the plat must be recorded with the Josephine County Recorder within 30 days. The subdivider shall file one print of the recorded plat with the Parks and Community Development Department. Failure to do so will nullify plat approval.

**C. The following shall be accomplished at the time of development of individual lots in the subdivision:**

**Note:** The following conditions are not all-inclusive and are provided for the information of the applicant.

1. Pay all System Development Charges due; including, but not limited to, water, storm, sewer, parks and transportation (see **Exhibit 8**).

2. Develop lots in accordance with Provisions for Flood Hazard Reduction, pursuant to Section 13.250.
3. Develop lots in accordance with solar standards.
4. Provide separate utility services to each lot.
5. Place all new utilities underground.
6. Comply with the Uniform Fire and Building Codes.
7. Install landscaping in accordance with the approved landscape plan (Sections 11.041 ~ Tree Canopy and 23.031 ~ Residential Front Yard).
8. Submit lot drainage plans for approval on all building plans.
9. Retain and protect significant size trees out to the drip line, in accordance with the tree protection plan and pursuant to Section 11.050.
10. Tree refund in the amount of \$300 per lot is available within one (1) year of final inspection and submittal of a valid receipt meeting or exceeding that amount of trees only.
11. Maintain developed or undeveloped building lots for weed and grass control throughout the year.
12. Provide addresses visible from the public right-of-way.
13. Gravel driveway approaches and other erosion and track-out control measures shall be in place during construction of individual lots.
14. Prior to occupancy, driveways and parking and maneuvering areas shall be paved in accordance with the requirements of the Development Code.

**VIII. PLANNING COMMISSION ACTION:**

**A. Positive Action: Approve the request**

1. as submitted.
2. with the conditions stated in the staff report.
3. with the conditions stated in the staff report as modified by the Planning Commission (list):

**B. Negative Action: Deny the request for the following reasons (list):**

**C. Postponement: Continue item**

1. indefinitely
2. to a time certain.

NOTE: State law requires that a decision be made on the application within 120 days of when the application was deemed complete.

**IX. INDEX TO EXHIBITS:**

1. Location Map
2. Aerial Photo
3. Tentative Plan
4. Applicant's narrative
5. County Surveyor response
6. Deferred Development Agreement
7. Tree Canopy Retention Plan
8. SDC Brochure



**CITY OF GRANTS PASS**

902 Lincoln Road  
36-06-24-AB, TL 100

**Legend**

 Subject Parcel

**EXHIBIT 1**

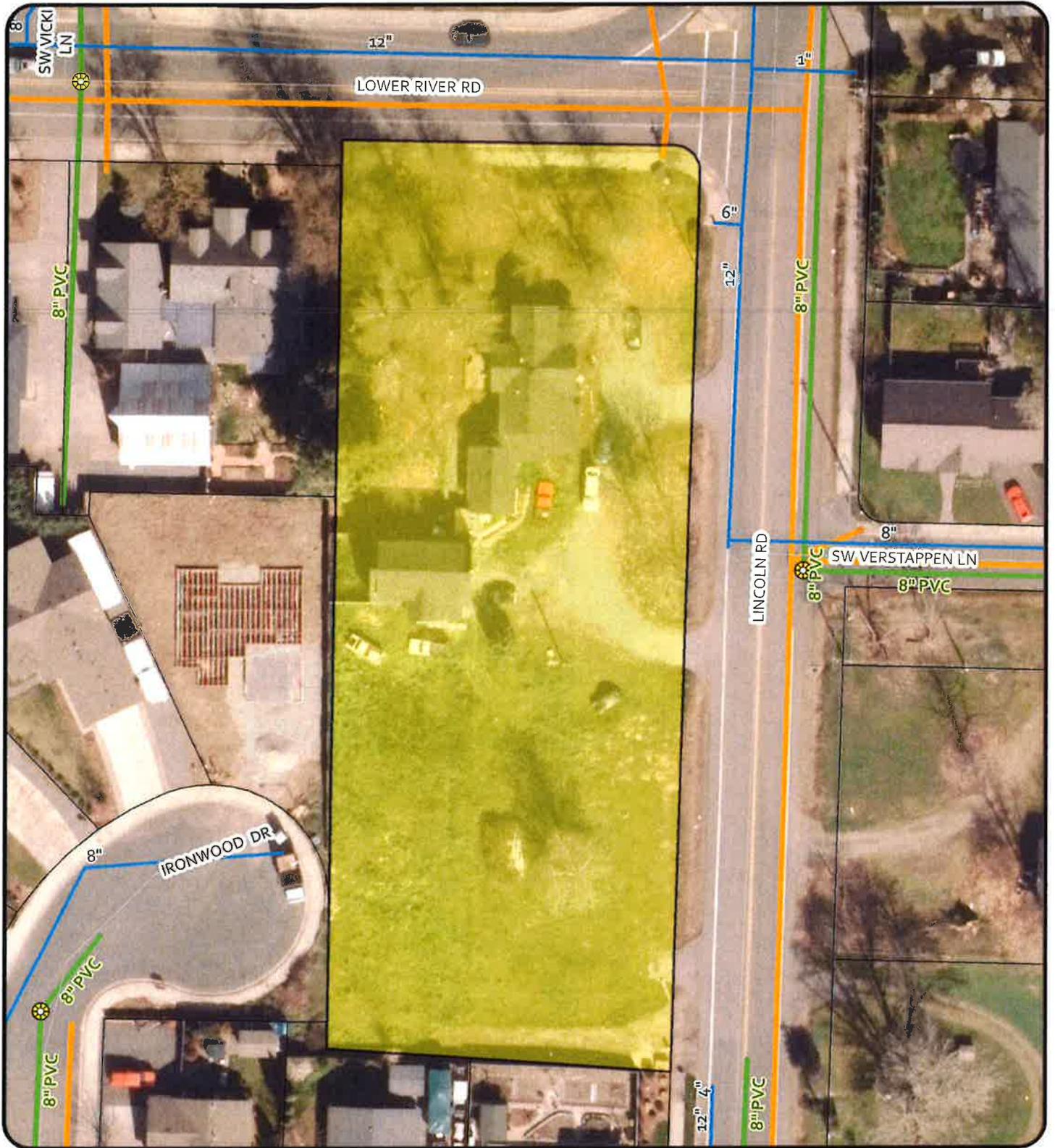
0 40 80 160 240 320 Feet



**CITY OF GRANTS PASS**  
Parks & Community Development Dept.  
101 Northwest "A" Street  
Grants Pass, OR 97526  
Phone: (541) 450-6060  
Fax: (541) 476-9218  
Web: [www.grantspassoregon.gov](http://www.grantspassoregon.gov)

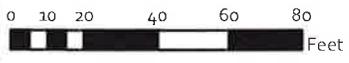


DISCLAIMER: The Geographic Information Systems (GIS) data made available on this map are developed and maintained by the City of Grants Pass and Josephine County. Every reasonable effort has been made to assure the accuracy of the maps and associated data.



**CITY OF GRANTS PASS**

902 Lincoln Road  
 36-06-24-AB, TL 100



**Legend**

-  Subject Parcel
-  Water Mains
-  Sewer Gravity Mains
-  Storm Water Gravity Main



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July 21, 2016

City of Grants Pass Community Development Dept.  
101 NW "A" Street  
Grants Pass, OR 97526

RE: Tentative Subdivision Application Submittal – 902 Lincoln Road Development

Attached is the tentative subdivision plan submittal for a 5-lot residential subdivision located at 902 Lincoln Road. This project will split the existing 1.09-acre parcel into 5 single family lots while providing a layout that accounts for surrounding development patterns, the recently completed Lincoln Road street improvements, and limited access to surrounding streets. The current project was previously reviewed under a pre-application submittal on April 7, 2016 (City File #00100112-16).

### **Existing Conditions**

The site is partially developed with two existing dwellings. The larger of the two will remain as a single family residence on Lot 4 while the smaller shop/apartment structure will be used as an accessory building to a new house on Lot 3. There is currently a developed access off of Ironwood Drive that was originally established for this future development and two existing access points off of Lincoln Road. A 10' right-of-way dedication is required along Lower river road based on existing property surveys and pre-application requirements.

The existing structures are served by sewer (service location unknown) and a well that will be abandoned as part of this project. Full frontage improvements and utility mains exist along all three property frontages, including the recently constructed Lincoln Road Improvements.

### **Proposed Conditions**

The parcel will be split into 5 separate single family lots. All lots will require new water services off of Lincoln Road. Sewer services will also be required, with Lot 1 obtaining service from Ironwood Court and Lots 2-5 obtaining service from Lincoln Road. Lots 2-3 will require a short 8" sewer main extension in Lincoln Road to obtain adequate service as shown. Other franchise utilities will run along the new 10' city utility easement and connect to the existing infrastructure currently in place.

Storm drain infrastructure is already in place along all three street frontages. Based on this and the level lot grades, no additional storm drain improvements are proposed or required. Roof drains will be routed through the existing curb faces, typical of a residential development of this nature. Therefore, no additional storm drain detention is possible or required.

Access

**EXHIBIT** 4

Based on the outcome of the pre-application review meeting and ongoing discussions with Planning and Engineering, the proposed access configuration was developed. Lots 1-3 will take shared access off of Ironwood Drive using the existing commercial approach. A shared access easement will be dedicated across Lots 1-2 for the benefit of Lots 2-3.

Lots 4-5 will take shared access off of the existing northerly Lincoln Road approach and the existing approach in front of Lot 3 will be abandoned.

### **Modified Setback/Lot Width Variance Request**

Due to the location of the existing structures within this development, a modified setback variance to Section 12.150, Schedule 12.5 is required, reducing the standard 6'/10' side yard setback on Lots 4 & 5 to 5' and lot width variance reducing the overall width of Lot 5 to 55'. Due to the location of the existing house and remaining width between the house and newly dedicated right-of-way line on Lower River Road, Lots 5 & 6 cannot feasibly comply with the standard development requirements for this zone.

#### Variance Criteria

Previously granted variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.

(A) Qualifying Condition. The applicant shall demonstrate that the following elements are present to qualify for a variance.

(1) Unique Physical Constraint or Characteristic. The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

(a) The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or

*Response: Not Applicable*

(b) The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

*Response: The property has existing conforming development which poses unique constraints to the further development of the property. Based on the location of the existing structures to remain and the 10' right-of-way dedication required on the north side of Lot 5, along with the*

exterior street setback of 10' along Lower River Road, very little room remains to create a standard lot width and to construct a single family home on this lot using a standard building setback.

(2) Self-Created Constraint. If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

(a) A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and

(b) At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

*Response: According to the tax assessor, the existing house was built in 1890, long before Lincoln Road and Lower River Road existed at their current right-of-way widths. In addition, the current owner purchased the property as a rental and was unaware of the development restrictions that existed for Lot 5 to be developed.*

(3) Need for Variance. The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

(a) Allow Reasonable Use of an Existing Property. Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.

(b) Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels. There need not be a hardship to the owner to qualify for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.

(c) Allow Flexibility for Expansion of Existing Development. The location of existing development on the property poses a unique constraint to expansion in full compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

*Response: The variance is necessary for both sections (b) and (c) above. Due to the location of the existing structure on Lot 4, the 10' right-of-way dedication required along Lower River Road, and existing access restrictions, allowing for a narrower lot width on Lot 5 and slightly*

*reduced setback on Lots 4-5 allows for development that is an efficient use of the land. The variance request is the minimum deviation from Code as it meets the requirements in denser residential zones for both lot width (R-1-6 through R-5) and setback (R-2 through R-5).*

(4) **No Other Reasonable Alternative.** Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

- (a) Lot line adjustment.
- (b) Modified setback option, pursuant to Section 22.200.
- (c) Alternate solar standards, pursuant to Section 22.623.

*Response: Other than demolishing or relocating the existing house that has been there since 1890, this is the only reasonable alternative to allow for the creation of Lot 5, meeting the intended residential density of the development.*

(B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

(5) **Best Alternative.** When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

*Response: The requested variance is the best alternative based on existing site conditions. Due to the location of the existing structure on Lot 4, the 10' right-of-way dedication required along Lower River Road, and existing access restrictions, allowing for a narrower lot width on Lot 5 and slightly reduced setback on Lots 4-5 allows for development that is an efficient use of the land. The variance request is the minimum deviation from Code as it meets the requirements in denser residential zones for both lot width (R-1-6 through R-5) and setback (R-2 through R-5).*

(6) **Minimum Deviation.** Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the property that is not available to properties in the same zoning district subject to the same regulation.

*Response: The variance request is the minimum deviation from Code as it meets the requirements in denser residential zones for both lot width (R-1-6 through R-5) and setback (R-2 through R-5). The variance is only being requested for Lots 4-5 and not the entire subdivision (no special right is being conveyed to the overall development).*

(7) No Hazard. The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

*Response: No public safety hazard will be created by approving the variance. Both Lots 4-5 will meet standards setbacks along both Lincoln Road and Lower River Road and therefore the public will not be impacted by the variance request. Lot 3 will only experience a 1' reduction in the adjacent setback from the zoning standards.*

(8) Plan and Ordinance Consistency. The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

*Response: The requested variance is minimal in nature as compared to other variance requests and allows for development of the subject property based on existing development conditions. The variance also allows the property to be developed to its intended density specified in the comprehensive plan.*

(9) Mitigate Adverse Impacts. Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

*Response: No adverse impacts are anticipated with approval of the variance request.*

(10) No Significant Increase in Residential Density. For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

*Response: Approval of the variance will allow development to the intended density and not increase it.*

(11) Recommendation of City Engineer. The review body shall consider a written recommendation of the City Engineer when the variance is any to any of the following standards:

- (a) A street, access, or utility development standard in Article 27 or 28 of the Code.
  - (b) The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
  - (c) To allow encroachment into existing or planned right-of-way or public utility easement.
- When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

*Response: Not Applicable*

(12) Additional Criteria. Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(15) Street Section Design Standards.

