

**WALDPORT PLANNING COMMISSION
DECEMBER 18, 2017
MEETING NOTICE AND AGENDA**

THE WALDPORT PLANNING COMMISSION WILL MEET ON MONDAY, DECEMBER 18, 2017 AT 2:00 P.M. IN THE CITY COUNCIL MEETING ROOM, 125 ALSEA HIGHWAY, TO TAKE UP THE FOLLOWING AGENDA:

1. CALL TO ORDER AND ROLL CALL
2. MINUTES: (December 4, 2017)
3. CITIZEN COMMENTS AND CONCERNS
4. CORRESPONDENCE – None
5. PUBLIC HEARINGS - Planned Development File #1-PD-PC-17 Vista View Planned Development (consideration of Findings and Conclusions)
6. DISCUSSION/ACTION ITEMS:
7. COMMISSION COMMENTS AND CONCERNS
8. ADJOURNMENT

*Denotes no material in packet

The Council Chambers are accessible to all individuals. If you will need special accommodations to attend this meeting, please call City Hall at (541)264-7417 during normal business hours.

Notice given this 12th day of December 2017

City of Waldport

**WALDPORT PLANNING COMMISSION
DECEMBER 4, 2017
MEETING MINUTES**

1. CALL TO ORDER: Chair Woodruff called the meeting to order at 2:00 p.m. City Recorder Eckerman administered the oath of office to Kitty Kelleher, who then took her seat at the table. Chair Woodruff and Commissioners Peterson, Stole, Phillips, Kelleher, Yorks and Barham answered the roll. A quorum was present.

2. MINUTES: The Commission considered the minutes from the October 23, 2017 meeting. Commissioner Barham asked whether verbatim minutes were needed for his disclosure of conflict of interest and *ex parte* contact, and Attorney Bartoldus indicated it was not necessary. Chair Woodruff noted that the minutes reflected that the Planning Commission had closed the public hearing and gone into deliberations at the October meeting, and this meeting would be a continuation of the deliberations. Therefore, there would be no opportunity for additional testimony as the public hearing had been closed and the November 6 deadline for additional information had passed. Audience member Hollis Lundeen asked about presenting new information and requested that the Commissioners hear her out. City Attorney Gintner noted that this could cause a delay in the proceedings if the applicant chose, as allowing new information could cause appeals by either party. Commissioner Yorks noted that, in the interest of being open and transparent, people should be allowed to testify. Commissioner Peterson stated that if there were any questions from the Commission to members of the audience, they could ask, but that this was up to the Commission. Following further discussion, Commissioner Peterson **moved** to approve the minutes, Commissioner Barham **seconded**. The motion to approve the minutes **carried**, with Commissioners Woodruff, Peterson, Stole, Phillips, Kelleher and Barham voting "Aye", Commissioner Yorks voting "Nay". Ms. Lundeen asked if that meant she was denied an opportunity to testify, and the answer was affirmative, though Commissioner Peterson reiterated that Commission members could ask for further information if they felt it necessary. Ms. Lundeen asked for clarification that the attorney for the applicant had agreed to have a geological study done, as the minutes did not reflect this. City Planner Lewis indicated that the City's Code required a geological survey for any streets, utilities or buildings constructed on slopes of 20% or more.

3. CITIZEN COMMENTS AND CONCERNS: Ms. Lundeen asked about the status of any work on Norwood Drive, independent of this hearing. Chair Woodruff replied that the condition of the existing street was a City issue, not subject to the Planning Commission's purview.

4. CORRESPONDENCE: None.

5. PUBLIC HEARING - Continuation of Deliberation for Planned Development File #1-PD-PC-17, Vista View Planned Development: Commissioner Stole noted her concern regarding street width, and Commissioner Yorks agreed, indicating he felt that the requirement for no on-street parking could be unenforceable. Commissioner Stole asked

