



CITY OF MCMINNVILLE  
PLANNING DEPARTMENT  
231 NE FIFTH STREET  
MCMINNVILLE, OR 97128

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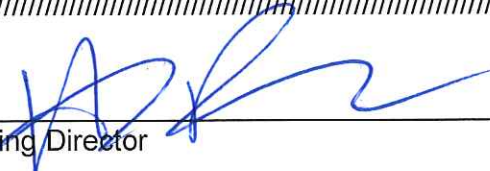
**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A SUBDIVISION AT 2326 NE EVANS STREET.**

- DOCKET:** S 2-17 (Subdivision)
- REQUEST:** The applicant is requesting a subdivision to separate an approximately 0.28 acre parcel of land into four (4) single-family attached parcels approximately 3,125 square feet in size.
- LOCATION:** The property is located at 2326 NE Evans Street and is more specifically described as Tax Lot 2200, Section 16BC, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site's current zoning is R-4 (Multiple-Family Residential).
- APPLICANT:** Bassitt Homes, LLC
- STAFF:** Chuck Darnell, Associate Planner
- HEARINGS BODY:** McMinnville Planning Director
- DATE & TIME:** July 3, 2017.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

**DECISION AND CONDITIONS OF APPROVAL**

Based on the findings and conclusions, the Planning Director **APPROVES** the subdivision (S 2-17) **subject to the conditions of approval provided in this document.**

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**DECISION: APPROVAL WITH CONDITIONS**  
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Planning Department:  Date: 7/3/17  
Heather Richards, Planning Director

**Application Summary:**

The applicant is requesting a subdivision to separate an approximately 0.28 acre parcel of land into four (4) single-family attached parcels approximately 3,125 square feet in size.

**CONDITIONS OF APPROVAL**

The following conditions of approval shall be required:

**S 2-17** is **approved** subject to the following conditions:

1. That, based on the size of the proposed parcels, the only use that will be permitted on the proposed parcels will be single family dwellings with a common wall between one other single family dwelling. The final partition plat shall identify that use on each parcel. The development of the common wall single family dwellings must be consistent with the site plans submitted with the tentative subdivision application, and must comply with all standards for that type of dwelling unit as described in Section 17.21.010(G) of the McMinnville Zoning Ordinance.
2. That the property owner(s) shall be responsible for providing water and electric service to each of the proposed parcels consistent with the requirements of McMinnville Water and Light. The electrical plans submitted with the subdivision application were reviewed but have not yet been approved by McMinnville Water and Light. All associated costs shall be borne by the applicant. Please contact McMinnville Water and Light at (503) 472-6158 to coordinate design review and extension agreement requirements for water and/or electric services to the site.
3. The applicant shall submit a draft copy of the subdivision plat to the City Engineer for review and comment which shall include any necessary cross easements for access to serve all the proposed parcels, and cross easements for utilities which are not contained within the lot they are serving, including those for water, sanitary sewer, storm sewer, electric, natural gas, cable, and telephone. A current title report for the subject property shall be submitted with the draft plat. Two copies of the final subdivision plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.
4. The applicant shall submit to the City Engineer, for review and approval, a utility plan for the subject site. At a minimum, this plan shall indicate the manner in which separate sanitary sewer, storm sewer, and water services will be provided to each of the proposed lots. Each lot will need to be served by a separate sanitary sewer lateral and connection to a public sewer main. Easements and maintenance agreements as may be required by the City Engineer for the provision, extension and maintenance of these utilities shall be submitted to the City Engineer for review and approval prior to filing of the final plat. All required utilities shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat.
5. If the proposed utility plan includes using the existing sanitary sewer lateral to the site, the applicant shall provide the City Engineering Department with a copy of a televised report of the condition of the existing sanitary sewer lateral. If necessary, the existing lateral will need to be repaired or replaced so that it is in compliance with the City's sewer ordinance prior to the recording of the subdivision plat.
6. The final plat shall include the dedication of a 10-foot utility easement along the site's Evans Street right-of-way for the placement and maintenance of required utilities.