*Response: Not Applicable*

### **Summary**

Overall, we feel that this development proposal accommodates the existing site constraints while allowing for an efficient use of the property. Access is provided to all new lots in agreement with City Staff and the layout and associated variance request allows the existing structures to remain at their current locations. We look forward to working with you through the planning process and are happy to answer any questions that you may have.

Sincerely,



Justin Gerlitz, P.E.

Encl.



## Josephine County, Oregon

### County Surveyor

Peter D. Allen, P.L.S.  
Josephine County Courthouse  
500 NW 6<sup>th</sup> Street / Grants Pass, OR 97526  
(541) 474-5311 / FAX (541) 474-5312  
surveyor@co.josephine.or.us

July 27, 2016

Ms. Kayla Wallace  
City of Grants Pass  
101 NW A St.  
Grants Pass, OR 97526

RE: Subdivision name approval

Dear Ms. Wallace,

Per your email to me on July 21, 2016, I have reviewed and *deny* approval of the following subdivision name for use in a new subdivision application:

- 1) **Pinnacle Estates Subdivision** (1829 Hubbard Lane; 36-06-26-BB, TL 3000). RE: there is already a subdivision with the name "The Pinnacle at Meadow Wood Phase 1."

Per your email to me on July 27, 2016, I have reviewed and *deny* approval of the following subdivision name for use in a new subdivision application:

- 2) **Lincoln/Lower River Road Subdivision** (902 Lincoln Road; 36-06-24-AB, TL 100). RE: there are already several subdivisions that use the words "Lincoln," and/or "Lower River" in one form or another.

Please feel free to contact me should you have any questions or need additional information.

Sincerely,

Peter D. Allen  
Josephine County Surveyor

cc: (via email) Surveyor's Office, Lora Glover, Justin Gindlesperger, Shelly Stichter, Otto Ribansky, Justin Gerlitz

**For reference: ORS 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.

**After Recording Return To:**  
City of Grants Pass, Oregon  
101NW A Street  
Grants Pass OR 97526  
Attn: Lora Glover

**“NO CASH”  
DEFERRED DEVELOPMENT AND  
WAIVER OF REMONSTRANCE AGREEMENT**

# \_\_\_\_\_

**PARTIES:** The City of Grants Pass, Oregon, hereinafter referred to as "City" and \_\_\_\_\_,  
hereinafter referred to as "Owner".

**WHEREAS:**

- A. Owner is the owner of real property, (hereinafter referred to as Property) more particularly described as Address: \_\_\_\_\_, Assessor's Map and Tax Lot: \_\_\_\_\_, with a legal description of which is labeled as Exhibit "A"; an illustrative map of which is labeled as Exhibit "B", both of which are attached hereto and incorporated herein.
- B. Owner has made application to the City for a development permit to divide or develop Property, which makes it subject to City Ordinances because it is inside the City or it is within the Urban Growth Boundary and therefore governed by the intergovernmental agreement between the City of Grants Pass and Josephine County. The application was reviewed and approved by the City, subject to Owner meeting certain conditions; and some of Owner's obligation for the construction of public facilities may be deferred to the future if this agreement is executed as security guaranteeing their future construction.

**NOW, THEREFORE,** based on the above, the Parties agree to the following terms and conditions:

1. **OWNER'S OBLIGATION FOR CONSTRUCTION OF FUTURE PUBLIC FACILITIES TO CITY STANDARDS:** Owner's Obligation for Public Facilities which are checked below may be deferred to a later date (hereinafter referred to as Deferred Facilities). The lengths specified below are approximate and may be exceeded by up to 15% depending on the final configuration of the Deferred Facilities.

**A. Street Improvements and Appurtenances.**

1. **Planned Public Facilities:** Street improvements and appurtenances, to the standard specified below for the following street frontages and approximate distances. The street standard includes \_\_\_\_\_.

Street Frontage	Distance	Street Standard & Roadway Surface Width

2. **Owner's Deferred Obligation:** A portion of the street improvements and appurtenances for the distance and street frontage described above, equivalent to one-half of a 36-foot wide local street and appurtenances, including an 18-foot wide roadway surface and base, and full 5-foot wide sidewalk, curb, and gutter on one side.

**B. Storm Drain Facilities and Appurtenances.**

1. **Planned Public Facility:** A public storm drain facility and appurtenances for the pipe size specified below for the following street frontages and approximate distances.

Street Frontage	Distance	Pipe Size

2. **Owner's Deferred Obligation:** A portion of the storm drain facility and appurtenances for the distance and street frontage described above, equivalent to one-half of a 24-inch storm drain facility and appurtenances.

**C. Sewer Main and Appurtenances.**

1. **Planned Public Facility:** A public sewer main and appurtenances for the pipe size specified below for the following street frontages and approximate distances.

Street Frontage	Distance	Pipe Size
Lincoln Road	187-feet	8-inch

2. **Owner's Deferred Obligation:** A portion of the sewer main and appurtenances described above, equivalent to one-half of an 8-inch sewer main and appurtenances.

**D. Water Main and Appurtenances.**

1. **Planned Public Facility:** A public water main and appurtenances for the pipe size specified below for the following street frontages and approximate distances.

Street Frontage	Distance	Pipe Size

2. **Owner's Deferred Obligation:** A portion of the water main and appurtenances for the distance and street frontage described above, equivalent to one-half of an 8-inch water main and appurtenances.

**E. Other.**

1. **Planned Public Facility:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. **Owner's Deferred Obligation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. **TERM OF AGREEMENT.** (Except for Early Termination noted below) this agreement shall be effective from the date of execution by all Parties and is binding until such time as **all** referenced Deferred Facilities are **fully** constructed to City Standards. Once fully constructed, this agreement may be extinguished upon written application filed with the City together with proper documentation to be filed with the County Clerk. If a portion of the obligation is completed, a substitute agreement indicating the reduced obligation may be recorded concurrent with a release of this agreement, in accordance with City policy.
3. **EARLY TERMINATION.** If the Owner (in writing, signed by the Owner) formally withdraws their application to divide or develop the property by filing said withdrawal with the City Parks & Community Development Department within 120 days of the signing of **this** agreement by the Owner, this agreement will be terminated in its entirety.
4. **INITIATION OF FUTURE PARTICIPATION:** Owner agrees to participate in the construction of the Deferred Facilities and to pay Owner's share, when billed, of all costs of those portions of the following Public Facilities which are deferred for the Property when any of the following conditions arise:
- A. A Local Improvement District is formed; **or**
  - B. A Local Government Improvement Project is initiated by the City, County, or State to install the Deferred Facilities; **or**
  - C. Subject to approval by the City Council, an Reimbursement District is formed; **or**
  - D. The City sends a written notice to Owner mandating installation.

5. **COST ESTIMATES.** The City makes no representation as to the final costs which may be charged to the Owner. Any estimates provided by the City are for general information only and Owner has had an opportunity to contact private contractors to determine more accurate estimates of said costs. Owner understands the costs of said facilities are not specified herein since they cannot be fully and specifically calculated until the date of installation and until it is known how the overall project will extend to other properties and public facilities. If Deferred Facilities are constructed in coordination with similarly situated properties, the Owner's share is usually based on a combination of street frontage and area.
6. **WAIVER OF REMONSTRANCE.**
- A. Owner, agrees not to remonstrate or oppose any Local Improvement District or Reimbursement District and to participate in a Local Government Improvement Project regarding the construction of any one or all of the Deferred Facilities (although Owner may speak in opposition to the advisability of a project which shall **not** be construed as a remonstrance). Owner retains the right to remonstrate against the construction of facilities, which are not noted herein as Deferred Facilities, to the extent the Owner is assessed costs for such additional facilities.
- B. Owner further waives any right to object to the requirement to contribute Owner's portion of the cost of the installation of the Deferred Facilities by another developer who has initiated construction of similar facilities for other properties in the area of the subject Property so long as Owner was notified in writing of the intent to construct the Deferred Facilities by the other developer not less than 30 days prior to installation.
7. **CITY CODES AND ORDINANCES.** From and after the date this agreement is executed by all Parties, the Property and all structures or improvements hereafter in or thereupon shall be subject to and shall comply with all City Codes and Ordinances including but not limited to the City Building, Development, and Utility standards and procedures.
8. **EXAMINATIONS AND INSPECTIONS.** Owner grants City and any of its authorized representatives the right to go upon the Property at all reasonable times to make such examinations and inspections as are reasonably necessary in City's opinion to inspect connections to the City sewer, water, and storm drain facilities and determine the regulations relative to utility services and development conditions are being complied with by the Owner or occupant. City shall make reasonable efforts to contact the Owner or a representative prior to entrance of any building on the Property unless such a delay would represent a threat to the public health or safety.
9. **BINDING EFFECT OF AGREEMENT.** This agreement is binding on the heirs, executors, administrators, personal representatives, successors and assigns of Owner, including but not limited to lessors, lessees, renters and any other occupants of the Property. If there is more than one Owner, each Owner is jointly and severally bound hereby. Owner shall assist City in the enforcement of any and all of the conditions of this agreement upon persons bound hereby.

**IN WITNESS WHEREOF**, the Parties hereto, on the dates indicated, set their hands by and through their duly authorized agents and affirm the responsibilities and covenants contained herein

**OWNER(S):** \_\_\_\_\_  
Signature Date  
\_\_\_\_\_  
Signature Date

STATE OF OREGON )  
County of Josephine ) ss.  
This Deferred Development Agreement Was Signed Before Me on  
the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_ And \_\_\_\_\_  
And Was Acknowledged as Their Voluntary Act and Deed.  
IN WITNESS WHEREOF, I set my hand and seal hereto  
on this same date.  
Notary Public for Oregon: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**CITY OF GRANTS PASS** by Lora Glover, Parks & Community Development Director

\_\_\_\_\_ Date \_\_\_\_\_

**Attest:** Karen Frerk, City Recorder

\_\_\_\_\_ Date \_\_\_\_\_

**Copies:** County Clerk  
Property File



This brochure is intended to be used as a **guide-line only** for estimating System Development Charges as a part of total project costs. Actual costs for your project may differ due to site specific requirements.

**It does not include information on other fees** such as **fees, engineering fees, building permit fees, water and sewer connection fees, reimbursement district fees and business licenses.**

Please contact the Parks & Community Development office at 541-450-6060 for information on SDC's specific to your project and information on other potential costs.

Who to contact at Community Development:

Our Planning Division can assist you with questions on our Parks and Transportation SDC's.

Our Building Permit Technician can assist with questions on Sewer and Storm Drain SDC questions and fees.

Visit our website at:  
[www.grantspassoregon.gov](http://www.grantspassoregon.gov)

Parks & Community Development Office is located at:

101 NW A Street  
Upstairs Room 201  
Grants Pass, Oregon 97526  
541-450-6060

Open 8 am – 5 pm Monday – Friday  
Building Counter Hours 8 – 10 M – F  
Planning Counter Hours 8 – 5 M – F

## Storm Drain System

Storm Water and Open Space SDC's were adopted by the City Council on February 4, 2004. At that time, two separate charges were created, one applying to all lands within the urban growth boundary, and one specifically limited to properties which fall within the Sand Creek Drainage Basin.

The Storm Water and Open Space SDC's are an incurred charge for the planning, acquisition and capital development of facilities to accommodate and control storm water runoff, directly associated open space, and water quality control facilities to clean surface water runoff prior to return to natural surface water conveyances.

Storm Drain SDC's are due and payable upon issuance of building permit for any new construction or expansion which creates additional residential units and any construction which expands or remodels a business building which includes an increase in impervious surface of 25% or more.

The Storm Drain and Open Space Plan SDC For residential and commercial development is **\$488.11 per development permit.**

The Sand Creek Drainage Basin Storm Drain SDC For residential and commercial development is **\$.33 per square foot of the lot or improvement.**

## What are SDCs?

The City of Grants Pass is committed to providing quality services to our community.

As our community grows, old systems need to be updated and new systems must be built. System Development Charges are one way to fund those improvements.

System Development Charges (SDCs) are fees imposed upon new and expanding development within the City of Grants Pass and the urbanizing area that connects to or otherwise will use City services of the water system, sanitary sewer system, parks, streets and storm drainage.

The objective of SDCs is to charge new users an equitable share of the cost of services and to pay for improvements necessary as a result of increased development and demand on the City's infrastructure.

## SDC Fee Adoption & Adjustments

On July 17, 1991 the City of Grants Pass adopted an ordinance allowing the creation of system development charges. SDCs are now in place to fund the Water, Sewer, Parks, Storm Drain and Transportation Systems.

On January 2, 2002, the Council adopted a resolution establishing Cost of Living (COLA) Adjustments for SDCs.

The figures in this brochure reflect the fees for January 1, 2016 through December 31, 2016 only.

## For further assistance...

If you would like more information on System Development Charges call (541) 450-6060

# SYSTEM DEVELOPMENT CHARGES



Fees Effective  
January 1, 2016 through  
December 31, 2016

**This brochure is only a guideline for anticipating potential system charges for new development and is subject to change.**

## Water System

The Water SDC was first adopted by the City Council on August 21, 1991 and last amended on July 25, 2005. It is charged and payable for development at the time of permit to connect to the water system.

The method of calculating the Water SDC depends on what Water Pressure Zone service area the development is connecting to, as follows:

<u>Water Pressure Zones 1, 2 &amp; 3:</u>	
(based on water meter size)	
3/4" .....	\$2,845
1" .....	\$7,116
1-1/2" .....	\$14,234
2" .....	\$22,776

<u>Water Pressure Zones 4, 5 &amp; up:</u>	
(based on water meter size)	
3/4" .....	\$3,311
1" .....	\$8,279
1-1/2" .....	\$16,559
2" .....	\$26,494

Water meter size required for your project can vary and is site specific please contact our office for actual cost for your connection.

Per Municipal Code 3.11.400 All Residential Development. The water system development charge shall be the greater of the charge based on water meter size or the charge based on residential living units.

## Sewer System

The Sewer SDC was first adopted by the City Council on October 19, 1994 and last amended on July 25, 2005. The Sewer SDC is charged and payable for development at the time of permit to connect to the sewer system.