if Norwood Drive was considered a local street or a collector street and Commissioner Barham noted that it was defined as a local residential street in the Yaquina John Point Transportation Master Plan. A lengthy discussion ensued regarding street widths and standards and what would be appropriate for this development. Commissioner Woodruff moved to accept the planned development and to require a 26' street with a 4' sidewalk on one side, allowing parking on one side of the street, standard curb and gutter, and 2 off-street parking spaces per lot. It was confirmed that this would be the requirement for all the streets, not just the Norwood Drive connection. City Planner Lewis noted that if the Commission was asking for a 26' street and a 4' sidewalk, the curbs and gutters would take an additional 1' on either side, so the total right of way would have to be 32'. Commissioner York seconded, and the motion carried unanimously. City Planner Lewis clarified the changes to be made to the proposed findings, and suggested that the Commission meet in two weeks to approve those findings. Following discussion, Commissioner Peterson **moved** to set the meeting for December 18 at 2 p.m., and to continue the meeting to then to consider the findings. Commissioner Stole **seconded**, and the motion **carried** unanimously. It was noted that appeals, if any, could be initiated following the signing of those findings.

6. DISCUSSION/ACTION ITEMS: None.

7. COMMISSION COMMENTS AND CONCERNS: None.

8. ADJOURNMENT: At 3:40 p.m., there being no further business to come before the Commission, the meeting was adjourned.

Respectfully submitted,

Reda Q. Eckerman
City Recorder

APPROVED by the Planning Commission this ____ day of _____, 2017.

SIGNED by the Chair this ____ day of _____, 2017.

Ray Woodruff, Chair

**BEFORE THE PLANNING COMMISSION
OF
WALDPOR, OREGON**

Request for Planned Development

Case File #1-PD-PC-17

Applicant: Tidewater Development LLC

Agent: Dennis L. Bartoldus, Attorney

FINDINGS AND CONCLUSIONS

Nature of the Application

The proposed Vista View Planned Development is a planned 34 single family lot development on 7.75 acres. Lot sizes are proposed to range between 4,810 and 9,041 square feet.

Access to the development is proposed at the south end of Norwood Drive. This is the only legal access to the site. A second access is planned at the south end of the site. Within the property, a circular street system is proposed to access the lots/homes.

A tract of land along the north and east side of the property is proposed as open space. The applicant proposes the establishment of an easement and construction of a public nature trail through the open space, along the south edge of Lots 11-13, and south to Kelsie Lane.

Relevant Facts

The following is a summary of the facts and testimony found to be relevant to this decision.

- A. **Property Location:** The subject property is located at the south end of Norwood Drive; and further described on Lincoln County Tax Assessor's Map 13-11-19CC as tax lot 120.



B. Zoning: Residential Zone R-1

C. Plan Designation: Residential Single

D. Lot Size: 7.75 acres

E. Existing Structures: None

F. Topography: The majority of the property is gently sloped to the west. The highest point on the property is in the southeasterly portion of the property. The steepest slopes are on the north end and the northeasterly portion of the property. Most of the property that has steeper slopes is proposed for open space.

G. Surrounding Land Use: Single family residential development is generally located to the north and east (Norwood Heights Subdivision) with some undeveloped residential zoned property. Undeveloped residential zoned land and single family residential development (Forest Hills Subdivision) are south of the site. The U.S Forest Service Station and limited single family development is west of the site.

H. Utilities: The following utilities currently serve the subject property:

- a. Water: City of Waldport
- b. Sewer: City of Waldport
- c. Electricity: Central Lincoln P.U.D.

I. Development Constraints: There is a steep ravine and drainage way along the north and a portion of the east boundaries.

J. Public Testimony. Prior to the October 23, 2017 Planning Commission meeting, written testimony included eleven (11) letters from nearby property owners. A summary of concerns is provided below. All letters are herein incorporated into the record

- Is Norwood Drive capable of accommodating increased traffic? (2 letters).
- Norwood Drive is narrow (4 letters).
- Norwood Drive lacks pedestrian facilities, i.e. sidewalks (4 letters).
- Concern for appropriate roadway engineering and construction.
- Concern that drainage way and ravine improvements are according to city and state standards (2 letters).
- Proposed nature trail needs to be shown and have an appropriate route (2 letters).
- Who will pay for infrastructure?
- Opinion that a south access to Kelsie Ln. is more appropriate than a north access to Norwood Dr.
- Concern that this is a burden to taxpayers of Waldport.
- Is the land stable? Have geological studies been prepared?
- How will the watershed be protected and not impact fishing and commerce directly below in the bay?
- Are there ecological surveys on the water ways and impacts of runoff and rainfall?
- Request to expand the notification of the application and hearing to surrounding property owners.