7. Note that Evans Street will be repaved by the City during the summer of 2017. A grind and overlay of the street surface, the limits as determined by the City Engineer, will be required if any utility and other improvements require the cutting of the Evans Street pavement surface after the City's repaving project is completed. The grind and overlay, if necessary, shall be completed prior to the City's approval of the final subdivision plat.
8. At the time of building permits for the proposed lots, driveways shall be constructed to meet the applicable Public Right-of-Way Accessibility Guidelines (PROWAG) standards. Additionally, a sidewalk meeting current standards shall be constructed along the site's Evans Street frontage.
9. That approval of this tentative subdivision plat will expire 12 (twelve) months after the date of mailing of said approval. Upon written request, the Planning Director may approve a one-year extension of the decision pursuant to Section 17.53.075 of Chapter 17.53 (Land Division Standards) of the McMinnville Zoning Ordinance.

## **ATTACHMENTS**

1. S 2-17 Application and Attachments

## **COMMENTS**

Notification of the proposed tentative subdivision was provided to surrounding property owners within 100 feet of the site, consistent with the review procedure in Section 17.72.110 (Application – Director's Review with Notification) of the McMinnville Zoning Ordinance. Those that received the notification, and the general public, were provided with 14 days to provide comments or testimony on the proposal for consideration by the Planning Director. No testimony was received by the Planning Department.

This matter was also referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

McMinnville Engineering Department:

We have reviewed proposed S 2-17, and offer the following proposed conditions of approval: [...]

All of the proposed conditions of approval have been included above.

McMinnville Water and Light:

One existing water service at this site. Three additional needed. There will be costs to the applicant for these three additional services.

10' utilities easement required abutting NE Evans Street.

Electric plans submitted with this Subdivision Application not approved by MWL.

Yamhill County Public Works:

I have reviewed the subdivision application and find that it does not conflict with any County Public Works issues.

## **FINDINGS OF FACT**

1. Bassitt Homes, LLC is requesting a subdivision to separate an approximately 0.28 acre parcel of land into four (4) single-family attached parcels approximately 3,125 square feet in size. The property is located at 2326 NE Evans Street and is more specifically described as Tax Lot 2200, Section 16BC, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned R-4 (Multiple-Family Residential), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
3. Sanitary sewer and municipal water and power can serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. No comments in opposition have been received.
5. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

## **CONCLUSIONARY FINDINGS**

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

**GOAL V 1:** TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

*Policy 58.00: City land development ordinance shall provide opportunities for development of a variety of housing types and densities.*

*Policy 60.00: Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.*

**Finding:** The proposed subdivision satisfies Goal V 1 and Policies 58.00 and 60.00, in that the subdivision will create a variety of housing types and densities while also meeting the requirements of the existing underlying zoning district. The proposed use of common wall single family dwellings on the four new parcels is consistent with Policy 60.00 in that it will provide land-intensive and cost-effective development in an existing built environment.

**GOAL V 2:** TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

*Policy 68.00: The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.*

Finding: Goal V 2 and Policy 68.00 are satisfied in that the subdivision will allow for further development that is land-intensive and cost-effective. The property is located in an area that is already fully developed with urban services available to support additional residential development.

*Policy 99.00: An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:*

1. *Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
2. *Storm sewer and drainage facilities (as required).*
3. *Streets within the development and providing access to the development, improved to city standards (as required).*
4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*

Finding: Policy 99.00 is satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site.

**GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.**

*Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.*

*Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.*

*Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.*

*Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.*

*Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.*

*Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:*

1. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*

2. *Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
3. *Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
4. *Federal, state, and local water and waste water quality standards can be adhered to.*
5. *Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00, 144.00, 147.00 and 151.00 are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions. McMinnville Water and Light reviewed the proposed request, and a condition of approval has been included to ensure the development meets their applicable policies.

*Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.*

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

**GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.**

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the Planning Director's review of the request. Notification was provided to surrounding property owners, who were given the standard 14 days to provide written testimony. No testimony was received from surrounding property owners or from the broader community during the 14 day comment period.

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

R-4 Multiple-Family Residential Zone

17.21.010 Permitted uses. In an R-4 zone, the following uses and their accessory uses are permitted:

[...]

- G. A single-family dwelling having a common wall with one other single-family dwelling, provided:
1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.
  2. The dwelling shall have a common wall at the “zero” lot line.
  3. Each lot shall comprise not less than twenty-five hundred square feet in area.
  4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
  5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.
  6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.
  7. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty (50) as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.
  8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.