Sewer SDCs for residential use are based on Equivalent Residential Units (ERUs) as follows:

Single-family or Manufactured Home .....	\$3,009
Duplex .....	\$4,814
Tri-plex .....	\$7,222

Sewer SDCs for commercial, public and quasi-public development are determined by the number of fixture units and strength of discharge. A worksheet is available to estimate the sewer SDC for individual projects.

## Redwood Sewer District

Properties located within the Redwood Sanitary Sewer Service District (RSSSD) are Subject to a different sewer SDC schedule, \*and may be subject to additional assessment charges or eligible for credits. *Please contact the Community Development office for an estimate of RSSSD charges.*

\*For typical new construction within the RSSSD, the following schedule applies:

<u>Residential in Redwood Sewer District:</u>	
1 toilet .....	\$3,835
2 toilets .....	\$4,135
3 toilets .....	\$4,435

Redwood Sewer SDCs for commercial, public and quasi-public development are determined by the number of fixtures units, strength of discharge and water meter size. A worksheet is available to estimate the sewer SDC for individual projects.

## Transportation

The Transportation SDC was adopted by the City Council on September 15, 1999. The Transportation SDC helps to pay for the expansion and capital development of the transportation system to accommodate and control motorized vehicular traffic, pedestrian traffic, and bicycle traffic.

In September 2011, the City Council adopted Ordinance 5546 which identifies the method of calculating the SDC's to be based on the Institute of Transportation Engineers Trip Generation Report. Trips are calculated based on the Land Use and Title that best fits the Development as interpreted by the City. If the ITE Trip Generation Report includes multiple measures that can be used to determine average daily trip generation including area, the measure of square footage (area) will be used. The Director may consider an alternative trip calculation when a report is supplied by a licensed traffic engineer and said alternative is reviewed and approved by the City Engineer.

The Transportation SDC is due and payable at the time of building permit issuance for construction.

The City Council adopted Resolution 15-6338 to establish the current Transportation SDC trip rate. This rate is a 30% reduction from the previous rate.

**In certain cases, a credit may be applied towards the Transportation SDC for previous uses on the site. Please contact Planning for an estimate of the Transportation SDC's for your project.**

**Below is an example using the \$111.13/trip rate.**  
Single Family Residence  
Category: Single-family (9.57 trips/unit)  
1 unit x 9.57 trips/unit x \$111.13/trip = \$1063.51

## Parks

The City of Grants Pass has adopted two SDCs for Parks. The Parkland Acquisition SDC was adopted by the City Council on June 30, 1997. The SDC pays for the purchase of parkland, trails, and open space for the parks and recreation master plan. On December 18, 2006 the City Council adopted a Park Development SDC effective June 1, 2007. This SDC will help fund capital improvements and development of the park, trail and open space system.

Parks SDCs are due and payable upon issuance of a building permit for: any new construction or expansion which creates additional residential units; any construction which creates a new business building or enlarges a business building; or issuance of the first manufactured home placement permit granted upon an individual building lot.

The Parks SDCs for residential development is based on the number of units:  
Parkland Acquisition ..... \$461.21 per residence  
Park Development ..... \$370.45 per residence  
Total per unit ..... \$831.66

The Parks SDCs for non-residential development is based upon the number of required parking spaces built to serve the development.

Parkland Acquisition ..... \$42.23 per new parking space built  
Park Development ..... \$32.97 per new parking space built  
Total per parking space ..... \$75.20

The City Council adopted Resolution 15-6338 to establish the current Transportation SDC trip rate. This rate is a 30% reduction from the previous rate.

**See other side for Storm Drain SDC Information**

**CITY OF GRANTS PASS  
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**PINNACLES ESTATES SUBDIVISION  
TENTATIVE PLAN & MAJOR VARIANCE  
STAFF REPORT**

<b>Procedure Type:</b>	Type III: Urban Area Planning Commission	
<b>Project Number:</b>	104-00104-16 & 301-00109-16	
<b>Project Type:</b>	Subdivision Tentative Plan & Major Variance	
<b>Owner(s):</b>	Radio Design Group	
<b>Applicant:</b>	E. Vincent Aiello	
<b>Representative:</b>	Gerlitz Engineering Consultants	
<b>Property Address:</b>	1829 Hubbard Lane	
<b>Map and Tax Lot:</b>	36-06-26-BB, TL 3000 <b>See Exhibits 1 and 2.</b>	
<b>Zoning:</b>	GC (City)	
<b>Size:</b>	3.37 acres	
<b>Planner Assigned:</b>	Lora Glover	
<b>Application Date:</b>	July 18, 2016	
<b>Application Complete:</b>	July 22, 2016	
<b>Date of Staff Report:</b>	August 17, 2016	Due: 08/17/2016
<b>Hearing Date:</b>	August 24, 2016	
<b>120 Day Deadline:</b>	November 19, 2016	

**I. PROPOSAL:**

The proposal is for a fourteen (14) lot subdivision in the GC zoning district (see **Exhibit 3** and **Exhibit 4**). The proposal is to develop the property in three phases:

- Phase I ~ Separate/subdivide Lot 1 from the parent parcel, retaining the existing single-family residence;
- Phase II ~ Subdivide Lots 6-14 and install associated street and utility improvements, to include half-street extension of Waterstone Drive, 25 ft. right-of-way dedication, addition of 14-ft travel lane, curb, gutter, 5.5'-ft planter strip and 5-ft sidewalk; and the dedication and extension of Shimmer Lane with a cul-de-sac terminus.
- Phase III ~ Subdivide Lots 2-5 off of Hubbard Lane, with the dedication and construction of Sand Creek Circle, a local street/cul-de-sac with 46-ft ROW, 13-ft and 6-ft travel lanes, 5.5'-ft planter and 4-ft. sidewalk on one side, to include sewer and water extensions.

The narrative indicates that Lots 6-13 will be constructed with new single-family residences similar to those on the adjoining neighborhoods off Shimmer Lane and Waterstone Drive. Lot 14 has the potential to be developed with a duplex due to the size of the lot. Lots 2-5 off Sand Creek Circle will be developed with duplexes, and possibly a triplex on Lot 5.

The request includes a Major Variance for cul-de-sac length. Shimmer Lane is a dead end street approximately 415 ft. long. As reflected on the tentative plan, the overall cul-de-sac street length will be 477 ft. The maximum length of a cul-de-sac street allowed under Section 27.123(1)(f) of the Development Code is 250 ft. outside of the Slope Hazard area.

**II. AUTHORITY:**

Section 2.050, Schedule 2-1, Section 6.050 and Section 17.031 of the City of Grants Pass Development Code, authorize the Planning Commission to consider the request and make a decision to approve, approve with conditions, or deny.

**III. CRITERIA:**

The decision on the Tentative Plan and Major Variance must be based on the criteria contained in Sections 6.060 & 17.413 of the Development Code.

**IV. APPEAL PROCEDURE:**

Section 10.050, City of Grants Pass Development Code, provides for an appeal of the Urban Area Planning Commission's decision to the City Council. An appeal application and fee must be submitted within twelve (12) calendar days of the Urban Area Planning Commission's oral decision. A statement of grounds to the appeal must be filed within seven (7) calendar days of the Urban Area Planning Commission's written decision.

**V. BACKGROUND AND DISCUSSION:**

**A. Characteristics of the Property:**

1. Land Use Designation:
  - a. Comprehensive Plan: General Commercial
  - b. Zone District: GC
  - c. Special Purpose District: GPID; Wetlands/Riparian Area;  
AFD Ord. #5542 Hubbard Water Line;  
AFD Ord. #14-5605 Hubbard St. Improvements.
2. Size: 3.37 acres
3. Frontage: Hubbard Lane, SW Waterstone Drive and SW Shimmer Lane
4. Access: All lots will have access from a public street

5. Public Utilities:

a. Existing Utilities:

- i. Water: 16-inch main in Hubbard Lane; 8-inch mains in SW Shimmer Lane and SW Waterstone Drive
- ii. Sewer: 10-inch main in Hubbard Lane; 8-inch in SW Shimmer Lane; partial 8-inch main in SW Waterstone Drive
- iii. Storm Drain: 18-inch drain in Hubbard Lane; private 8-inch line north of property, and piped GPID canal in SW Waterstone Drive

b. Proposed Utilities:

- i. Water: 8-inch main in new Sand Creek Circle; 8-inch main extension in Shimmer Lane
- ii. Sewer: 8-inch main in new Sand Creek Circle; 8-inch main extension in Shimmer Lane; partial 8-inch main in Waterstone Drive
- iii. Storm: Storm drain system/outfall to Sand Creek at the end of Shimmer Lane cul-de-sac

6. Topography: Relatively flat with exception of creek bank

7. Natural Hazards: None

8. Natural Resources: Sand Creek riparian area

9. Existing Land Use:

- a. Subject Parcel: Mostly vacant; one existing home (w/accessory building which will be removed)
- b. Surrounding: Moderate Density Residential

**B. Background:**

The proposal is for a fourteen (14) lot subdivision in the GC zoning district. The development is currently named "Pinnacle Estates". However, the County Surveyor has rejected that name as there is already a subdivision with the name of "Pinnacle at Meadow Wood Phase 1" (see *Exhibit 5*). As conditioned below, the developer will be required to submit a new name on a revised tentative plan for review and approval.

The subdivision is proposed to be developed in three phases. Phase I will consist of partitioning off Lot 1 with the existing residence. Prior to final plat for Phase 1, the

detached accessory structure crossing the future property lines of Lots 2 and 3 must be removed. Phase II will consist of Lots 6-14, the cul-de-sac extension of Shimmer Lane and the half-street improvements of Waterstone Drive to the southeast property line of the subject parcel. Phase III consist of Lots 2-5 and the development of Sand Creek Circle with a revertible cul-de-sac. The tentative plan reflects an overall 46-ft ROW (when fully developed with TL 3100). The developer proposes to install 6-ft. and 13-ft travel lanes, 5.5-ft. planter strip and 4-ft. sidewalk. The tentative plan reflects a rolled curb along the cul-de-sac bulb. Rolled curb is not listed as an option in the City's Standard Street Drawings. Additionally, Public Works/Streets Division does not support the use of rolled curbs. Historically, the City has found that rolled curbs allows ease of vehicle parking on sidewalks, forcing pedestrian traffic into the travel lanes. This has been an ongoing parking violation situation for the Public Safety Department and a hazard for residents. As conditioned below, the revertible cul-de-sac will include standard curb to deter vehicle parking on the sidewalk.

As previously noted, the application for the subdivision the applicant has applied for a Major Variance to Section 27.123(1)(f) which limits the maximum length of cul-de-sac streets to 250 feet outside of the Slope Hazard area. The subject property is located outside of the Slope Hazard area and the plans include the construction of a cul-de-sac street that is 447 feet long. Due to the existing development patterns and the limitation of street connection due to Sand Creek and restricted access to Redwood Highway, the development is not required to meet the block length and perimeter block length standards found in Section 27.122 of the Development Code.

The subject property is designated as General Commercial by the Grants Pass Comprehensive Plan. The GC zone allows residential use to the R-3 development standards of Article 22. The GC zone does not provide a maximum density. Minimum lot width is 25-ft. and minimum lot depth in 100-ft. for new lots in the GC zone. The lots meet the base development standards for the GC zone. The applicant is proposing a subdivision plan with 14 lots ranging in size from 5,302 square feet to 21,233 square feet. Due to the limitations of the riparian area, a future development plan will not be required.

Though Hubbard Lane is classified as a Collector with a minimum right of way of 60-ft., it was recently reconstructed to a 50-ft. width with curb, gutter and sidewalk. The property owner dedicated the necessary right of way to complete that project along the property's frontage. No further right of way dedication is being required at this time for Hubbard Lane.

The property is subject to two Advanced Finance Districts (AFDs). Ordinance 5542 established the Hubbard Lane Waterline Extension AFD and Ordinance 14-5605 established the Hubbard Lane Street Improvements AFD. Both AFD's are being reviewed by staff for recalculation of assessments for the overall district and particularly for TL 3000. When the two AFDs were first adopted, they did not consider that TL 3000 would be developed with multiple frontages. As reflected on the tentative plan, Lots 6-14 will be developed with street frontage and services either off Shimmer Lane or Waterstone Drive. The revised AFDs will be calculated on Lots 1-5. As conditioned below, prior to Final Plat for Phase I, the developer will be required to pay or finance the readjusted assessment.

**VI. CONFORMANCE WITH APPLICABLE CRITERIA:**

**A. MAJOR VARIANCE**

**Section 6.060 of the Development Code states that previously granted variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.**

**A. Qualifying Condition.** The applicant shall demonstrate that the following elements are present to qualify for a variance.

**CRITERION (1): Unique Physical Constraint or Characteristic.** The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

- (a) The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or
- (b) The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

**Staff Response: Satisfied.** The property and request meet this criterion under subsection (a) above. The applicant is requesting a variance for the maximum cul-de-sac length of 250' to extend it a distance of 62' for a total cul-de-sac length of 477'. The reason for the longer cul-de-sac length is based on the existing development pattern, the limitation of street connection due to Sand Creek, and the restricted access to Redwood Highway. Requiring a looped street design connecting to Waterstone Drive would lessen the proposed density which is counter to the policy that the City has been promoting trying to maximize density within this type of infill development.

**CRITERION (2): Self-Created Constraint.** If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

- (a) A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and

- (b) At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

**Staff Response: Satisfied.** The requested variance is not a self-created constraint for the reasons listed in the section above. Shimmer Lane was developed as part of Candlelight Subdivision. That development did not provide a future street connection which would have allowed Shimmer Lane to loop back out to Waterstone Drive. A possible crossing of Sand Creek would not alleviate the necessity of a cul-de-sac street due to the access restrictions on Redwood Hwy.