At the October 23, 2017 Planning Commission meeting, the applicant's agent, Dennis L. Bartoldus, presented information, provided rebuttal to opposition, and answered questions. Oral testimony was provided by eight people including seven people in opposition and one in favor of the application.

**#1-PD-PC-17 Vista View Planned Development
Findings & Conclusions**

Concerns cited included potential drainage issues, the proposed trail access, impact of increased traffic on the existing Norwood Drive with regard to truck traffic during construction as well as property owner traffic upon completion, surrounding property notification requirements, street width and pedestrian access, fire/like safety, school bus and emergency vehicle access, geological hazards and erosion, affordable housing, and the timeline for the street extension to Kelsie Lane.

At the conclusion of the hearing, the Planning Commission kept the record open for a period of 14 days, to November 6, 2017 for the submission of additional information. The Planning Commission continued deliberations on the matter until December 4, 2017. Additional written testimony included additional applicant material, three letters by area residents, and the City Attorney's opinion on exactions related to questions regarding improvements to Norwood Drive.

Additional submittals on behalf of the applicant included a narrative addressing 1) The Issue of Commissioner Barham Hearing This Case, 2) Issues Raised by Opponents, 3) Addressing the Issue of Exactions; Maps and Photos; and Proposed Findings and Conclusions.

In summary, the three letters addressed concerns about geology, affordable housing, access, Norwood Drive traffic, impacts on existing streets and intersections, street width, pedestrians, fire safety and on-street parking, plans for growth and housing prices, impacts to existing undeveloped lots in the area, impacts to property and wildlife, density, infrastructure costs, burden on taxpayers, disruption during construction, impact to the watershed, ecological surveys, public trail, access to the south, emergency access, lot sizes, and lot width.

Regarding the City Attorney's opinion on exactions related to questions regarding improvements to Norwood Drive, the City Attorney stated, in part, that the planned development and related conditions (as currently drafted) appear to be roughly proportionate based upon the information provided. He states, in part, that to go beyond the specific conditions imposed upon the builder and demand additional public improvements is inadvisable.

At the December 4, 2017 Planning Commission meeting, the Commission continued deliberations including consideration of the additional material submitted by the November 6, 2017 deadline.

All written and oral testimony is herein incorporated into the record.

Relevant Criteria

Relevant Waldport Development Code criteria is identified below by title only. Full descriptions of relevant criteria were included as an attachment to the staff report and are herein incorporated into the record.

Chapter 16.12 Residential Zone R-1

Chapter 16.60 Planned Development Zone P-D (relevant sections)

Chapter 16.72.020 Off-street Parking and Off-Street Loading Requirements

Chapter 16.96 Development Guidelines

Chapter 16.100 Land Division

Waldport Comprehensive Plan – Yaquina John Point Land Use & Transportation Plan

Applicant's Proposal

The applicant originally submitted the application form and fee, a narrative describing the general nature of the request and addressing the information required for a land division/replat, Declaration of Conditions, Covenants and Restriction of Vista View, and a site plan showing the proposed street and lot layout, topography, water and sewer, open space, and public access easement for a nature trail. Following the October 23, 2017 Planning Commission, the applicant submitted the additional material identified above. All material submitted by the applicant is herein incorporated into the record.

Public Agency Comment:

The Waldport Public Works Department and the Central Oregon Coast Fire & Rescue District (COCFRD) provided the following comments related to water service and the proposed private street.

- The 20' street width within a 30' right-of-way is good as long as "No Parking" signs are posted. If the street width is a minimum 26' then parking would be allowed on one side of the street. (The applicant prefers the 20' width and no parking.)
- The City recommends construction of sidewalks at the time the street is constructed versus the request for sidewalks to be installed as each house is built.
- The Public Works Department and COCFRD request review and approval of engineering plans prior to construction. The developer shall be responsible for all costs the City incurs for review and approval of plans.

Following the December 4, 2017 Planning Commission meeting, COCFRD confirmed that a 26 foot pavement is adequate to allow for two travel lanes and parking on one side of the street.

Findings

The following is a summary of the Planning Commission findings:

1. Planned Development Request

The proposed Vista View Planned Development is a planned 34 single family lot development on 7.75 acres. Lot sizes are proposed to range between 4,810 and 9,041 square feet.