17.21.030 Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for common wall, single-family lots shall not be less than two thousand five hundred square feet per family.

17.21.040 Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet;
  - B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;
  - C. A rear yard shall not be less than twenty feet;
- [...]

Finding: The sections of the zoning ordinance above are satisfied in that conditions of approval will limit the use of the proposed parcels to those that would be allowed based on the proposed sizes of the parcels at 3,125 square feet. The proposed partition creates lots that meet the minimum lot size and density requirements, based on the proposed use of common wall single family dwellings. The proposed lot lines have been arranged to provide the ability for any new structure to meet necessary setback requirements, which will be required through the building permit process. A condition of approval has been included that will ensure that the construction of the common wall single family units conforms to the development standards in Section 17.21.010(G).

Land Division Standards – Subdivision:

17.53.070 Submission of Tentative Subdivision Plan. An application to subdivide land shall be submitted in accordance with the application submittal procedures as stated in Sections 17.72.020 through 17.72.070 and shall be reviewed and approved under the following procedure: A subdivider shall prepare a tentative plan together with improvement plans and other supplementary material required to indicate his general program and objectives, and shall submit 25 (twenty-five) copies of the tentative plan and supplementary data to the Planning Director’s office. The tentative plan need not be a finished drawing, but shall show pertinent information to scale in order that the review body may properly review the proposed development. Additionally, condominiums shall be processed under the provisions of ORS 100. All subdivision developments shall comply with the requirements of the Oregon Fire Code.

- A. Scale. The tentative plan shall be drawn on a sheet 18 (eighteen) by 24 (twenty-four) inches in size at a scale of one inch equals 50 (fifty) feet, or a reasonable engineer's scale for the sheet size. A smaller sheet size may be used provided that all required information is legible and is approved for use by the Planning Department.
- B. General Information. The following general information shall be shown on the tentative plan:
1. Proposed name of subdivision. No plan of a subdivision shall be approved which bears a name which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, 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 subdivision bearing that name. All plats must continue the block numbers of the contiguous subdivision plat of the same name last filed; Date, north arrow, and scale of drawing;
  2. Appropriate identification clearly stating the plan is a tentative plan;
  3. Location of the subdivision sufficient to define the location and boundaries of the proposed tract;
  4. Names and addresses of the owner(s), subdivider, engineer, and surveyor;
  5. In the event the subdivider plans to utilize the provisions of ORS 92.060 as pertains to "Delayed Monumentation," he shall notify the County Surveyor and Planning Commission and report said fact on the tentative plan;
  6. A subdivision guarantee report issued by a title insurance company in the name of the owner(s) of the land, showing all parties whose consent is necessary and their interest in the premises and all encumbrances, covenants, and other restrictions pertaining to the subject property.
- C. Existing Conditions. The following existing conditions shall be shown on the tentative plan:
1. The location, widths, and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features, such as section lines, city boundary lines, and monuments;
  2. The direction of slope by means of arrows or other suitable symbol;
  3. The location of at least one temporary bench mark, on established City datum, within 200 feet of the plat boundaries; -
  4. The location and direction of water courses, and the location of areas subject to flooding on a probability frequency one (1) percent or greater;
  5. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees. Areas noted in the Comprehensive Plan, Volume I Background Element, Chapter VII, The Parks and Recreation and Open Space Master Plan (1999), as potential open space lands should be identified;
  6. Existing uses of the property, including location of existing structures to remain on the property after platting.
- D. Proposed Plan of Subdivision. The following information shall be included on the tentative plan:
1. The location, width, names, approximate grades, and radii of curves of streets. The relationship of streets to any existing streets and to any projected streets as shown on the McMinnville Comprehensive Plan Map 1980, as amended, or as identified in the McMinnville Comprehensive Plan text and Transportation System Plan, or as may be suggested by the Planning Commission in order to assure adequate traffic circulation;
  2. The location, width, and purpose of easements;
  3. The location and approximate dimensions of lots and the proposed lot and block numbers;
  4. Sites, if any, allocated for purposes other than single-family dwellings, such as multiple-family dwellings, parkland, open space common areas, etc.
  5. Access. As required by the Oregon Fire Code, a minimum of two access points is required when more than 30 (thirty) one-family or two-family dwellings or one-hundred multi-family units are being served.



