

RED HILLS SUBDIVISION 2018 STAFF REPORT

The applicant is requesting City’s approval to subdivide the subject property. The Monroe City Council will hold a public hearing on January 22, 2018 at 6:00 p.m. in City Hall, 658 Commercial Street, Monroe, Oregon, to consider the Planning Commission Decision.

NATURE OF APPLICATIONS:	Subdivide the subject property into 55 lots: SUBDIVISION
APPLICABLE CRITERIA:	Monroe Land Use Development Code and Ordinance 2007-250
PROPERTY LOCATION:	Generally, the vacant parcel south of Orchard Street, between 9 th and 10 th Streets extended south (T14S R5W Section 33B, Tax Lot800)
CURRENT ZONE DESIGNATION:	General Residential (GRA and GRB)
COMP. PLAN DESIGNATION:	Low Density Residential
STAFF CONTACT:	Rick Hohnbaum rick.hohnbaum@ci.monroe.or.us (541) 847-5175
FILE NAME	Red Hills Subdivision 2018

The public hearing will be conducted in a manner which permits testimony from the applicant, followed by testimony from persons in favor of the application, testimony from persons opposing the application, and testimony from governmental bodies and agencies. The applicant will then have an opportunity to offer rebuttal. Any person offering testimony may request that the hearing be continued in order to address new evidence submitted. Any interested person may submit testimony prior to or at the public hearing. Please reference the above-noted file in all correspondence. More information regarding the file is available from the City of Monroe, 664 Commercial Street, Monroe, OR, (541) 847-5175.

The Staff Report will be available for review at Monroe City Hall five days prior to the hearing date. Written comments received seven days prior to the hearing date will be submitted to the City Council with the Staff Report. The City Council will make a decision based upon the Planning Commission Recommendation and its review of the application for compliance with the applicable criteria based upon information in the Staff Report and the testimony presented. Copies of Monroe Land Use Development Code and Ordinance 2007-250, the file, the Staff Report, and related documents can be obtained for the cost of copying or are available for review free of charge at Monroe City Hall during normal business hours. **Additional and updated information including mapping will be available on the city’s website www.ci.monroe.or.us**

Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the City the opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals

(LUBA) based on that issue. The hearing room is accessible to the disabled. Please notify Monroe City Hall at (541) 847-5175 concerning any physical or language accommodations you may need.

I. REQUESTED ACTION:

The applicant, North Santiam Paving Co. is requesting approval of a subdivision. The applicant is applying to create 55 buildable lots as defined by previous council action Ordinance 2007-250. On December 4, 2017, a pre-application meeting was held at City Hall. Present was Benton County Public Works, Monroe Public Works, applicant, Monroe Rural Fire Protection District Chief, City Engineer of record and the City Administrator/Planner. On December 18, 2017, the applicant, Bill Lulay on behalf of North Santiam Paving Co., submitted the application and paid the fee for a subdivision tentative plat process. The fee of \$625 was established by the City Planner based upon the land use planning fee schedule.

II. HISTORY

There is a long and rich history regarding the development of this land including an application submitted in 2007 and approved with 38 conditions of approval in 2008 and the payment of \$14,000 in fees for planning. In early December in preparation of the application expected, a briefing paper was written relating to the history of the project.

Staff Report Inquiry-Red Hills Subdivision

Saturday December 2, 2017

Purpose: To review and clearly state the status of approval and review of the Red Hills Subdivision Application-

STATUS AND MATERIAL FROM FILE

March 5, 2007 Planning Commission recommended denial of rezone of Red Hills Property from GRA (8,000 square feet minimum) to GRB (6,000) by a 4-2 vote.

April 10, 2007 Ordinance 2007-250 adopted by council amending zoning map to allow smaller than 6,000 square foot lots and set the maximum net density as not to exceed 7.2 dwelling units per net acre for the 19.16 acres identified as the Red Hills Development property

May 27, 2008 Dated Receipt of Land Use and Sign Permit Application **Tentative Plan** for Proposed Subdivision-No diagram attached-Agreement for payment of land use application fees signed by two individuals representing developers but not signed by Notary or by City.