Access to the development is proposed at the south end of Norwood Drive. This is the only legal access to the site. A second access is planned at the south end of the site. Within the property, a circular street system is proposed to access the lots/homes.

A tract of land along the north and east side of the property is proposed as open space. The applicant proposes the establishment of an easement and construction of a public nature trail through the open space, along the south edge of Lots 11-13, and south to Kelsie Lane.



2. **Density**

Based on code criteria, the allow density based on the size of the property is 56 lots. The applicant is requesting 34 lots and requesting that the property be designated as a Planned Development.

3. **R-1 Residential Standards and Requested Planned Development Modifications**

R-1 residential standards address lot size and dimensions, yards (building setbacks), lot coverage, building height, and other standards. In a Planned Development modifications to the required standards may be requested. Modifications are requested for the minimum lot size and lot width.

In the R-1 zone the ordinance calls for 6,000 square foot lots. While the overall development exceeds this standard, twenty-three (23) of the lots being proposed are less than 6,000 square feet because of the amount of area created for open space. Of the twenty-three lots under 6,000 square feet, four are under 5,000 square feet (the smallest being 4,810). The remaining 19 lots under 6,000 square feet average 5,588 square feet. The standard R-1 lot width is a minimum 60 feet and 65 feet for corner lots. Modifications to the lot width are proposed per the submitted preliminary site layout. Some lots are less than 60 feet wide however all lots exceed a 50 foot width. In exchange for having some lots under 6,000 square feet and some less with less than a 60 foot lot width, the applicant is creating a large open space and creating an easement for a nature trail. The easement will be available for public use.

4. Proposed Streets and Extension of Norwood Drive

The Vista View PD proposes to provide vehicular access from Norwood Drive near the northwest corner of the property. This is the only legal access to the property. The street is proposed to extend south into the property, then a circular street will provide access to the lots.

The applicant proposed a 30' right-of-way width and a 20' pavement width. The standard per Waldport Development Code standard for a local street is a 56' right-of-way and minimum 28' pavement width. The standard street section for local streets is two 14' travel lanes, 2' curb and gutter, 5' sidewalk and 7' utility strip. This may be altered upon approval by the Waldport Public Works Department, utility companies, and the Planning Commission.

The Waldport Public Works Department and the Central Oregon Coast Fire & Rescue District (COCFRD) approve of the reduced right-of-way width and pavement width provided 'No Parking' signs are posted. The applicant would be required to improve Norwood Drive from the property to the existing Norwood Drive pavement (approximately 330 feet). If the development is approved for a sidewalk on one side versus both sides, the applicant will need to work with the City to determine the best side for a sidewalk. City staff recommended the sidewalk be installed when the street is constructed versus the applicant's request to install the sidewalk as each house is built.

The Planning Commission determined that there is a need for on-street parking on at least one side of the streets. The Commission determined an appropriate street section for the Vista View streets would be a minimum 26 foot wide pavement that would include one travel lane in each direction and parallel parking on one side of the street, a minimum 1 foot wide standard curb and gutter on each side, and a 4 foot wide sidewalk on one side for a minimum right-of-way width of 32 feet. The Planning Commission finds that the sidewalk shall be constructed when the street is constructed. The Planning Commission also determined that two on-site parking spaces would be required for each lot.

5. Proposed Street Extension to South Property Line

The street is proposed to extend to the south property line. This is consistent with the Waldport Comprehensive Plan – Yaquina John Point Land Use & Transportation Plan which calls for a Norwood Drive Extension (Project #S4) to “provide a new north-south connection from the south terminus of Norwood Drive to the new Forestry Way-Kelsie Way extension.”

The adjacent property to the south is undeveloped private property. The street would be extended south beyond the Vista View PD when the property to the south is developed unless the property owner agrees to have the street extended prior to development.