**CRITERION (3): Need for Variance.** The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

- (a) Allow Reasonable Use of an Existing Property. Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.
- (b) Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels. There need not be a hardship to the owner to qualify for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.
- (c) Allow Flexibility for Expansion of Existing Development. The location of existing development on the property poses a unique constraint to expansion in full compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

**Staff Response: Satisfied.** The applicant is requesting the variance under subsection (a) and (b) above in that the variance will allow the applicant to create a lot arrangement that is a much more efficient use of the subject property while working in harmony with the surrounding developments that exist and are proposed.

**CRITERION (4): No Other Reasonable Alternative.** Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a

minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

- a. Lot line adjustment.
- b. Modified setback option, pursuant to Section 22.200.
- c. Alternate solar standards, pursuant to Section 22.623.

**Staff Response: Satisfied.** The above mentioned alternatives will not provide the same benefit to the future property owners that the requested variance for an over-length cul-de-sac street will provide. A lot line adjustment would not alleviate the need for the variance due to the location of Sand Creek. The modified set-back could not help because shortening the cul-de-sac would increase the setbacks due to the increase in the number of flag lots that would be required. Alternate solar standards are not applicable to this development.

(B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

**CRITERION (5): Best Alternative.** When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

**Staff Response: Satisfied.** The requested variance is the best alternative for development of the subject property. The property is surrounded by development to the north and east, is bisected by Sand Creek and has access restrictions on Redwood Highway, one lot to the south.

**CRITERION (6): Minimum Deviation.** Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the property that is not available to properties in the same zoning district subject to the same regulation.

**Staff Response: Satisfied.** The requested variance is the best alternative for development of the subject property and does not convey a special right to the property that is not available to other properties under similar conditions.

**CRITERION (7): No Hazard.** The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

**Staff Response: Satisfied.** The proposed variance will not create hazards to public safety. Lengthening the cul-de-sac to an additional 62 ft. with a standard cul-de-sac turnaround will provide better emergency access than exists at this time.

**CRITERION (8): Plan and Ordinance Consistency.** The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

**Staff Response: Satisfied.** This subject development is located in an infill area where the proposed variance will not affect any implementation of the Comprehensive Plan or any proposed transportation systems as discussed above.

**CRITERION (9): Mitigate Adverse Impacts.** Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

**Staff Response: Satisfied with Conditions.** No adverse impacts are anticipated. As conditioned below, the proposed cul-de-sac street will be required to meet City standards for construction and will provide an adequate fire turn-around.

**CRITERION (10): No Significant Increase in Residential Density.** For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

**Staff Response: Not applicable.** The GC zone does not have a minimum or maximum density. Residential development is permitted subject to the R-3 residential standards in Article 22 of the Development Code. As reflected on the tentative plan, Lots 1 and 6-13 are proposed to be developed with single-family dwelling units. Lots 2-4 and Lot 14 are proposed to be developed with duplexes and Lot 5 has the option between a duplex or triplex. The Sand Creek riparian area further reduces the density factor for the subject property.

**CRITERION (11): Recommendation of City Engineer.** The review body shall consider a written recommendation of the City Engineer when the variance is to any of the following standards:

- (a) A street, access, or utility development standard in Article 27 or 28 of the Code.
- (b) The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
- (c) To allow encroachment into existing or planned right-of-way or public utility easement. When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

**Staff Response: Satisfied with Conditions.** The requested Variance was forwarded to the City Engineer for review and comment. As of the date of this report, the City

Engineered had not commented on the project. Staff will provide his comments to the Planning Commission at the public hearing.

**CRITERION (12): Additional Criteria.** Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(14) Street Section Design Standards.

**Staff Response: Satisfied with Conditions.** Other than the cul-de-sac length, the proposed street will meet the criteria listed in Article 27 of the code as conditioned below.

## **B. SUBDIVISION**

**Section 17.413 of the City of Grants Pass Development Code states that the review body shall approve, approve with conditions or deny the request based upon the following criteria:**

**CRITERION (1):** The plan conforms to the lot dimension standards of Article 12, the base lot standards of Section 17.510, and the requirements of any applicable overlay district.

**Staff Response: Satisfied with Conditions.** The GC zone district requires a minimum lot width or 50 feet and lot depth of 100 feet. The applicant is proposing a subdivision plan with 14 lots ranging in size from 5,302 square feet to 21,233 square feet, and lot widths and depths meeting the minimum requirement. The proposed lots all exceed this base requirement. All new lots in the GC commercial zone are required to have a dedicated public street across the entire frontage. As reflected on the tentative plan, the development is in compliance with Section 12.255(1).

There are existing structures on proposed Lot 1 but the tentative plan does not show setback distances for those structures. As conditioned below, the applicant will be required to submit a revised tentative, demonstrating that all required setbacks are met on Lot 1. In addition, prior to Final Plat of Phase I, the accessory structure crossing future Lots 2-3 must be removed.

The lots are in compliance with Section 17.510 of the Development Code specifically the lot width to depth ratio, no through lots are created, side property lines are being created at right angles to streets as far as practical, and curved property lines are created at the public street intersections

**CRITERION (2):** When required, the proposed future development plan allows the properties to be further developed, partitioned, or subdivided as efficiently as possible under existing circumstances, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.

**Staff Response: Satisfied.** The tentative plan includes a proposed development layout for each lot. Due to the existing residence on Lot 1, Sand Creek riparian corridor,

required minimum lot width of 50 feet, further subdividing of any of the proposed lots does not appear likely.

**CRITERION (3):** When one is required or proposed, the street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency and environmental compatibility.

**Staff Response: Satisfied with Conditions.** The tentative plan reflects the possible future extension of Sand Creek Circle to serve TL 3100 and TL 3200. As reflected below, a revised tentative plan will be required reflecting the "SW" designator added to the street names in accordance with Section 6.40.030(B) of the Municipal Code.

In 2004, the City Council passed Resolution 4851, which requires off-site pedestrian paths to connect all new subdivisions to "destination" streets. Both sides of the property will have connection via Hubbard Lane on the west and Waterstone Drive on the east to Elmer Nelson Lane to Kellenbeck Avenue which is a destination Street. In addition, the west side of the development on Hubbard has direct access to Redwood Highway, another designation street. The proposed development complies with Resolution 4851.

**CRITERION (4):** The proposed utility plan conforms to the applicable requirements of adopted utility plans, the requirements of Article 28 and other applicable laws, and best balances needs for economy, safety, efficiency and environmental compatibility.

**Staff Response: Satisfied with Conditions.**

**Water:** The proposal includes the extension of an 8" public water main to provide domestic and fire services to the individual properties along the proposed Sand Creek Circle, Shimmer Lane and Waterstone Drive. The full extension of an 8-inch public water main shall be required within Shimmer Lane south from its current location on Shimmer Lane to the end of the proposed cul de sac. Full extension of an 8-inch public water main shall be required in the new public half street (Sand Creek Circle) for the service of proposed Lots 2-5. Water system phase valves must be installed at the west end of the public street to enable the future extension of an 8-inch public water mainline south into 1885 Hubbard Lane.

RP backflow devices shall be required as "premises" protection on all water services (new and existing) if GPID or private wells are present. All "premises" backflow prevention devices shall be located within 10 feet behind each water meter. As conditioned below, the applicant shall submit a detailed utility plan to the Engineering Division for review and approval.

**Sewer:** The proposal includes the extension of an 8" public sewer main in Sand Creek Circle; and 8-inch sewer main extension in Shimmer Lane; and a partial 8-inch sewer main in Waterstone Drive. Full extension of an 8 inch public water main shall be required in the new public half street (Sand Creek Circle) for the service of proposed lots 2 through 5. Water system phase valves must be installed at the west end of this public street to enable the future extension of an 8-inch public water mainline south into 1885 Hubbard Lane. Extension of an 8-inch public sewer main shall be required within the extension of Shimmer Lane. The public sewer main shall also be fully extended from its

current location at the end of Shimmer Lane to the end of the proposed cul de sac. Full extension of an 8 inch public sewer main shall be required in the new public half street (Sand Creek Circle) for the service of proposed Lots 2 through 5. A public sewer manhole shall be installed at end of the new public half street with a pipe stub out for the future extension of a public sewer main south into 1885 Hubbard Lane. Extension of an 8 inch public sewer main shall also be required for the service of proposed lots 11 through 14 on Waterstone Drive. All public sewer mains shall be installed at depths and grades which are acceptable to the utility division. Unutilized private sewer laterals located on Hubbard shall be properly abandoned as directed by the wastewater collection division. Existing private sewer laterals reutilized for new construction must be TV inspected prior to their reuse.

**Storm Water:** The proposal includes the construction of a storm drain system/outfall at the end of Shimmer Lane cul-de-sac. As conditioned below, the applicant shall submit storm drain calculations that must demonstrate that post-development run-off does not exceed pre-development run-off and that storm drainage does not cross property lines without an easement.

**CRITERION (5):** The tentative plan allows for the preservation or establishment of natural features or the preservation of historic features of the property, and allows access to solar energy to the extent possible under existing circumstances, including:

- (a) Providing the necessary information to complete the tree chart identified in Section 11.041.

**Staff Response: Not Applicable.** Though the applicant has submitted a tree chart, Article 11 only applies to land divisions in "residential" zones (Section 11.030).

- (b) No cuts shall result in retaining walls greater than 15 feet high in a single wall from the finish grade or create any un-retained slopes greater than 100%.

**Staff Response: Satisfied.** The site is relatively flat, therefore cuts and fills are not expected to exceed 2-3 feet. No retaining walls are proposed other than potential landscape walls less than 2' in height. Cut fill slopes will not exceed 5:1 or 20%.

- (c) No fills shall result in a retaining wall within the required setback from a property not included in the development plan greater than 6 feet in height from the finish grade or create any slopes which are greater than 100%.

**Staff Response: Satisfied.** The site is relatively flat, therefore cuts and fills are not expected to exceed 2-3 feet. No retaining walls are proposed other than potential landscape walls less than 2' in height. Cut fill slopes will not exceed 5:1 or 20%.

The solar lot standards in Section 22.632 requires that at least 80 percent of the lots in a residential subdivision have a north-south dimension of at least 80 feet or have a solar building line at least 85 feet north of the south property line. In addition, any proposed lot that has a north-south lot dimension of at least 80 feet and a solar front line that is oriented within 30 degrees of east-west may be counted as though two of the lots in the subdivision meet the standards given in subsection (1). Based on the tentative plan dimensions, Lots 1-4, 10 & 14 meet the 80 feet north-south dimension. In addition, Lots

1, 5, 7 & 14 qualify for the bonus (x2) allotment due to their solar front line. Therefore, the development meets the 80% solar lot design standards.

The property is divided diagonally by Sand Creek which includes a 20-ft. wide stream corridor from the edge of the stream-bank along each side of the creek. Removal of trees within the stream corridor is not allowed without obtaining a Tree Permit through the Parks & Community Development Department. Trimming of vegetation within the banks is allowed or to alleviate a hazard. Noxious vegetation may be removed if replaced within 90 days by various combinations of plant materials and/or rip rap that stabilizes the stream bank and preserves the aquatic habitat (Section 24.340).

**CRITERION (6):** The plan complies with applicable portions of the Comprehensive Plan, this Code, and state and federal laws.

**Staff Response: Satisfied with Conditions.** The property has wetland/riparian area along Sand Creek. Notice to the Department of State Lands (DSL) has been submitted. Comment has not been provided as of the date of this report. Staff does not anticipate there will be any impact to Sand Creek as part of this development. The applicant will be required to comply with any conditions placed on the development by DSL. With the submittal of the tentative subdivision plan and the burden of proof, the applicant is demonstrating compliance with all applicable Grants Pass Comprehensive Plan, Development Code requirements, and state and federal laws given the conditions of approval stated below.

The proposed subdivision name of "Pinnacle Estates" was not approved by the County Surveyor as there is already a subdivision with the name of "Pinnacle at Meadow Wood Phase 1". As conditioned below, the developer will be required to submit a new name on a revised tentative plan for review and approval.

## VII. RECOMMENDATION:

Staff recommends the Planning Commission **APPROVE** the Major Variance to Section 27.123(1)(f).

Staff recommends the Planning Commission **APPROVE** the request for the fourteen (14) lot development with the conditions listed below.

### CONDITIONS OF APPROVAL:

**A. The following must be accomplished within 18 months of the Planning Commission's Decision and prior to issuance of a Development Permit. (Note: A Development Permit is required in order to obtain a grading permit.):**

1. Submit a revised tentative showing the following:
  - a. A proposed name for the subdivision for review and approval.

- b. Setback distances for existing structures on Lot 1 (all setbacks must meet or exceed required minimum setback distances).
  - c. Reflect "SW" directional indicator with street names.
2. Obtain a demolition permit and remove the accessory structure crossing the property lines of future Lots 2 & 3.
  3. Pay the re-assessment fees for Hubbard Lane Water Improvement AFD and the Hubbard Lane Street Improvement AFD.
  4. Submit a utility plan for Lot 1 reflecting separate sewer and water lateral. Include the following:
    - a. RP backflow device as "premises" protection on water service (existing or new).
    - b. DC backflow device as "point of use" protection on all water services containing multiple zone irrigation systems.
    - c. All public water services shall be located within the public right of way.
    - d. Water services on existing water mains shall be installed by City crews.
  5. Sign a Developer Installed Agreement for Public Improvements.

**B. The following must occur within 18 months of issuance of the Development Permit and prior to Final Plat for Phase I approval:**

1. Separate sewer and water services are required for each lot. Private sewer and water lines shall not cross other lots.
2. Existing private laterals reutilized by the new development shall be TV inspected prior to reuse. All defects discovered during the TV inspection shall be corrected prior to reuse by the new development.
3. Provide a copy of any proposed CC&R's & deed restrictions if they are desired by the developer. There are no CC&Rs or deed restrictions required as a condition of this approval.
4. Provide a land division guarantee issued by a title company.
5. Submit a final plat in accordance with Section 17.422 of the City of Grants Pass Development Code. Incorporate any modifications or conditions required as part of tentative approval. A professional land surveyor must survey the subdivision. A plat check by the City Surveyor and payment of appropriate fees is required. Failure to comply with this condition will nullify the approval of the Tentative Plat. Include the following on the plat:

- a. Dedication of a 10-ft. CUE along Hubbard Lane along the entire frontage.
- b. "SW" directional indicator on street names.