According to undated staff report (August, 2008?) 92 lots with two variances allowing for flag lots and to allow for two-year completion instead of 1 year as required by code.

August 2008 Approved by Planning Commission with 38 conditions-Approved by City Council October 2008

2014-2015-Numerous correspondence and memos relating to DSL wetland delineation reviews

August 16, 2017-Numerous correspondence requesting delays or extensions for the deadline of project approval since 2010 (2010, 2011, 2014, 2015, 2016) including one received August 16, 2017 requesting an extension which was granted by the council until June 30, 2018.

STAFF ACTIONS

October 3, 2017 Developer (Levi) request City sign LUCS (Land Use Compatibility Statement) for their 1200C permit for DEQ (storm water)

October 4, 2017 Staff provides a signed LUCS from 2014 with the approved conditions which was signed stating they would be “hesitant” to sign a new one without significant additional research including conversations with DSL (Department of State Lands). The conditions attached only included 2 pages of the 5 pages with the 38 conditions of approval as that was what was attached to the original LUCS signed in 2014. **(This difference was realized on 12-2-17 by city staff)**

October 4, 2017 Staff also sent the same information to the regional DLCD rep sharing the request received and the response provided and received a “looks good” response

October 26, 2017 Levi, Developer representative, asked for a copy of the City of Monroe public works standards and specifications

November 1, 2017 Benton County is notified by DSL of application and C1200 permit but county engineering staff made inquiries of city as they had not been aware of project.

November 2, 2017 public works standards were transmitted with a recommendation that any specific questions be referred to the City Engineer

November 2, 2017 City staff notifies City Engineer of the inquiry.

November 2, 2017 City staff notifies the developers that a pre-development meeting would be “strongly recommended” prior to any future work relating to the Red Hills Project

November 2, 2017 City staff advises and updates county engineer staff (Gordon) of activities

November 21, 2017 Levi, Developer, notifies the City that they are waiting for additional information from an engineer previously involved with the project and that they will notify the City when they are prepared for a pre-development meeting. City affirms message and updates county and mayor

November 28, 2017 Levi initiates discussion of setting a date for preconference meeting and throughout day communications setting the date for December 4 at 10AM. City advises County

November 29, 2017 City staff advises and invites fire district and informs developer of the same.

November 30, 2017/December 1, 2017 City staff reviews electronic and printed files on the Red Hill Project. City staff calls DSL and DEQ staff making inquiries of the previous meetings that Lauren (DSL) and Mary (DEQ) have participated (2014-2015) regarding this project. I am informed by DSL that Red Hills does not have a DSL permit though there is an agreement of the wetland location delineation map.

MONROE LAND USE DEVELOPMENT CODE

Section 2.330 SUBDIVISION OR PARTITION PLAT *“The land divider shall cause the land division or any part thereof to be surveyed, monumented and a Plat prepared in conformance with the approved Tentative Plan. Any changes in the Tentative Plan shall be approved prior to preparation of the Plat. Approval may be granted by the City Planner for minor changes (lot dimensions or areas that conform to local standards) or the Planning Commission may review and approve changes that increase the number of lots by more than 10% of the original request or alter approved roadway configurations.”*

What appears to be submitted and approved in 2008 was a 92-lot subdivision using all of the property within the 19 acres. What is being presented at this point of time is a 55-lot subdivision using only about 2/3rds of the land and avoiding the more serious wetland designated areas (minor change?).

This project has a lot of “people” looking at it including people who do not want to see it developed as there has been neighborly challenges to the wetland issues. We have no less than three state agencies (DEQ, DSL, DLCDC) who have been involved previously with this project.