A traffic issue to consider is the capacity of Norwood Drive to adequately accommodate increased traffic from the Vista View development. Per the ITE Trip Generation Report, 8th Edition, a single family house generates 10 trips per day. The daily capacity of a two lane local street is 1,000 vehicles per day. There are 72 lots within the Norwood Heights subdivision including lots on Norwood Drive, Skyline Terrace, and Dolores Drive/Norwood Park Place. The Vista View PD plans for 34 lots which would result in 106 lots accessing Norwood Drive. Given this exceeds the recommended capacity, a consideration is to require the street extension to the south property line in Phase 2 of the Vista View Development. Phase 1 is proposed to have 19 lots which results in 91 homes accessing Norwood Drive if all lots in the Norwood Heights Subdivision and Vista View PD Phase 1 are developed. The Planning Commission finds the

street extension to the south property line will be required in Phase 2, following development of the Phase 1 19 lots.

The Planning Commission finds that each phase of development will be required to include an emergency vehicle turnaround. The turnaround will require approval of dimensions and materials by the Central Oregon Coast Fire & Rescue District prior to construction.

6. Open Space and Drainage Way

The drainage way and ravine along the northern and portion of the eastern edge of the property is proposed to be open space. This totals roughly 1.93 acres which is 25% of the property. The drainage way is identified in the Waldport Local Wetlands Inventory as a drainage way with no significant wetlands or riparian area. The developer or homeowners association would be responsible for maintenance of the open space.

In subdivisions or planned developments the city shall require the subdivider to pay a park assessment fee based on the size of the subdivision. The current park assessment fee to be charged to the developer, per Resolution No. 875, sets the fee at \$1 per square foot of 5% of the total acreage. Specifically stated: "The park assessment fee shall be assessed based upon gross acreage of the parcel to be subdivided, without deductions for rights of way or other easements, and the formula for calculating the fee is as follows: Gross parcel size (in sq. ft.) x .05 x rate per sq. ft. (\$1.00)." 5% of 7.75 acres is 0.3875 acres or 16,879.5 square feet. Therefore the total park assessment fee is \$16,879.50. The park assessment fee may be paid by phase.

7. Public Nature Trail

The applicant agrees to establish an easement and construct a public nature trail through the open space that would connect the east edge of the property to the west edge, and along the south edge of Lots 11-13, and south to Kelsie Lane. This would connect to a planned trail identified in the Yaquina John Point Land Use & Transportation Plan (Project #P12) that would connect the Norwood Drive extension to Hwy 101. The applicant and the City will need to work together to determine the best trail route given topographic constraints and future trail extensions.

8. Water, Sewer, Storm Drainage, and Other Utilities

Water and sewer are proposed to be placed within the street right-of-way. Sewer is proposed to extend west to an existing sewer pump station near Hwy 101. The applicant will need to coordinate with the City Public Works Department regarding sewer line routing and improvements. If the sewer connects to the existing pump station near Hwy 101, the applicant will need to provide upgrades to the pump station to accommodate increased flows. Water is proposed to connect to the existing city water system to the south in Kelsie Lane. Utility easements will be provided to the City as requested by the Public Works Director. All utilities shall be placed underground.

Final engineering plans for water, sewer, storm drainage, and streets must be reviewed and approved by the City Public Works Director. The developer shall be responsible for any costs incurred by the City to have a professional registered engineer review and approve development plans. Final engineering plans for water and the street shall also be reviewed and approved by COCRFD.

9. Off-Street Parking

WDC requires one parking space per single family dwelling. New single family homes are required to have one covered parking space, i.e. garage or carport. The Planning Commission

#1-PD-PC-17 Vista View Planned Development
Findings & Conclusions

finds that it is appropriate for each lot to have two on-site parking spaces in combination with parking on one side of the streets.

10. **Geotechnical Analyses.** The Planning Commission finds that, per WDC 16.96, site specified geotechnical analyses shall be required where development is proposed on slopes greater than twenty (20) percent.

11. **Conditions, Covenants and Restrictions (CC&Rs)**

The applicant provided the Declaration of Conditions, Covenants and Restrictions of Vista View (CC&Rs) (attached to this staff report). The CC&Rs include Architectural Control and Use Restrictions. The CC&Rs recognize and are in conformance with City of Waldport provisions and provide additional restrictions, e.g. size of homes, color and materials of homes, view protection, landscaping, etc.