After all signatures are obtained, the plat must be recorded with the Josephine County Recorder within 30 days. The subdivider shall file one print of the recorded plat with the Parks and Community Development Department. Failure to do so will nullify plat approval.

**C. The following must be accomplished within 24 months of the Planning Commission's Decision and prior to issuance of a Development Permit for Phase II. (Note: A Development Permit is required in order to obtain a grading permit.):**

1. Provide a letter from the Responsible Engineer who will be supervising the construction of the subdivision. The Responsible Engineer will be required to submit a letter at final plat application verifying that he/she supervised the grading and construction for the entire parcel and individual lots and that the grading and construction was completed according to approved plans.

If the responsible engineer proposes to delegate any of these responsibilities, the arrangement shall be approved in writing by the City Engineering Division prior to issuance of a Development Permit.

2. Obtain an NPDES permit from the Department of Environmental Quality. Submit a copy of the approved permit to the Parks and Community Development Department.
3. Submit four (4) copies of civil drawings with appropriate review fees to the City Engineering Division for review and approval:
  - a. Provide a grading plan and receive a grading permit prior to any earthwork. Include the creation of building pads in the grading plan if completed as part of the construction of the subdivision. If building pads are created as part of the grading of the subdivision then a map showing the extent of the grading will be required at the time of final plat.
  - b. Provide an erosion control and dust control plan for the subdivision.
  - c. Include any provisions of the NPDES permit on the construction plans.
  - d. Present engineered construction drawings stamped by a registered Engineer, including plans and profiles if necessary, that detail the following improvements to the City Engineering Division for review and approval:

### **Street Improvements:**

- i. Show half street improvements to SW Waterstone Drive to City standards.
- ii. Show the extension and cul de sac for Shimmer Lane.
- iii. Identify Mailbox locations.
- iv. The location of the planned street light at the beginning of the cul-de-sac is appropriate.
- v. Reflect street lights in accordance with Section 27.121(16).
- vi. Developer will paint 20' yellow setbacks at the corners and paint white stop bar at stop sign.
- vii. City will install the required street name sign, and "stop" sign (if required) and will bill developer for all costs.
- viii. Any other signs will be up to the developer to install.
- ix. Provide storm drain calculations demonstrating that post development run-off does not exceed pre development run-off and that storm drainage does not cross property lines without an easement.

### **Utility Plan:**

- i. Submit engineered drawings for review by the Utility Division prior to construction.
- ii. Show the extension of an 8" public water main in SW Shimmer Lane south from its current location to the end of the cul de sac.
- iii. Show the extension of an 8" public sewer main in SW Shimmer Lane south from its current location to the end of the cul de sac
- iv. Show the extension of an 8" public sewer main in SW Waterstone Drive for service for Lots 11-14.
- v. Public sewer mains shall be installed at depths and grades which are acceptable to the Utility Division.
- vi. RP backflow devices shall be required as "premises" protection on all water services (new and existing) if GPID or private wells are present.
- vii. All "premises" backflow prevention devices shall be located within 10 feet behind each water meter.

- viii. DC backflow devices shall be required as “point of use” protection on all water services containing multiple zone irrigation systems.
  - ix. Separate sewer and water services shall be required for separate lots.
  - x. Unutilized private sewer laterals not utilized for the development shall be properly abandoned as directed by the wastewater collection division.
  - xi. Provide utility plans for PPL, Qwest and Avista. Show all pedestals and boxes to be installed (This is to verify utilities can be installed within dedicated City Utility Easements).
4. Sign a Developer Installed Agreement for Public Improvements.

**D. The following must occur within 18 months of issuance of the Development Permit and prior to Final Plat approval for Phase II:**

1. Substantially complete all construction items related to SW Shimmer Lane and SW Waterstone Drive.
  - a. Secure for any remaining construction items in accordance with City Standards.
  - b. Submit a one year maintenance guarantee.
  - c. Submit as-built drawings of all public improvements or secure for them in accordance with City policy.
2. Separate sewer and water services are required for each lot. Private sewer and water lines shall not cross other lots.
3. Existing private laterals reutilized by the new development shall be TV inspected prior to reuse. All defects discovered during the TV inspection shall be corrected prior to reuse by the new development.
4. If individual lots were graded as part of the grading permit for the subdivision, provide a map of those lots with new building pads and include the dimensions of the area graded.
5. All adjacent streets shall be swept regularly during construction.
6. Street name sign, “stop” sign, and “no parking” signs (if needed) shall be paid for by the developer and installed by the City. All other signs and markings including “sidewalk ends signs”, painting curbs at 20 foot setback at intersections for no parking, ten feet of yellow each side of hydrant and a white stop bar at the stop signs are to be completed by the developer.

7. Power, telephone, cable television and natural gas lines shall be installed underground and within the 10 foot City Utility Easements.
8. Pay all engineering inspection fees due.
9. Submit a letter from the Responsible Engineer stating that he/she supervised the grading and construction for the entire parcel and individual lots and the grading and construction was completed according to approved plans.
10. Properly abandon any existing wells and provide evidence of proper abandonment to the Parks and Community Development Department.
11. All water services on existing public water lines shall be installed by City of Grants Pass Water Distribution Crews. All encroachment fees related to the installation of water services shall be the responsibility of the developer.
12. Complete installation of the public utility services as reflected on the approved utility plans.
13. Provide a copy of any proposed CC&R's & deed restrictions if they are desired by the developer. There are no CC&Rs or deed restrictions required as a condition of this approval.
14. Provide a land division guarantee issued by a title company.
15. Submit a final plat in accordance with Section 17.422 of the City of Grants Pass Development Code. Incorporate any modifications or conditions required as part of tentative approval. A professional land surveyor must survey the subdivision. A plat check by the City Surveyor and payment of appropriate fees is required. Failure to comply with this condition will nullify the approval of the Tentative Plat. Include the following on the plat:
  - a. Dedication of SW Shimmer Lane and SW Waterstone Drive to the public.
  - b. All easements indicated on approved construction plans.
  - c. A ten-foot wide City Utility Easement dedicated to the City of Grants Pass along all necessary street frontages.
  - d. Include any necessary drainage and cross access easements.

After all signatures are obtained, the plat must be recorded with the Josephine County Recorder within 30 days. The subdivider shall file one print of the recorded plat with the Parks and Community Development Department. Failure to do so will nullify plat approval.

**E. The following must be accomplished within 30 months of the Planning Commission's Decision and prior to issuance of a Development Permit for Phase III. (Note: A Development Permit is required in order to obtain a grading permit.):**

1. Provide a letter from the Responsible Engineer who will be supervising the construction of the subdivision. The Responsible Engineer will be required to submit a letter at final plat application verifying that he/she supervised the grading and construction for the entire parcel and individual lots and that the grading and construction was completed according to approved plans.

If the responsible engineer proposes to delegate any of these responsibilities, the arrangement shall be approved in writing by the City Engineering Division prior to issuance of a Development Permit.

2. Obtain an NPDES permit from the Department of Environmental Quality. Submit a copy of the approved permit to the Parks and Community Development Department.
3. Submit four (4) copies of civil drawings with appropriate review fees to the City Engineering Division for review and approval:
  - a. Provide a grading plan and receive a grading permit prior to any earthwork. Include the creation of building pads in the grading plan if completed as part of the construction of the subdivision. If building pads are created as part of the grading of the subdivision then a map showing the extent of the grading will be required at the time of final plat.
  - b. Provide an erosion control and dust control plan for the subdivision.
  - c. Include any provisions of the NPDES permit on the construction plans.
  - d. Present engineered construction drawings stamped by a registered Engineer, including plans and profiles if necessary, that detail the following improvements to the City Engineering Division for review and approval:

**Street Improvements:**

- i. Show half street improvements and revertible cul de sac for SW Sand Creek Circle to City standards. Show standard curb for the revertible cul de sac.
- ii. Identify Mailbox locations.
- iii. Reflect street lights in accordance with Section 27.121(16).
- iv. Developer will paint 20' yellow setbacks at the corners and paint white stop bar at stop sign.

- v. City will install the required street name sign, and “stop” sign (if required) and will bill developer for all costs.
- vi. Any other signs will be up to the developer to install.
- vii. Provide storm drain calculations demonstrating that post development run-off does not exceed pre development run-off and that storm drainage does not cross property lines without an easement.

**Utility Plan:**

- i. Submit engineered drawings for review by the Utility Division prior to construction.
- ii. Show the extension of an 8” public water main in SW Sand Creek Circle for the service of proposed Lots 2-5. Water system phase valves must be installed at the west end of this public street to enable the future extension of an 8” public water mainline south into 1885 Hubbard Lane.
- iii. Show the extension of an 8” public sewer main in SW Sand Creek Circle for the service of proposed Lots 2-5.
- iv. Public sewer mains shall be installed at depths and grades which are acceptable to the Utility Division.
- v. Unutilized private sewer laterals located on Hubbard shall be properly abandoned as directed by the Wastewater Collection Division.
- vi. Existing private sewer laterals reutilized for new construction must be TV inspected prior to their reuse.
- vii. RP backflow devices shall be required as “premises” protection on all water services (new and existing) if GPID or private wells are present.
- viii. All “premises” backflow prevention devices shall be located within 10 feet behind each water meter.
- ix. DC backflow devices shall be required as “point of use” protection on all water services containing multiple zone irrigation systems.
- x. Separate sewer and water services shall be required for separate lots.
- xi. Unutilized private sewer laterals not utilized for the development shall be properly abandoned as directed by the wastewater collection division.
- xii. Provide utility plans for PPL, Qwest and Avista. Show all pedestals and boxes to be installed (This is to verify utilities can be installed within dedicated City Utility Easements).

**4. Sign a Developer Installed Agreement for Public Improvements.**

**F. The following must occur within 18 months of issuance of the Development Permit and prior to Final Plat approval for Phase III:**

1. Substantially complete all construction items related to SW Sand Creek Circle.
  - a. Secure for any remaining construction items in accordance with City Standards.
  - b. Submit a one year maintenance guarantee.
  - c. Submit as-built drawings of all public improvements or secure for them in accordance with City policy.
2. Separate sewer and water services are required for each lot. Private sewer and water lines shall not cross other lots.
3. Existing private laterals reutilized by the new development shall be TV inspected prior to reuse. All defects discovered during the TV inspection shall be corrected prior to reuse by the new development.
4. If individual lots were graded as part of the grading permit for the subdivision, provide a map of those lots with new building pads and include the dimensions of the area graded.
5. All adjacent streets shall be swept regularly during construction.
6. Street name sign, "stop" sign, and "no parking" signs (if needed) shall be paid for by the developer and installed by the City. All other signs and markings including "sidewalk ends signs", painting curbs at 20 foot setback at intersections for no parking, ten feet of yellow each side of hydrant and a white stop bar at the stop signs are to be completed by the developer.
7. Power, telephone, cable television and natural gas lines shall be installed underground and within the 10 foot City Utility Easements.
8. Pay all engineering inspection fees due.
9. Submit a letter from the Responsible Engineer stating that he/she supervised the grading and construction for the entire parcel and individual lots and the grading and construction was completed according to approved plans.
10. Properly abandon any existing wells and provide evidence of proper abandonment to the Parks and Community Development Department.
11. All water services on existing public water lines shall be installed by City of Grants Pass Water Distribution Crews. All encroachment fees related to the installation of water services shall be the responsibility of the developer.

12. Complete installation of the public utility services as reflected on the approved utility plans.
13. Provide a copy of any proposed CC&R's & deed restrictions if they are desired by the developer. There are no CC&Rs or deed restrictions required as a condition of this approval.
14. Provide a land division guarantee issued by a title company.
15. Submit a final plat in accordance with Section 17.422 of the City of Grants Pass Development Code. Incorporate any modifications or conditions required as part of tentative approval. A professional land surveyor must survey the subdivision. A plat check by the City Surveyor and payment of appropriate fees is required. Failure to comply with this condition will nullify the approval of the Tentative Plat. Include the following on the plat:
  - a. Dedication of SW Sand Creek Circle to the public.
  - b. All easements indicated on approved construction plans.
  - c. A ten-foot wide City Utility Easement dedicated to the City of Grants Pass along all necessary street frontages.
  - d. Include any necessary drainage and cross access easements.

After all signatures are obtained, the plat must be recorded with the Josephine County Recorder within 30 days. The subdivider shall file one print of the recorded plat with the Parks and Community Development Department. Failure to do so will nullify plat approval.

**G. The following shall be accomplished at the time of development of individual lots in the subdivision:**

**Note:** The following conditions are not all-inclusive and are provided for the information of the applicant.

1. Payment of all System Development Charges due; including, but not limited to, water, storm, sewer, parks and transportation (see **Exhibit 6**).
2. Development of lots shall be in accordance with solar standards.
3. Each lot shall have separate utility services.
4. All utilities shall be placed underground.
5. Comply with the Uniform Fire and Building Codes.
6. Install landscaping in accordance with the approved landscape plan (Section 23.031 ~ Residential Front Yard).

7. Removal of trees within the stream corridor of Sand Creek requires the issuance of a Tree Permit from the Parks & Community Development Department. Vegetation within the stream corridor may be maintained in accordance with Section 24.340.
8. Submit lot drainage plans for approval on all building plans.
9. Developed or undeveloped building lots will need to be maintained for weed and grass control throughout the year.
10. Provide addresses visible from the public right-of-way.
11. Gravel driveway approaches and other erosion and track out control measures shall be in place during construction of individual lots.
12. Prior to occupancy, driveways and parking and maneuvering areas shall be paved in accordance with the requirements of the Development Code.