END OF BRIEFING PAPER

III. FEE ACTION

The owner of the development (same owner today) paid over \$14,000 for planning fees. Current city staff is unable to determine the formula used to create this fee. The fee if submitted today would be \$4,375. **IT WAS A STAFF DETERMINATION** that it would be in the best interest of the City to have a complete review of the proposed project due to the length of time since it was originally approved and the amount of differences contained within the proposed new project from what was approved almost a decade ago. While planning fees are not refundable, it was also **A STAFF DETERMINATION AS WELL AS A MOTIVATING FACTOR FOR THE APPLICANT TO START AGAIN WITH THE PROCESS**, that the appropriate fee for the reprocessing of this new application for which the project would be \$625. The current fee of \$4,375 is from the current rate of \$625 for preliminary subdivision application plus \$150 for the first ten lots plus \$50 for every lot above 10. As City Planner, I made the determination of the fee and the applicant consented. This does not include engineering fees or pre application or pre development conference fees or other costs regarding the administration of this proposed project by the City.

IV. STAFF ACTION:

On December 18, 2017 city staff created a public notice announcing the public hearing for this proposed land use action. This public notice was mailed to all property owners within 250 feet (48 mailing). On December 28, 2017 a public notice of both hearings was published in the newspaper of record for the City of Monroe. In addition, notices were mailed on December 29, 2017 to every utility customer within the City of Monroe. Notices were sent to public utilities including Monroe Telephone, Pacific Power and Light, Benton County Planning and Benton County Public Works. On December 28, 2017 staff created the staff report for the proposed land use action in its original draft while awaiting input from Benton County Public Works, City

Public Works and City Engineer. On January 2, 2018, the 2nd draft of this staff report was completed with input from Benton County Public Works, Benton County Planner and Monroe Public Works Superintendent. This draft was placed on the city website and available for public review. On January 4th a 3rd draft was completed and was printed for the planning commission packets and made available at city hall for public review.

V. PLANNING COMMISSION ACTION:

On January 8, 2018, the Monroe Planning Commission conducted a public hearing and rendered a decision and a recommendation for the proposed land use action of a Tentative Plan for the Red Hills Subdivision Project 2018.

Staff presented a comprehensive staff report (30 minutes) which included 32 recommended conditions of approval. Public testimony was received from the applicant representative, neighboring property owners, local citizens and a representative from the Benton County Engineering Department. Considerable inquiries were made of the applicant regarding storm water flow and pedestrian access to the proposed subdivision. After the close of the public hearing, there was three significant issues or concerns that the planning commission addressed and deliberated on in addition to the normal review and considerations.

1. The layout of the sidewalks being matched to the curb or having a planter strip between the sidewalk and curb within the proposed project. The decision was for curb lined sidewalks and no platter strips.
2. Whether or not to require fencing by the applicant of the entire project. (No)
3. Pedestrian access to the proposed subdivision. (Hard surface walkway from western edge of subdivision to existing sidewalk near United Methodist Church)

A motion was made, seconded and approved unanimously to approve and recommend approval of the proposed land use action to the Monroe City Council WITH TWO ADDITIONAL CONDITIONS OF APPROVAL (#33 and #34).

There was discussion and consensus (perhaps) by the Planning Commission to remove the last three lines of #15 Condition of Approval. However, the draft minutes do not reflect a motion for the record. Based upon the planning commission discussion and additional review with the city engineer, staff will be recommending the removal of the last three lines of the #15. Staff would anticipate that based upon the applicant's testimony, council will concur with the removal of the last three lines of this particular recommended condition of approval.

VI. STAFF REPORT:

Finding of Fact 1: Ordinance 2007-250 states that there is a minimum lot size on this parcel is 5,700 in the GRB Zone within this property with an average of 6,087 square feet or larger.

Finding of Facts 2: The Monroe Planning Commission approved a subdivision tentative plan on this parcel in August 2008 with 38 conditions of approval.

Finding of Facts 3: City code requires 14 days of review prior to a hearing at a regular planning commission meeting. A subdivision tentative plan has to be reviewed by council action. The council review may or may not require a public hearing. However, since this application is being made based upon previous City Council policy decisions rather than existing city code, a public hearing at council level is required based upon the City Planner's interpretation of the policy and code. Notice of public hearings was made for both January 8 for the Planning Commission Hearing and January 22, 2018 for the City Council hearing to review the Planning Commission Decision. Either body may also continue the hearing or keep the written record open beyond the date of the posted hearing.