12. **Phasing and Time Limits of a Preliminary PD Approval**

The applicant provides the following narrative regarding phasing and timing of development:

The applicant is planning on developing the property in up to 4 phases. The first phase would consist of what are shown as lot 11-24 and 25, 34, 33, 32 and 31 (19 lots). The additional phases would all consist of a series of additional lots. The exact number of lots developed in each phase would be determined by market conditions and the rate of sale of developed lots. The applicant is requesting 20 years to complete the four phases. In the event there is demand for lots, then phases may be combined for development and the 20 year period may be shortened. However, the applicant wants to be reasonable in its expectations of how quickly the lots will sell.

Currently, WDC 16.60.030 allows a preliminary plan approval per phase for 2 years with the possibility of three one-year extensions. The City has discussed amending this time limit to better reflect typical market conditions however that amendment has not yet occurred. The timing would begin upon approval of the preliminary plan. Therefore, assuming a January 2018 preliminary plan approval, the phasing plan would be as follows with the possibility of three 1-year extensions:

- Phase 1: January 2018 – January 2020
- Phase 2: January 2020 – January 2022
- Phase 3: January 2022 – January 2024
- Phase 4: January 2024 – January 2026



13. Final Plan Review Procedure

Requests for final plan approval of a planned development shall be accompanied by the following certifications:

- a. A certified copy of all covenants and restrictions;
- b. Certified copies of legal documents required for dedication of public facilities or for the creation of a homeowner's association;
- c. The certification, performance agreement or statement regarding the availability of water and sewerage services;
- d. As-built certifications for all required roads and utilities unless otherwise guaranteed by a performance agreement;
- e. A plat and one exact copy meeting the requirements of Section 16.100.060 of this chapter and ORS 92.050-92.100.
- f. A preliminary title report, lot book report, subdivision guaranty report or equivalent documentation of the ownership of the subject property, issued not more than thirty (30) days prior to the date the final plat is submitted for final approval. Such a report shall also identify all easements of record.

Final plan approval criteria. The Commission shall approve a final plan of a planned development, provided that the submitted final plan is in substantial conformance with the approved preliminary plan; and all of the certifications required above have been submitted in proper form.

Conclusions

Based on the above facts and findings, the Waldport Planning Commission finds:

- A. The Planning Commission finds the proposed development adheres to the purpose of a planned development.
- B. The Planning Commission finds the proposed development adheres to the general requirements of a planned development.
- C. This application and conceptual plan satisfy the provisions of the Waldport Municipal Code and Comprehensive Plan.

Order

It is ORDERED by the Waldport Planning Commission that the requested Planned Development be and is hereby approved. Said approval is subject to the following conditions:

This ORDER was presented to and approved by the Waldport Planning Commission on December 18, 2017.

1. **Planned Development.** Development shall occur in accordance with the approved plan including a maximum 34 single family lots on 7.75 acres. Access to the development shall be from the south end of Norwood Drive. A second access shall be provided for a future extension at the south end of the site. Within the property, a circular street system shall provide access the lots/homes. Streets shall have a minimum 26 foot pavement width within a minimum 32 foot right-of-way width. A tract of land along the north and east side of the property shall be maintained as open space. The applicant shall authorize an easement and construct a public nature trail through the open space that will connect the east edge of the property to the west edge, and continue along the south edge of Lots

#1-PD-PC-17 Vista View Planned Development
Findings & Conclusions

11-13, and south to Kelsie Lane. Any substantial change in the plan shall require a new application to be reviewed and approved by the Planning Commission.

2. **R-1 Residential Standards and Modifications.** Development shall occur in accordance with R-1 standards and the following modifications:
 - 2a. **Lot Area.** Twenty-three (23) lots may be less than 6,000 square feet including four (4) lots under 5,000 square feet. The smallest lot shall be not less than 4,810 square feet.
 - 2b. **Lot Width.** Lots shown on the proposed plat with an average lot width of less than 60 feet may be developed with lot widths less than 60 feet.
3. **Proposed Street and Extension of Norwood Drive.** The Vista View PD shall be accessed from Norwood Drive near the northwest corner of the property as shown on the submitted plan. Streets within the property shall be within public right-of-way. The street shall extend south into the property, then a circular street will provide access to the lots. The Vista View streets shall have a minimum 26 foot wide pavement with one travel lane in each direction and parallel parking on one side of the street, a minimum 1 foot wide standard curb and gutter on each side, and a 4 foot wide sidewalk on one side for a minimum right-of-way width of 32 feet. The sidewalk shall be constructed when the street is constructed. Two on-site parking spaces shall be provided for each lot.