**VIII. PLANNING COMMISSION ACTION:**

**B. Positive Action: Approve the request**

1. as submitted.
2. with the conditions stated in the staff report.
3. with the conditions stated in the staff report as modified by the Planning Commission (list):

**C. Negative Action: Deny the request for the following reasons (list):**

**D. Postponement: Continue item**

1. indefinitely
2. to a time certain.

NOTE: State law requires that a decision be made on the application within 120 days of when the application was deemed complete.

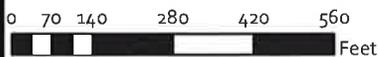
**IX. INDEX TO EXHIBITS:**

1. Location Map
2. Aerial Photo
3. Narrative
4. Tentative Plan Burden of Proof Document
5. Surveyor's Comments
6. SDC Brochure
7. Engineering Fee Schedule



**CITY OF GRANTS PASS**

1829 Hubbard Lane  
36-06-26-BB, TL 3000



**Legend**

 Subject Parcel

**EXHIBIT** 1



**CITY OF GRANTS PASS**

Parks & Community Development Dept.  
101 Northwest "A" Street  
Grants Pass, OR 97526  
Phone: (541) 450-6060  
Fax: (541) 476-9218  
Web: [www.grantspassoregon.gov](http://www.grantspassoregon.gov)





**CITY OF GRANTS PASS**

1829 Hubbard Lane  
36-06-26-BB, TL 3000



**Legend**

 Subject Parcel

**EXHIBIT** 2



**CITY OF GRANTS PASS**  
Parks & Community Development Dept.  
101 Northwest "A" Street  
Grants Pass, OR 97526  
Phone: (541) 450-6060  
Fax: (541) 476-9218  
Web: [www.grantspassoregon.gov](http://www.grantspassoregon.gov)



July 10, 2016

City of Grants Pass Community Development Dept.  
101 NW "A" Street  
Grants Pass, OR 97526

RE: Tentative Plan Submittal – Pinnacle Estates

Attached is the tentative plan submittal for a 14-lot residential subdivision located at 1829 Hubbard Lane. This project would split the existing 3.37 acre parcel into 14 single family/duplex lots while providing a layout that accounts for surrounding development patterns, the impacts of Sand Creek that bisects the property, and a use that is more suited to this zone. The project would be split into three distinct development phases as noted on the Tentative Plan.

Due to existing development patterns in the surrounding area and environmental restrictions, a variance to the cul-de-sac length standards is also required for the extension of Shimmer Lane (see below for variance criteria).

### **Existing Conditions**

The site is partially developed with an existing residential dwelling and two outbuildings. The residential structure will remain on Lot 1 and the outbuildings will be removed. There is currently a developed access off of Hubbard Lane serving the house on Lot 1 which will remain.

The existing residential structure is served by City sewer and will be connected to City water as part of the project. Water and sewer mains are available in Shimmer Lane to the north and Waterstone Drive to the east. Although there are existing storm systems in Hubbard Lane and Waterstone Drive, the majority of the site currently drains inward toward Sand Creek. An existing irrigation lateral runs along the southwest property line to an unknown location and will be investigated further during design (possible irrigation spill).

### **Proposed Conditions**

The property will be developed into 14 single family/duplex lots (as shown) and will be constructed in three phases. Lot 1 will be partitioned during the first development phase and be sold as a single family home. For the second phase, on the east side of the creek, Lots 6-14 will match the surrounding single family home uses to the north and east. Lot 14 may be utilized as a duplex lot due to an excess amount of area in this corner of the overall parcel. For the third and final phase, located off of Hubbard Lane, the project will focus more on a duplex/multi-family housing configuration (Lots 2-5) based on the surrounding development patterns, the nearby highway, and commercial use to the south.

Based on existing utility locations and grades, sewer and water main extensions will be provided to serve the new lots. An 8" sewer/water main will be extended into the new cul-de-sac on Shimmer Lane to serve Lots 6-10. A short 8" sewer extension will be completed in Waterstone

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1867 Williams Highway, Suite 201, Grants Pass, OR 97527

Office: 541-244-2617    ▪    [www.gerlitzengineering.com](http://www.gerlitzengineering.com)    ▪    Page 1

Drive to serve Lots 12-13. An 8" sewer/water main extension will be completed within Sand Creek Circle to serve Lots 2-5 and be stubbed to the south property line for future development to the south. All lots will be served with standard sewer/water services as shown. Storm drainage will follow existing drainage patterns and discharge to Sand Creek (private street/cul-de-sac) and the existing system on Waterstone Drive (see below for details). Other franchise utilities will run along new 10' city utility easements and connect to the existing infrastructure currently in place.

### **Grading/Storm Drainage**

Grades across the site are relatively flat outside of Sand Creek and the new lots will surface drain toward the new streets. Once on the street, runoff will be collected in existing/proposed curb inlets that connect to an underground storm system.

For Lots 11-14 and the associated frontage improvements, the storm runoff will be collected in an existing storm system. This system is part of a master planned drainage basin which includes several existing detention and treatment areas before draining into the Redwood Avenue storm system further to the north. Based on this, no detention or treatment is proposed for this basin.

For the remainder of the development, drainage will be routed to Sand Creek. Pre-treatment of the runoff will likely be required before entering waters of the State. Based on our preliminary storm water calculations and the Master Storm Water Plan standards, detention is not required for the project due to the low density of the development and overall runoff coefficients that are less than 0.50 (calculated at 0.47).

### **Access**

Although multiple access points exist for this development, the overall roadway configuration is limited by the location of Sand Creek and the associated 20' riparian setback which does not allow for roadway or building encroachment. Due to this, a standard roadway connection between Shimmer Lane and Waterstone Drive is not possible following City standard roadway design criteria (minimum centerline curvature/alignment).

Based on these limitations, a short extension of Shimmer Lane to a City standard cul-de-sac will be constructed to serve Lots 6-10. This provides access to the triangular shaped center of the parcel without encroaching on the stream setbacks. On the east side of the development, the other half of Waterstone Drive will be constructed to a local street standard with a 14' travel lane, curb, gutter, planter strip, and sidewalk. On the west side of the development Lots 2-5 will take access from Hubbard Lane through a new local half street with temporary/revertible cul-de-sac turnaround (see proposed Street Sections on Sheet C1.1).

### **Cul-De-Sac Variance Request**

Due to the existing development limitations stated above, we are requesting a variance to Development Code Section 27.123(1)(f) for the extension of Shimmer Lane. Based on existing conditions, Shimmer Lane is a dead end street that is approximately 415' long as measured from the intersection of Shimmer Lane/Waterstone Drive. As part of this development proposal, we

are looking to extend the existing street to end at a new cul-de-sac, approximately 62' from the edge of the property to the center of the cul-de-sac bulb. Since the overall cul-de-sac street length would be 477' and the maximum length of a cul-de-sac street allowed in the Development Code is 250', a variance is required.

### Variance Criteria

Previously granted variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.

(A) Qualifying Condition. The applicant shall demonstrate that the following elements are present to qualify for a variance.

(1) Unique Physical Constraint or Characteristic. The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

(a) The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or

*Response: Sand Creek bisects the property from the southeast to the northwest property lines. This in addition to the required 20' stream setback creates a 0.65 acre, 60'+ wide swath that is unbuildable (both structure and roadway) and prevents a standard roadway extension.*

(b) The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

*Response: Not Applicable. The existing house will remain and be in compliance with the code while the two existing outbuildings will be removed.*

(2) Self-Created Constraint. If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

(a) A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and

(b) At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

*Response: Not Applicable. The variance is being requested due to a natural existing conditions that exists on the property. Existing roadway locations were established by previous developments adjacent to the property.*

(3) Need for Variance. The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

(a) Allow Reasonable Use of an Existing Property. Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.

(b) Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels. There need not be a hardship to the owner to qualify for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.

(c) Allow Flexibility for Expansion of Existing Development. The location of existing development on the property poses a unique constraint to expansion in full compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

*Response: The variance is necessary for both sections (a) and (b). The location of the existing creek and associated stream setback prevents a roadway from being extended between Shimmer Lane and Waterstone Drive that meets City design standards for roadway curvature and width. In addition, we will only be adding five new single family homes to Shimmer Lane which will cause only a minimal traffic increase to the established road. By adding a short cul-de-sac extension, it allows a higher density to be obtained for the overall development more in line with the Comprehensive Plan and adjacent zoning in this area.*

(4) No Other Reasonable Alternative. Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

(a) Lot line adjustment.

(b) Modified setback option, pursuant to Section 22.200.

(c) Alternate solar standards, pursuant to Section 22.623.

*Response: There is no other reasonable alternative available to accomplish lot access to the middle of this development.*

(B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

(5) **Best Alternative.** When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

*Response: The requested variance is the best alternative based on existing site conditions. Significant impacts to the stream and stream setback area would be required for any alternative roadway configuration, requiring additional variances and approvals from State and Federal Agencies. By adding a short cul-de-sac extension to Shimmer Lane, only a minimal traffic increase will occur to the surrounding neighborhood. The remainder of the traffic from the development will be distributed to other roadways in the area.*

(6) **Minimum Deviation.** Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the property that is not available to properties in the same zoning district subject to the same regulation.

*Response: This variance request only extends the existing dead-end roadway 62' feet into the proposed development and adds only 5 new lots to the roadway. Although the total length of the street exceeds the City Standards, it is not uncommon to see this type of variance in the City where existing natural conditions limit street connectivity. Any other variance request would impact the natural features of the site and would be more significant to the surrounding area.*

(7) **No Hazard.** The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

*Response: No public safety hazard will be created by approving the variance. A City Standard street width and cul-de-sac section will be created allowing standard emergency access.*

(8) **Plan and Ordinance Consistency.** The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

*Response: The requested variance is minimal in nature as compared to other variance requests and allows for development of the subject property based on existing natural conditions (creek/stream setback) and pre-existing conditions (roadway locations established by previous developments).*

(9) Mitigate Adverse Impacts. Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

*Response: The only impact of the cul-de-sac street extension is a slight increase in traffic on Shimmer Lane. If the existing natural conditions/limitations were not present and the road was to connect to Waterstone Drive, it is likely that the residents in this neighborhood would see even more traffic on the existing roadway than the current proposal.*

(10) No Significant Increase in Residential Density. For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

*Response: Not Applicable. The property is currently zoned General Commercial and residential density standards do not apply. Even when compared to the R-2 zoning adjacent to the property, this development is well below standard residential density because of the creek and stream setback limitations.*

(11) Recommendation of City Engineer. The review body shall consider a written recommendation of the City Engineer when the variance is any to any of the following standards:

- (a) A street, access, or utility development standard in Article 27 or 28 of the Code.
  - (b) The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
  - (c) To allow encroachment into existing or planned right-of-way or public utility easement.
- When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

*Response: This proposal is subject to review by the City Engineer.*

(12) Additional Criteria. Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(15) Street Section Design Standards.

*Response: The proposal meets all other Article 27 standards other than the requested over length cul-de-sac variance.*

## **Future Development Plan**

Due to the location of existing undeveloped properties to the south and access restrictions on Redwood Highway, we have included a future development plan on the tentative plan drawing (Sheet C1.0). This shows the short term extension of Sand Creek Circle with a revertible cul-de-sac to be constructed now (meeting current standards), followed by a longer cul-de-sac street extension in the future to serve all lots west of Sand Creek. This road section is based on a local street within a 46' right-of-way as shown.

## **Summary**

Overall, we feel that this development proposal accommodates the existing site environmental constraints while maintaining a natural backdrop for the adjacent residences. Access is provided to all new lots in an efficient matter and the layout provides future development options for the properties to the south. We look forward to working with you through the planning process and are happy to answer any questions that you may have.

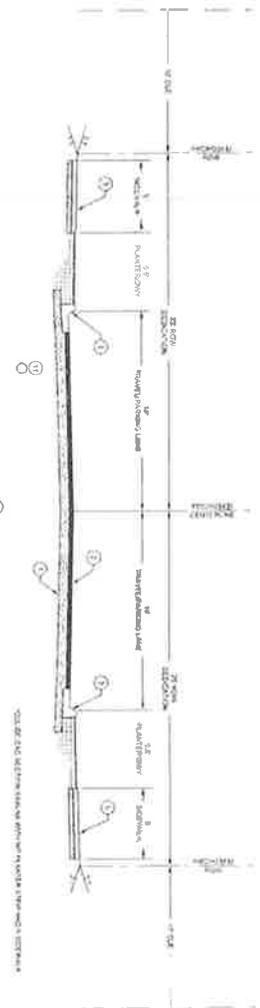
Sincerely,



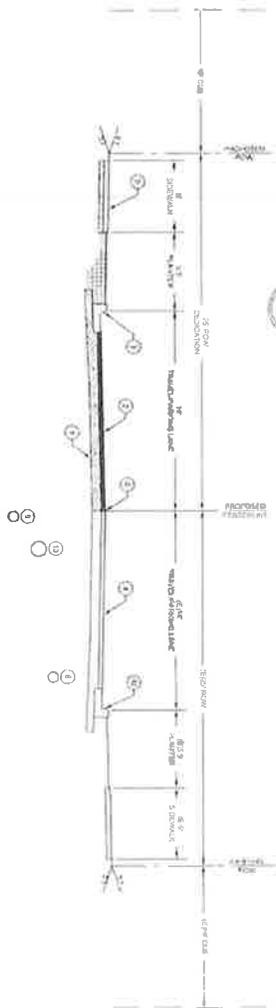
Justin Gerlitz, P.E.

Encl.