Decision Criteria Section 2.320 Subdivision or Partition Tentative Plan

Decision Criteria 1: **2.328 (1) Any undeveloped portion of the proposed land division can be developed in accordance with City ordinances.**

This criteria is being met, though a segment of the project is proposed to be gifted to the City for a park.

Decision Criteria 2 **2.328 (2) The proposed development and all adjoining land can be developed in accordance with this Code and City Ordinances.**

This criteria is being met to the best of the ability of the applicant. The exception (which should be in our code) is that a segment of the neighboring property is not in the city limits nor the city urban growth boundary and thus the future development of some of the neighboring properties do not conform to city codes (since they are in the county and not the city).

Decision Criteria 3 **2.328 (3) The proposed street plan is in conformance with City standards and provided the most economic, safe and efficient circulation of traffic in relation to the existing City street system and future plans.**

This criteria is the most open and community defining criteria for which the council will need to review and determine.

The criteria for this decision has been met within the property of the tentative plan. Orchard Street and access to the proposed development is the largest single unknown issue which only the wisdom and counsel of the appointed and elected leaders of the community can make the determination and define the appropriate but balanced cost for the community. THERE HAS BEEN EXTENSIVE DISCUSSIONS AT STAFF LEVEL INVOLVING NUMEROUS AGENCIES AND JURISDICTIONS. The summary of the options involving Orchard Street (a county road) is within the City Engineer's letter starting on page 2. The alternative option listed on the top of page 3 is city staff's recommendation and is what the Planning Commission approved. The dead-end flag lot street extension on the southwest corner of the proposed subdivision does meet code. However additional consideration for additional width may be worthy of additional review.

Decision Criteria 4 **2.328 (4) The proposed utility connections are available, adequate and provide the most efficient and convenient connections to the existing utility systems and the proposed utilities can be extended in the future to accommodate future growth beyond the proposed land division.**

There are existing city utilities for both water and wastewater with 100 feet of the proposed subdivision. However, there is a limited amount of 6' water mains between Orchard Street and the entrance of the proposed subdivision which the applicant/owner need to replace with at least 8" in order to assure available and adequate flows for the subdivision.

Decision Criteria 5 **2.328 (5) Special site features have been considered and utilized.**

There are WETLANDS within the proposed project and bordering the south side of the project and on the project property. This condition is being met.

Decision Criteria 6 **2.328 (6) Drainage ways are protected and required drainage facilities are provided in conformance with State erosion control regulations.**

A recommended condition of approval will be made by staff.

Decision Criteria 7 **2.328 (7) The extent of possible emission or nuisance characteristics are compatible with the land use zoning district, adjacent properties and the applicable standards of all regulatory agencies having jurisdiction.**

There are no known emissions or nuisance characteristics being considered based upon the existing and proposed use of this property.

Decision Criteria 8 2.328 (8) Potential adverse impacts have been mitigated to the maximum extent possible.

This condition is being met as exemplified by the ten years of negotiations and work that the property owner has experienced with numerous state agencies.

Decision Criteria Ordinance City Council Adopted Policy

Decision Criteria 9 Ordinance 2007-250

Now therefore, the City of Monroe ordains as follows:

... The minimum lot size for the GRB portion of the site shall be 5700 square feet and the minimum average size of all lots in the GRB portion of the site shall be 6087 square feet or larger..."

City policy was deliberated, defined and adopted by council action on April 10, 2007. The Monroe Land Use Development Code was not updated but the policy decision recommended by the Planning Commission and adopted by Council action still exists.

This decision criteria have been met based upon the proposed tentative plan.

Decision Criteria Article 5 General Development Standards

**Decision Criteria 10 5.010 Development Standards Matrix
Minimum Lot Size 6,000 square feet.**

This criteria is **not** met based upon the submitted plan and maps.

**Decision Criteria 11 5.030 Plan Conformance
All developments within the City shall conform to any approved development plan adopted by the City. Developments located within an area that has an approved plan shall comply with the design and construction standards of that approved plan in addition to those contained in this City Code. In cases of conflict, the approved plan shall control.**

A condition of approval will be recommended by staff.