Each phase of development shall include an emergency vehicle turnaround. The turnaround requires approval of dimensions and materials by the Central Oregon Coast Fire & Rescue District prior to construction.

Norwood Drive shall be improved from the property to the existing Norwood Drive pavement (approximately 330 feet) and include a minimum 26 foot wide pavement with curb and gutter, and 4 foot wide sidewalk on one side. The applicant shall work with the City to determine the best side for a sidewalk. The sidewalk shall be constructed when the street is constructed.
4. **Proposed Street Extension to South Property Line.** The street shall extend to the south property line to allow for future street extension to the south. The street extension to the south property line shall be constructed when the Vista View development exceeds 19 lots (Phase 2).
5. **Open Space and Drainage Way.** The drainage way and ravine along the northern and portion of the eastern edge of the property shall be dedicated as open space in accordance with the approved plan. The developer or homeowners association shall be responsible for maintenance of the open space.
6. **Park Assessment Fee.** A park assessment fee totaling \$16,879.50 shall be paid to the City. The park assessment fee may be paid by phase. The fee per phase shall be calculated as follows: Gross area of the phase x 5% x \$1 per square foot. The park assessment fee shall be paid prior to final approval of each phase.
7. **Public Nature Trail.** The applicant shall authorize an easement for a public nature trail through the open space that will connect the east edge of the property to the west edge, and continue along the south edge of Lots 11-13, and south to Kelsie Lane. The applicant shall coordinate with the City to determine the best trail route given topographic constraints and future trail extensions.
8. **Water, Sewer, Storm Drainage, and Other Utilities.** The applicant shall coordinate with the City Public Works Department on the design and construction of water, sewer, and storm drain facilities.

**#1-PD-PC-17 Vista View Planned Development
Findings & Conclusions**

If the sewer connects to the existing pump station near Hwy 101, the applicant shall provide required upgrades to the pump station to accommodate increased flows. Utility easements shall be provided to the City as requested by the Public Works Director. All utilities shall be placed underground.

Final engineering plans for water, sewer, storm drainage, and streets shall be reviewed and approved by the City Public Works Director. The developer shall be responsible for any costs incurred by the City to have a professional registered engineer review and approve development plans. Final engineering plans for water and the street shall also be reviewed and approved by COCFRD.

9. **Off-Street Parking.** New single family homes are required to have a minimum of two on-site parking spaces including at least one covered parking space, i.e. garage or carport.

10. **Phasing and Time Limits of a Preliminary PD Approval.** Phase 1 shall consist of 19 lots including lot numbers 11-24 and 25, 34, 33, 32 and 31 as shown on the submitted plan. The number of lots in additional phases shall be determined by market conditions and the rate of sale of developed lots. The street extension to the south property line shall occur in Phase 2. The phasing plan shall be as follows:
 - Phase 1: January 2018 – January 2020
 - Phase 2: January 2020 – January 2022
 - Phase 3: January 2022 – January 2024
 - Phase 4: January 2024 – January 2026

11. **Final Plan Review Procedure.** When the city planner determines that all of the certifications set forth below have been met and that the plat conforms in all respects to the tentative plan as approved, consideration of the plat will be placed on the next practical scheduled meeting of the Planning Commission for determination that all requirements have been met. The Commission shall then approve, disapprove or, when further information is required, postpone a decision on the plat. Requests for final plan approval of a planned development shall be accompanied by the following certifications:
 - a. A certified copy of all covenants and restrictions;
 - b. Certified copies of legal documents required for dedication of public facilities or for the creation of a homeowner's association;
 - c. The certification, performance agreement or statement regarding the availability of water and sewerage services;
 - d. As-built certifications for all required roads and utilities unless otherwise guaranteed by a performance agreement;
 - e. A plat and one exact copy meeting the requirements of Section 16.100.060 of this chapter and ORS 92.050-92.100.
 - f. A preliminary title report, lot book report, subdivision guaranty report or equivalent documentation of the ownership of the subject property, issued not more than thirty (30) days prior to the date the final plat is submitted for final approval. Such a report shall also identify all easements of record.

Ray Woodruff, Waldport Planning Commission Chair

Date