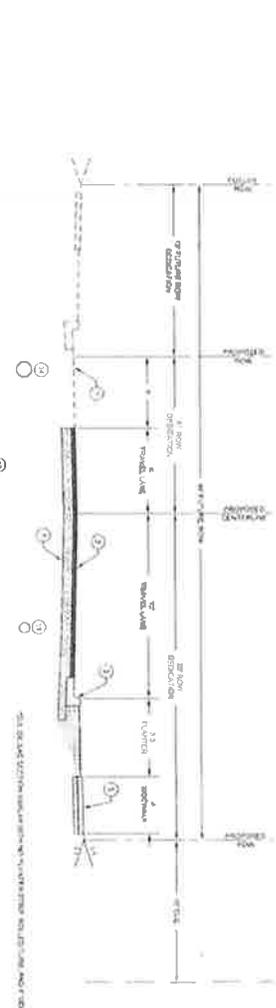




**1 SHIMMER LANE SECTION (LOCAL STREET/CUL-DE-SAC)**  
SCALE: 1/8" = 1'-0"



**2 WATERSTONE DRIVE SECTION (LOCAL STREET)**  
SCALE: 1/8" = 1'-0"



**3 SAND CREEK CIRCLE SECTION (LOCAL STREET/CUL-DE-SAC)**  
SCALE: 1/8" = 1'-0"

- KEYED NOTES:**
1. APPROVED MATERIALS
  2. APPROVED MATERIALS TO BE USED
  3. APPROVED CONCRETE CURB AND SIDEWALK
  4. APPROVED SIDEWALK TO BE USED
  5. APPROVED SIDEWALK TO BE USED
  6. APPROVED SIDEWALK TO BE USED
  7. APPROVED SIDEWALK TO BE USED
  8. APPROVED SIDEWALK TO BE USED
  9. APPROVED SIDEWALK TO BE USED
  10. APPROVED SIDEWALK TO BE USED
  11. APPROVED SIDEWALK TO BE USED
  12. APPROVED SIDEWALK TO BE USED

<b>GERLITZ</b>	<b>PRELIMINARY</b>	<b>PINNACLE ESTATES</b>	<b>1829 HUBBARD LANE, GRANTS PASS, OREGON</b>
30% SD			
<b>C1.1</b>	<b>STREET SECTIONS</b>		



- KEYED NOTES:**
- ① - 1" - 1 1/2" DBH (10" - 15" HGT)
  - ② - 1 1/2" - 2" DBH (15" - 25" HGT)
  - ③ - 2" - 3" DBH (25" - 40" HGT)
  - ④ - 3" - 4" DBH (40" - 60" HGT)
  - ⑤ - 4" - 6" DBH (60" - 80" HGT)
  - ⑥ - 6" - 8" DBH (80" - 100" HGT)
  - ⑦ - 8" - 10" DBH (100" - 120" HGT)
  - ⑧ - 10" - 12" DBH (120" - 150" HGT)
  - ⑨ - 12" - 14" DBH (150" - 180" HGT)
  - ⑩ - 14" - 16" DBH (180" - 200" HGT)
  - ⑪ - 16" - 18" DBH (200" - 250" HGT)
  - ⑫ - 18" - 20" DBH (250" - 300" HGT)
  - ⑬ - 20" - 24" DBH (300" - 350" HGT)
  - ⑭ - 24" - 28" DBH (350" - 400" HGT)
  - ⑮ - 28" - 32" DBH (400" - 450" HGT)
  - ⑯ - 32" - 36" DBH (450" - 500" HGT)
  - ⑰ - 36" - 40" DBH (500" - 550" HGT)
  - ⑱ - 40" - 44" DBH (550" - 600" HGT)
  - ⑲ - 44" - 48" DBH (600" - 650" HGT)
  - ⑳ - 48" - 52" DBH (650" - 700" HGT)
  - ㉑ - 52" - 56" DBH (700" - 750" HGT)
  - ㉒ - 56" - 60" DBH (750" - 800" HGT)
  - ㉓ - 60" - 64" DBH (800" - 850" HGT)
  - ㉔ - 64" - 68" DBH (850" - 900" HGT)
  - ㉕ - 68" - 72" DBH (900" - 950" HGT)
  - ㉖ - 72" - 76" DBH (950" - 1000" HGT)
  - ㉗ - 76" - 80" DBH (1000" - 1050" HGT)
  - ㉘ - 80" - 84" DBH (1050" - 1100" HGT)
  - ㉙ - 84" - 88" DBH (1100" - 1150" HGT)
  - ㉚ - 88" - 92" DBH (1150" - 1200" HGT)
  - ㉛ - 92" - 96" DBH (1200" - 1250" HGT)
  - ㉜ - 96" - 100" DBH (1250" - 1300" HGT)
  - ㉝ - 100" - 104" DBH (1300" - 1350" HGT)
  - ㉞ - 104" - 108" DBH (1350" - 1400" HGT)
  - ㉟ - 108" - 112" DBH (1400" - 1450" HGT)
  - ㊱ - 112" - 116" DBH (1450" - 1500" HGT)
  - ㊲ - 116" - 120" DBH (1500" - 1550" HGT)
  - ㊳ - 120" - 124" DBH (1550" - 1600" HGT)
  - ㊴ - 124" - 128" DBH (1600" - 1650" HGT)
  - ㊵ - 128" - 132" DBH (1650" - 1700" HGT)
  - ㊶ - 132" - 136" DBH (1700" - 1750" HGT)
  - ㊷ - 136" - 140" DBH (1750" - 1800" HGT)
  - ㊸ - 140" - 144" DBH (1800" - 1850" HGT)
  - ㊹ - 144" - 148" DBH (1850" - 1900" HGT)
  - ㊺ - 148" - 152" DBH (1900" - 1950" HGT)
  - ㊻ - 152" - 156" DBH (1950" - 2000" HGT)
  - ㊼ - 156" - 160" DBH (2000" - 2050" HGT)
  - ㊽ - 160" - 164" DBH (2050" - 2100" HGT)
  - ㊾ - 164" - 168" DBH (2100" - 2150" HGT)
  - ㊿ - 168" - 172" DBH (2150" - 2200" HGT)
  - 1 - 172" - 176" DBH (2200" - 2250" HGT)
  - 2 - 176" - 180" DBH (2250" - 2300" HGT)
  - 3 - 180" - 184" DBH (2300" - 2350" HGT)
  - 4 - 184" - 188" DBH (2350" - 2400" HGT)
  - 5 - 188" - 192" DBH (2400" - 2450" HGT)
  - 6 - 192" - 196" DBH (2450" - 2500" HGT)
  - 7 - 196" - 200" DBH (2500" - 2550" HGT)
  - 8 - 200" - 204" DBH (2550" - 2600" HGT)
  - 9 - 204" - 208" DBH (2600" - 2650" HGT)
  - 10 - 208" - 212" DBH (2650" - 2700" HGT)
  - 11 - 212" - 216" DBH (2700" - 2750" HGT)
  - 12 - 216" - 220" DBH (2750" - 2800" HGT)
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  - 14 - 224" - 228" DBH (2850" - 2900" HGT)
  - 15 - 228" - 232" DBH (2900" - 2950" HGT)
  - 16 - 232" - 236" DBH (2950" - 3000" HGT)
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  - 18 - 240" - 244" DBH (3050" - 3100" HGT)
  - 19 - 244" - 248" DBH (3100" - 3150" HGT)
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  - 21 - 252" - 256" DBH (3200" - 3250" HGT)
  - 22 - 256" - 260" DBH (3250" - 3300" HGT)
  - 23 - 260" - 264" DBH (3300" - 3350" HGT)
  - 24 - 264" - 268" DBH (3350" - 3400" HGT)
  - 25 - 268" - 272" DBH (3400" - 3450" HGT)
  - 26 - 272" - 276" DBH (3450" - 3500" HGT)
  - 27 - 276" - 280" DBH (3500" - 3550" HGT)
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  - 34 - 304" - 308" DBH (3850" - 3900" HGT)
  - 35 - 308" - 312" DBH (3900" - 3950" HGT)
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  - 123 - 660" - 664" DBH (8300" - 8350" HGT)
  - 124 - 664" - 668" DBH (8350" - 8400" HGT)
  - 125 - 668" - 672" DBH (8400" - 8450" HGT)
  - 126 - 672" - 676" DBH (8450" - 8500" HGT)
  - 127 - 676" - 680" DBH (8500" - 8550" HGT)
  - 128 - 680" - 684" DBH (8550" - 8600" HGT)
  - 129 - 684" - 688" DBH (8600" - 8650" HGT)
  - 130 - 688" - 692" DBH (8650" - 8700" HGT)
  - 131 - 692" - 696" DBH (8700" - 8750" HGT)
  - 132 - 696" - 700" DBH (8750" - 8800" HGT)
  - 133 - 700" - 704" DBH (8800" - 8850" HGT)
  - 134 - 704" - 708" DBH (8850" - 8900" HGT)
  - 135 - 708" - 712" DBH (8900" - 8950" HGT)
  - 136 - 712" - 716" DBH (8950" - 9000" HGT)
  - 137 - 716" - 720" DBH (9000" - 9050" HGT)
  - 138 - 720" - 724" DBH (9050" - 9100" HGT)
  - 139 - 724" - 728" DBH (9100" - 9150" HGT)
  - 140 - 728" - 732" DBH (9150" - 9200" HGT)
  - 141 - 732" - 736" DBH (9200" - 9250" HGT)
  - 142 - 736" - 740" DBH (9250" - 9300" HGT)
  - 143 - 740" - 744" DBH (9300" - 9350" HGT)
  - 144 - 744" - 748" DBH (9350" - 9400" HGT)
  - 145 - 748" - 752" DBH (9400" - 9450" HGT)
  - 146 - 752" - 756" DBH (9450" - 9500" HGT)
  - 147 - 756" - 760" DBH (9500" - 9550" HGT)
  - 148 - 760" - 764" DBH (9550" - 9600" HGT)
  - 149 - 764" - 768" DBH (9600" - 9650" HGT)
  - 150 - 768" - 772" DBH (9650" - 9700" HGT)
  - 151 - 772" - 776" DBH (9700" - 9750" HGT)
  - 152 - 776" - 780" DBH (9750" - 9800" HGT)
  - 153 - 780" - 784" DBH (9800" - 9850" HGT)
  - 154 - 784" - 788" DBH (9850" - 9900" HGT)
  - 155 - 788" - 792" DBH (9900" - 9950" HGT)
  - 156 - 792" - 796" DBH (9950" - 10000" HGT)
  - 157 - 796" - 800" DBH (10000" - 10050" HGT)
  - 158 - 800" - 804" DBH (10050" - 10100" HGT)
  - 159 - 804" - 808" DBH (10100" - 10150" HGT)
  - 160 - 808" - 812" DBH (10150" - 10200" HGT)
  - 161 - 812" - 816" DBH (10200" - 10250" HGT)
  - 162 - 816" - 820" DBH (10250" - 10300" HGT)
  - 163 - 820" - 824" DBH (10300" - 10350" HGT)
  - 164 - 824" - 828" DBH (10350" - 10400" HGT)
  - 165 - 828" - 832" DBH (10400" - 10450" HGT)
  - 166 - 832" - 836" DBH (10450" - 10500" HGT)
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  - 178 - 880" - 884" DBH (11050" - 11100" HGT)
  - 179 - 884" - 888" DBH (11100" - 11150" HGT)
  - 180 - 888" - 892" DBH (11150" - 11200" HGT)
  - 181 - 892" - 896" DBH (11200" - 11250" HGT)
  - 182 - 896" - 900" DBH (11250" - 11300" HGT)
  - 183 - 900" - 904" DBH (11300" - 11350" HGT)
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  - 188 - 920" - 924" DBH (11550" - 11600" HGT)
  - 189 - 924" - 928" DBH (11600" - 11650" HGT)
  - 190 - 928" - 932" DBH (11650" - 11700" HGT)
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  - 192 - 936" - 940" DBH (11750" - 11800" HGT)
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  - 205 - 988" - 992" DBH (12400" - 12450" HGT)
  - 206 - 992" - 996" DBH (12450" - 12500" HGT)
  - 207 - 996" - 1000" DBH (12500" - 12550" HGT)
  - 208 - 1000" - 1004" DBH (12550" - 12600" HGT)
  - 209 - 1004" - 1008" DBH (12600" - 12650" HGT)
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  - 213 - 1020" - 1024" DBH (12800" - 12850" HGT)
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  - 244 - 1144" - 1148" DBH (14350" - 14400" HGT)
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  - 246 - 1152" - 1156" DBH (14450" - 14500" HGT)
  - 247 - 1156" - 1160" DBH (14500" - 14550" HGT)
  - 248 - 1160" - 1164" DBH (14550" - 14600" HGT)
  - 249 - 1164" - 1168" DBH (14600" - 14650" HGT)
  - 250 - 1168" - 1172" DBH (14650" - 14700" HGT)
  - 251 - 1172" - 1176" DBH (14700" - 14750" HGT)
  - 252 - 1176" - 1180" DBH (14750" - 14800" HGT)
  - 253 - 1180" - 1184" DBH (14800" - 14850" HGT)
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  - 256 - 1192" - 1196" DBH (14950" - 15000" HGT)
  - 257 - 1196" - 1200" DBH (15000" - 15050" HGT)
  - 258 - 1200" - 1204" DBH (15050" - 15100" HGT)
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  - 267 - 1236" - 1240" DBH (15500" - 15550" HGT)
  - 268 - 1240" - 1244" DBH (15550" - 15600" HGT)
  - 26



## Josephine County, Oregon

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### County Surveyor

Peter D. Allen, P.L.S.  
Josephine County Courthouse  
500 NW 6<sup>th</sup> Street / Grants Pass, OR 97526  
(541) 474-5311 / FAX (541) 474-5312  
surveyor@co.josephine.or.us

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July 27, 2016

Ms. Kayla Wallace  
City of Grants Pass  
101 NW A St.  
Grants Pass, OR 97526

RE: Subdivision name approval

Dear Ms. Wallace,

Per your email to me on July 21, 2016, I have reviewed and **deny** approval of the following subdivision name for use in a new subdivision application:

- 1) **Pinnacle Estates Subdivision** (1829 Hubbard Lane; 36-06-26-BB, TL 3000). RE: there is already a subdivision with the name "The Pinnacle at Meadow Wood Phase 1."

Per your email to me on July 27, 2016, I have reviewed and **deny** approval of the following subdivision name for use in a new subdivision application:

- 2) **Lincoln/Lower River Road Subdivision** (902 Lincoln Road; 36-06-24-AB, TL 100). RE: there are already several subdivisions that use the words "Lincoln," and/or "Lower River" in one form or another.