Decision Criteria 12 Section 5.123(2) Streets

Street design shall conform to the design standards of the City of Corvallis adopted by the City of Monroe. Street design shall include curb, gutters, sidewalks and utility easements unless specifically excepted by the Planning Commission.

The interior street designs for the proposed land use action meets city standards and have been reviewed by the Fire Chief. The decision criteria involving Orchard Street is not clearly provided as it is a county road located within the City of Monroe. This criteria decision is included within Decision Criteria 3.

Decision Criteria 13 Section 5.123 (6) Streets

Future Extensions of Streets: Where necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition and the resulting dead-end streets may be approved without a turn-around.

The existing plans submitted with the application does not appear to meet this criteria. However, this property is on the edge of the city limits and urban growth boundary and is most likely never to see development to the west. There are options included in the plan for continued streets and access to the east and an emergency access future option to the west.

Decision Criteria 14 Section 5.123 (9) Half Streets

Half streets, while not acceptable, may be approved where essential to the reasonable development of the subdivision or partition when in conformity with the other requirements of these regulations and when the Planning Commission finds it well be practical to require the dedication of the other half when the adjoining property is divided.

There are no half streets being suggested outside of the access to the wetlands which will be gated.

Decision Criteria 15 5.124 Sidewalks

Public Sidewalk improvements are required for all land divisions and property development in the City of Monroe. Under approved conditions, the City may defer sidewalks.

In all segments within the proposed development, sidewalks are included.

Decision Criteria 16 5.125 Bikeways

Developments adjoining existing or proposed bikeways shall include provisions for connections and extensions of such bikeways through

dedication or easements or rights-of-way. The City may include bikeway improvements as conditions of approval for developments that will benefit from bikeways. Where possible, bikeways should be separated from other modes of travel, including pedestrian ways.

There are plans for bikeway access to the subdivision as proposed.

Decision Criteria 17 5.126 Storm Drainage

It is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination.

The proposed project does meet this criteria. A condition of approval will be recommended to meet all city and state standards for best practice management of storm water for the proposed development, current and future owners.

Decision Criteria 18 5.127 Water (1) Water Plan Approval

All proposed water plans and systems must be approved by the City as part of the review and approval process.

A condition of approval will be recommended.

Decision Criteria 19 5.127 Water (2) Design Requirements for New development

All new development within the City shall make provisions for the extension of public water lines to serve adjacent areas, and as provided in the Water System Master Plan.

A condition of approval will be recommended.

Design Criteria 20 5.128 Sewer (1) Sewer Plan Approval

All proposed waste water plans and systems must be approved by the City as part of the review and approval process.

A condition of approval will be recommended.

Decision Criteria 21 5.128 Sewer (2) Design Requirements for New development

All new development within the City shall make provisions for the extension of public waste water lines to serve adjacent areas, and as provided in the Waste Water System Master Plan.

A condition of approval will be recommended.

Decision Criteria 22 7.100 Improvement Procedures

In addition to other requirements, public improvements and connections to public facilities installed by a developer or land divider shall conform to the requirements of this Code and all design standards and construction specifications of the City, and shall be installed in accordance with the following procedure.

A condition of approval will be recommended.

Decision Criteria 23 7.400 Public Use Dedication

Within or adjacent to a residential subdivision, a parcel of land of not less than six percent of the gross area of the subdivision shall be set aside and dedicated to the public by the developer for park use. The parcel shall be approved by the Planning Commission as being suitable for park and recreation purposes, the developer shall in lieu of setting aside land, pay into a public land acquisition fund a sum of money equal to \$11,000 per gross acre for each acre in the subdivision. The sums so contributed shall be used to aid in securing suitable areas for park and recreation purposes to serve the area containing the subdivision. If the nature of the subdivision is such that over 34 per cent of the tract to be subdivided is being dedicated to the public for streets, the requirements of this section shall be reduced so that the total obligation of the sub divider does not exceed 40 per cent.

The proposed land use action/subdivision reflects 2.81 acres being given to the City which more than doubles the amount of land required by this condition of approval. However, it has to be a Planning Commission decision as to this land "...being suitable for park and recreation purposes..." and as to whether or not this criteria is met.

Recommendation1: The City Council should conduct a public hearing on January 22, 2018 to consider this land use action request as a NEW APPLICATION at 6pm allowing for the applicant to speak and then allowing any and all public testimony and written documents submitted for their review. Following the public hearing the council should deliberate and render a decision on the applicant's requested action.

Recommendation 2: Based upon current information consisting of the application, the staff review of the application, a review of the code and the city policies decisions relating to minimum lot sizes and the recommendation from the Planning Commission, the City Council should approve the applicant's request for action with conditions.

RECOMMENDED CONDITIONS OF APPROVAL

- 1. Comprehensive construction drawings for all proposed utilities (sewer, water, storm water, electric) shall be provided and approved by the City Engineer prior to any developments on the site and final plat approval.**
- 2. The applicant's street plan will conform to the City standards, per city code and referenced by code to other municipal and state codes with the proposed project. Tentative approved plan is for 30 feet wide street, 6" curb, 5' sidewalk. (no planter strip)**
- 3. The applicant and future owners will protect and require drainage facilities in conformance to local and state erosion control regulations.**
- 4. That the applicant meets the standards set by the Monroe Land Use Development Code (MLUDC) 5.030 Plan Conformance with the exceptions of specific allowances granted by the planning commission which include lot size as defined by Ordinance 2007-250. This would include but is not limited to all elements of the MLUDC such as streets, sidewalks, storm drain, water, sewer and Article 7 Improvement Procedures.**
- 5. A subdivision plat shall be prepared by an Oregon land surveyor in accordance with ORS 92 and County Surveyor Plat standards. The surveyor shall submit the original plat and a true reproducible of the plat, and the filing fee to the County Surveyor.**
- 6. That the applicant submits a final subdivision plat for the city planner to review and if significant changes from the tentative plan, submit those changes to the planning commission to approve per Monroe Land Use Development Code Section 2.339.**
- 7. The final plat shall comply with the plat standards for Benton County and monuments shall be established on property corners.**
- 8. The applicant shall record the approved plat at the County Recorder's Office and provide a copy of the plat to the City Recorder.**

9. The preliminary approval shall be effective for one year from the date of the decision.
10. Phased development shall be allowed; however, the applicant shall secure final plat approval of the entire tentative plat within 5 years of the date decision or the remaining undeveloped portion of the tentative plat shall become null and void.
11. The applicant shall make necessary arrangements with the City, utility companies including but not limited to the Monroe Telephone Company or other persons or corporations for the installation of streetlights and for underground lines and facilities. Electrical lines and other wires, including, but not limited to communication, street lighting, internet and cable television, shall be placed underground.
12. The applicant shall install or provide financial assurance that all private utilities, such as electrical power, cable television, internet and telephone service are or will be provided for each lot.
13. Fire hydrants shall be installed, fully operational to City standards and shall comply will all recommendations of the Fire District.
14. The fire suppression system shall be installed, fully operational and looped prior to combustible construction unless otherwise approved in writing by the Monroe Fire Chief or his representative.
15. All water lines shall be capable of producing 1250 gallons per minute at 20 PSI. For homes exceeding 3500 square feet the nearest hydrant shall be capable of producing 1500 gallons per minute or the home shall be provided with an approved sprinkler system. Certified engineered test results of water flow standards will be provided to the City and the Fire District prior to the approval of the final plat. *This will include taking existing 6' water mains near the entrance of the project and installing 8" water mains between Orchard Street and the proposed subdivision.*

Staff is recommending removal of the last three lines above and some language such as, "water system improvements per specifications and approval of city engineer." The intent of the applicant is to increase the number of water lines into the subdivision rather than replace existing lines.