Please feel free to contact me should you have any questions or need additional information.

Sincerely,

Peter D. Allen  
Josephine County Surveyor

cc: (via email) Surveyor's Office, Lora Glover, Justin Gindlesperger, Shelly Stichter, Otto Ribansky, Justin Gerlitz

**For reference: ORS 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.

This brochure is intended to be used as a **guide-line** for estimating System Development Charges as a part of total project costs. Actual costs for your project may differ due to site specific requirements.

**It does not include information on other fees which may be due including planning review fees, engineering fees, building permit fees, water and sewer connection fees, reimbursement district fees and business licenses.**

Please contact the Parks & Community Development office at 541-450-6060 for information on SDC's specific to your project and information on other potential costs.

Who to contact at Community Development:

Our Planning Division can assist you with questions on our Parks and Transportation SDC's.

Our Building Permit Technician can assist with Water, Sewer and Storm Drain SDC questions and estimates.

Visit our website at:  
[www.grantspassoregon.gov](http://www.grantspassoregon.gov)

Parks & Community Development Office  
is located at:

101 NW A Street  
Upstairs Room 201  
Grants Pass, Oregon 97526  
541-450-6060

Open 8 am – 5 pm Monday – Friday  
Building Counter Hours 8 – 10 M – F  
Planning Counter Hours 8 – 5 M – F

## Storm Drain System

Storm Water and Open Space SDC's were adopted by the City Council on February 4, 2004. At that time, two separate charges were created, one applying to all lands within the urban growth boundary, and one specifically limited to properties which fall within the Sand Creek Drainage Basin.

The Storm Water and Open Space SDC's are an incurred charge for the planning, acquisition and capital development of facilities to accommodate and control storm water runoff, directly associated open space, and water quality control facilities to clean surface water runoff prior to return to natural surface water conveyances.

Storm Drain SDC's are due and payable upon issuance of building permit for any new construction or expansion which creates additional residential units and any construction which expands or remodels a business building which includes an increase in impervious surface of 25% or more.

The Storm Drain and Open Space Plan SDC  
For residential and commercial development is **\$488.11 per development permit.**

The Sand Creek Drainage Basin Storm Drain SDC  
For residential and commercial development is **.33 per square foot of the lot or improvement.**

## What are SDCs?

The City of Grants Pass is committed to providing quality services to our community.

As our community grows, old systems need to be updated and new systems must be built. System Development Charges are one way to fund those improvements.

System Development Charges (SDCs) are fees imposed upon new and expanding development within the City of Grants Pass and the urbanizing area that connects to or otherwise will use City services of the water system, sanitary sewer system, parks, streets and storm drainage.

The objective of SDCs is to charge new users an equitable share of the cost of services and to pay for improvements necessary as a result of increased development and demand on the City's infrastructure.

### SDC Fee Adoption & Adjustments

On July 17, 1991 the City of Grants Pass adopted an ordinance allowing the creation of system development charges. SDCs are now in place to fund the Water, Sewer, Parks, Storm Drain and Transportation Systems.

On January 2, 2002, the Council adopted a resolution establishing Cost of Living (COLA) Adjustments for SDCs.

The figures in this brochure reflect the fees for January 1, 2016 through December 31, 2016 only.

### For further assistance...

If you would like more information on System Development Charges call (541) 450-6060

# SYSTEM DEVELOPMENT CHARGES



© City of Grants Pass

## EXHIBIT

Fees Effective  
January 1, 2016 through  
December 31, 2016

This brochure is only a guideline for anticipating potential system charges for new development and is subject to change.

## Water System

The Water SDC was first adopted by the City Council on August 21, 1991 and last amended on July 25, 2005. It is charged and payable for development at the time of permit to connect to the water system.

The method of calculating the Water SDC depends on what Water Pressure Zone service area the development is connecting to, as follows:

<u>Water Pressure Zones 1, 2&amp;3:</u>	
<i>(based on water meter size)</i>	
3/4" .....	\$2,845
1" .....	\$7,116
1-1/2" .....	\$14,234
2" .....	\$22,776
<u>Water Pressure Zones 4, 5 &amp; up:</u>	
<i>(based on water meter size)</i>	
3/4" .....	\$3,311
1" .....	\$8,279
1-1/2" .....	\$16,559
2" .....	\$26,494

Water meter size required for your project can vary and is site specific please contact our office for actual cost for your connection.

Per Municipal Code 3.11.400 All Residential Development. The water system development charge shall be the greater of the charge based on water meter size or the charge based on residential living units.

## Sewer System

The Sewer SDC was first adopted by the City Council on October 19, 1994 and last amended on July 25, 2005. The Sewer SDC is charged and payable for development at the time of permit to connect to the sewer system.

Sewer SDCs for residential use are based on Equivalent Residential Units (ERUs) as follows:

Single-family or Manufactured Home .....	\$3,009
Duplex .....	\$4,814
Tri-plex .....	\$7,222

Sewer SDCs for commercial, public and quasi-public development are determined by the number of fixture units and strength of discharge. A worksheet is available to estimate the sewer SDC for individual projects.

## Redwood Sewer District

Properties located within the Redwood Sanitary Sewer Service District (RSSSD) are Subject to a different sewer SDC schedule, \*and may be subject to additional assessment charges or eligible for credits. *Please contact the Community Development office for an estimate of RSSSD charges.*

\*For typical new construction within the RSSSD, the following schedule applies:  
Residential In Redwood Sewer District:  
 1 toilet..... \$3,835      4 toilets ..... \$4,735  
 2 toilets ..... \$4,135      5 toilets ..... \$5,035  
 3 toilets ..... \$4,435

Redwood Sewer SDCs for commercial, public and quasi-public development are determined by the number of fixtures units, strength of discharge and water meter size. A worksheet is available to estimate the sewer SDC for individual projects.

## Transportation

The Transportation SDC was adopted by the City Council on September 15, 1999. The Transportation SDC helps to pay for the expansion and capital development of the transportation system to accommodate and control motorized vehicular traffic, pedestrian traffic, and bicycle traffic.

In September 2011, the City Council adopted Ordinance 5546 which identifies the method of calculating the SDC's to be based on the Institute of Transportation Engineers Trip Generation Report. Trips are calculated based on the Land Use and Title that best fits the Development as interpreted by the City. If the ITE Trip Generation Report includes multiple measure that can be used to determine average daily trip generation including area, the measure of square footage (area) will be used. The Director may consider an alternative trip calculation when a report is supplied by a licensed traffic engineer and said alternative is reviewed and approved by the City Engineer.

The Transportation SDC is due and payable at the time of building permit issuance for construction.  
 The City Council adopted Resolution 15-6338 to establish the current Transportation SDC trip rate. This rate is a 30% reduction from the previous rate.

**In certain cases, a credit may be applied towards the Transportation SDC for previous uses on the site. Please contact Planning for an estimate of the Transportation SDC's for your project.**

**Below is an example using the \$1111.13/trip rate.**  
 Single Family Residence  
 Category: Single-Family (9.57 trips/unit)  
 1 unit x 9.57 trips/unit x \$1111.13/trip = \$10653.51

## Parks

The City of Grants Pass has adopted two SDCs for Parks. The Parkland Acquisition SDC was adopted by the City Council on June 30, 1997. The SDC pays for the purchase of parkland, trails, and open space for the parks and recreation master plan. On December 18, 2006 the City Council adopted a Park Development SDC effective June 1, 2007. This SDC will help fund capital improvements and development of the park, trail and open space system.

Parks SDCs are due and payable upon issuance of a building permit for: any new construction or expansion which creates additional residential units; any construction which creates a new business building or enlarges a business building; or issuance of the first manufactured home placement permit granted upon an individual building lot.

The Parks SDCs for residential development is based on the number of units:  
Parkland Acquisition ..... \$461.21 per residence  
Park Development ..... \$370.45 per residence  
 Total per unit \$831.66

The Parks SDCs for non-residential development is based upon the number of required parking spaces built to serve the development.  
Parkland Acquisition ..... \$42.25 per new parking space built  
Park Development ..... \$32.97 per new parking space built  
 Total per parking space \$75.20

The City Council adopted Resolution 15-6338 to establish the current Transportation SDC trip rate. This rate is a 30% reduction from the previous rate.

**See other side for Storm Drain SDC Information**

**Grading Permit Only:**

The following permit charges apply for all projects either filling, grading or removing soil:

<u>Grading Volume</u>	<u>Charge</u>
50 cubic yards (CY) or less	\$ 70.00
51 – 100 (CY)	\$ 103.00
101 – 1,000 (CY)	Base Fee \$115.00
1,001 – 10,000 (CY)	Base Fee \$233.00
10,001 – 100,000 (CY)	Base Fee \$467.00
100,001 (CY) or more	Base Fee \$937.00
Each Additional 10,000 (CY)	\$56.00 / 10,000 (CY)

**Plat Check Charges:**

Plat Check Charges are required to be paid in full upon application for final plat.

The following table applies for all surveying charges:

<u>Survey Item</u>	<u>Charge</u>
Partitions	\$115.00
Property Line Adjustments	\$110.00
Subdivision, Pre-Monumented	\$233.00 + \$22.00/lot
Subdivision, Post-Monumented	\$350.00 + \$34.00/lot
Condominiums	\$409.00 + \$34.00/unit



City of Grants Pass  
 Parks & CD Department  
 101 Northwest "A" Street  
 Grants Pass, OR 97526  
 Phone: (541) 450-6060  
 Fax: (541) 476-9218  
[www.grantspassoregon.gov](http://www.grantspassoregon.gov)

**ENGINEERING  
 CHARGES  
 FOR  
 PRIVATE  
 DEVELOPMENTS**



Fees Effective  
 September 12, 2011  
 Revised 1/1/2016

A Guideline For Anticipating  
 Potential Engineering Division  
 Charges For Your Development

# ADOPTION

Engineering charges were adopted by the City Council on September 7, 2011. Hourly billing was eliminated and a fixed rate fee schedule for all charges was enacted. For more specific information, please refer to Resolution No. 5850.

## ENGINEERING CHARGES FOR SERVICES WILL NOW BE BASED ON THE FOLLOWING:

### Developer Installed Projects:

The following fees will be assessed and collected for all Developer Installed Projects: Plan Review Fee, Encroachment Permit Fee, Grading Permit Fee, Inspection Services Fee and GIS Fee.

The Plan Review Fee consists of a \$526.00 base fee + \$57.00 per lot. This fee will be paid in full at the time of plan submittal.

The Encroachment Permit Fee is a flat fee of \$70.00 and will be paid in full and the permit issued prior to the start of construction.

The Grading Permit Fee is determined by the quantity of soil being excavated and/or deposited. This fee will be paid in full and the permit issued prior to the start of construction. Fees are calculated as follows:

<u>Grading Volume</u>	<u>Charge</u>
50 cubic yards (CY) or less	\$ 70.00
51 – 100 (CY)	\$ 103.00
101 – 1,000 (CY)	Base Fee \$115.00
1,001 – 10,000 (CY)	Base Fee \$233.00

10,001 – 100,000 (CY)	Base Fee \$467.00
100,001 (CY) or more	Base Fee \$937.00
Each Additional 10,000 (CY)	\$56.00 / 10,000 (CY)

The Inspection Services Fee will be based on the estimated construction costs (to be provided by the developer's engineer before approved construction drawings are submitted to Engineering). Fees will be collected prior to the pre-construction meeting and start of construction and before issuance of the Development Permit by Planning.

The following table applies for all projects requiring inspection for public facilities:

<u>Estimated Const. Cost</u>	<u>Service Charge</u>
\$100,000 or less	5.00%
\$200,000	4.60%
\$300,000	4.30%
\$400,000	4.10%
\$500,000	3.90%
\$600,000	3.80%
\$700,000	3.70%
\$800,000	3.60%
\$900,000	3.50%
\$1,000,000 or more	3.40%

Public facilities include all City owned and operated public waterlines, storm drain lines, wastewater lines, streets and signals. It also includes appurtenances for all of the above such as fire hydrants, manholes, and signage. Private developments will be required to provide the City with the estimated costs for the public facilities. The City will check the estimated costs to ensure they are consistent with current industry construction standards prior to requiring payment for inspection charges.

### Geographical Information System (GIS) Fee

Per City of Grants Pass Resolution No. 5935 adopted April 18, 2012, a 5% GIS Fee will be added to the Inspection Services Fee calculated from the Valuation Form and paid at the time that the Inspection Services Fee is collected.

### Encroachment Permit Only:

When an engineering plan review of the proposed improvements is not required, a base fee of \$70.00 plus the following charges apply for the applicable items:

<u>Encroachment Item</u>	<u>Charge</u>
Excavation (100 sq ft or less) (ea)	\$ 22.00
Excavation (101-1000 sq ft) (ea)	\$ 93.00
Excavation (1001-3000 sq ft) (ea)	\$187.00
Excavation > 3001 sq ft (ea)	\$233.00
Driveway Approach (per sq ft)	\$ 0.35
Sidewalk (per sq ft)	\$ 0.24
Pavement (per sq ft)	\$ 0.24
Valley Gutter (per sq ft)	\$ 0.24
Manhole or Catch Basins (ea)	\$233.00
Fire Hydrant (ea)	\$350.00

<u>Encroachment Item</u>	<u>Charge</u>
Pedestrian Benches (ea)	\$ 22.00
Traffic Survey Counts (ea)	\$140.00
Annual Blanket (ea)	\$ 87.00
Tree/Stump Removal (ea)	\$ 22.00
Deposit Material in ROW (ea)	\$ 44.00
Curb/Gutter (per lf)	\$ 0.35
Storm Drain (per lf)	\$ 1.17
Water Laterals (per lf)	\$ 1.17
Sewer Laterals (per lf)	\$ 1.17
Walls less than 3' in height (ea)	\$ 56.00
Walls more than 3' in height (ea)	\$ 56.00
+ \$1.40/sf of wall area	