16. The applicant shall be responsible for installing sidewalks adjacent to all currently developed properties along 9th and 10th Streets within the tentative plat.
17. A lot grading plan shall be reviewed and approved by the City Engineer prior to construction to roads or utilities. The plan shall comply with all the applicable provisions of state and local law, rules and regulations including but not limited to DEQ and DSL. It shall address erosion control mechanisms during construction.
18. The internal streets shall be constructed to City standards for neighborhood streets, including curb, gutters and sidewalks. No street right-of-way within the subdivision need exceed 50 feet unless otherwise required by City Engineer.
19. The owner shall provide for sidewalks adjacent to all common tracts or open spaces.
20. The applicant shall be responsible for the installation of all traffic signs, street signs, indicators, warning devices as required by the City Engineer.
21. All streets shall be named in conformance with the request of the Monroe Rural Fire Protection District and Benton County Emergency Services.
22. The applicant shall consult with the Monroe School District for the provision of bus stops and shall design and construct such within the public rights-of-way as requested by the Monroe School District.
23. The applicant shall submit a drainage plan that demonstrates the system has the necessary capacity and grade to maintain unrestricted flow from areas draining through the property. The plan shall demonstrate that the system, will adequately connect to the existing drainage system downstream and shall include design of any improvements to the existing system downstream if any are necessary. The plan shall be reviewed and approved by the City Engineer prior to construction.
24. The storm drainage system shall retain run-off from the development on the site so that the outlet flow does not exceed the flow from the

site in an undeveloped condition. Hydraulic calculations shall be based on current ODOT policies and procedures for hydraulic design and shall be designed for a 25-year storm event.

25. Sanitary sewer lines shall be installed in substantial compliance with the approved preliminary plan. All lines shall be 8 inch and allow for gravity services unless otherwise approved by the City Engineer.
26. The applicant is required to obtain a Benton County road approach permit for each of the proposed accesses to Orchard Street.
27. The applicant is required to obtain a Permit to Perform Work in the County Right of Way for any and all construction within the Benton County right of way.
28. The applicant is required to obtain an Erosion and Sediment Control Permit from Benton County Public Works prior to initiating any work within Benton County right-of-way.
29. Improvements done within the Benton County right-of-way must be detailed and agreed upon between County engineering staff and the City Engineer of Record and the Applicant's Engineer. The Applicant's engineer must be licensed within the State of Oregon. The design drawings, specifications and details shall be reviewed and approved by Benton County Public Works engineering staff prior to the pre-construction meeting.
30. The applicant/owner must meet all Benton County Agreement for Improvement standards as determined by Benton County.
31. The applicant/owner will meet the required standards for the United States Postal Service in providing and installing any mail receptacles they require other than individual mail boxes located on each property.
32. The applicant/owner will provide a 6-foot wide hard surface sidewalk with grade separation or physical barrier along the south side of Orchard Street from the western edge of the subdivision to the existing sidewalk on Orchard Street near the United Methodist Church. Such improvements to Orchard Street shall be required

before any final platting that exceeds 25% of the approved tentative plan.

33. Applicant will meet the park land standards before final plat approval.

34. Storm water plan be approved by City Engineer with potential to connect to the City storm water system if feasible.

VII. MOTIONS:

1. APPROVAL: To approve application:

- a. I move that the City Council the subdivision tentative plan submitted by North Santiam Paving Co. for the Red Hills 2018 Subdivision Project., to create and develop 55 buildable lots based upon the findings contained in the Staff Report (and/or developed at the public hearing) and subject to the Conditions of Approval contained in the Staff Report (and/or Conditions of Approval developed at the public hearing).

2. DENIAL: To deny the application:

- a. I move that the City Council deny approval of the subdivision tentative plan submitted by North Santiam Paving Co. to create and develop 55 buildable lots based upon the findings contained in the Staff Report (and/or developed at the public hearing) and subject to the Conditions of Approval contained in the Staff Report (and/or Conditions of Approval developed at the public hearing).

3. CONTINUANCE To continue the hearing until date certain

- a. I move that the City Council continue the public hearing and keep the record open until _____ and that the City Council accept both written and verbal testimony at the continued public hearing prior to council's decision.

4. CONTINUANCE OF DELIBERATION BUT CLOSE THE HEARING

- a. I move that the City Council direct staff to prepare a draft decision to (approve) or (deny) application and provide additional research regarding _____ and that we continue this meeting until _____.