- E. Partial Development. If the tentative subdivision plan pertains to only part of the tract owned or controlled by the subdivider, the requirements of Section 17.53.090 (future development plan) shall apply.
- F. Explanatory Information with Tentative Subdivision Plan. The following information shall be required by the Planning Commission or staff and if it cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:
  - 1. A vicinity plan, showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision, and showing how proposed streets and utilities may be extended to connect to existing streets and utilities;
  - 2. Proposed deed restrictions, if any, in outline form;
  - 3. The location of existing sewers, water mains, culverts, drain pipes, and electric lines and elevations of sewers at points of probable connections within the subdivision and in the adjoining streets and property;
  - 4. Special studies of areas which appear to be hazardous due to local conditions such as inundation or slippage;
  - 5. Contour lines related to an established bench mark on city datum and having minimum intervals as follows:
    - a. For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed;
    - b. For slopes of five (5) percent to 15 (fifteen) percent: two (2) feet;
    - c. For slopes of 15 (fifteen) percent to 20 (twenty) percent: five (5) feet;
    - d. For slopes of over 20 (twenty) percent: 20 (twenty) feet.
- G. Supplemental Plans with Tentative Subdivision Plans. Any of the following plans may be required by the Planning Commission or staff to supplement the plan of subdivision:
  - 1. Approximate center line and right-of-way profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of the streets and the nature and extent of street construction. Where any cut or fill will exceed three (3) feet in depth, a cross section of the road shall also be submitted.
  - 2. Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.
  - 3. If lot areas are to be graded, a plan showing the nature of cuts and fills exceeding five (5) feet, and information on the character of the soil. (Ord. 4920, §4, 2010)

Finding: The proposed subdivision application included the required information and all information that was deemed necessary by the Planning Director.

17.53.071 Preliminary Review of Tentative Subdivision Plan. Upon receipt, the Planning Department shall distribute copies to appropriate officials and agencies designated by the City. In addition, coordination of the tentative plan should be made with affected county, state, and federal agencies, and all affected special districts. These officials and agencies shall be given a reasonable time to review the plan and to suggest any revisions that appear to be indicated in the public interest. A tentative plan for a subdivision with up to 10 (ten) lots shall be reviewed by the Planning Director in accordance with Section 17.72.110. A tentative plan for a subdivision with more than 10 (ten) lots shall be subject to Planning Commission review as required in Section 17.72.120.

Finding: The proposed subdivision application was distributed to the appropriate officials and agencies through the Planning Department's standard application review process. Comments received by the Planning Department from those official and agencies have been incorporated into the conditions of approval.

17.53.073 Preliminary Approval of Tentative Subdivision Plan.

- A. It shall be the responsibility of the Engineering Department and Planning Department to review a tentative plan to insure that it substantially conforms to the requirements of this chapter prior to the submittal of the plan to the
- A. Commission. The Planning Director may refuse to submit a tentative plan to the Commission if it is found that it does not substantially conform to the chapter requirements.
- B. Upon finding that a tentative plan substantially conforms to the requirements of this chapter, the Planning Director shall either approve the plan or approve the plan with conditions (for subdivisions with up to 10 lots). When the plan is for a subdivision with more than 10 (ten) lots, the plan along with the reports of appropriate officials and agencies shall be submitted to the Commission for review at its earliest practicable meeting.
- C. The decision of the Planning Director may be appealed to the Planning Commission as provided in Section 17.72.170. The decision of the Planning Commission may be appealed to the City Council as provided in Section 17.72.180. Approval of the tentative plan shall indicate approval for preparation of the final plat if there is no substantial change in the plan of the subdivision and if the subdivider complies with the requirements of this chapter.

Finding: The proposed subdivision, along with the conditions of approval, conforms with the requirements of a tentative subdivision and with the requirements of the underlying R-4 (Multiple-Family Residential) zoning district in terms of use, lot size, and setback requirements. Therefore, the Planning Director has approved the subdivision application, and the decision of the Planning Director may be appealed as described above.

17.53.105 Lots.

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.
  - 1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.
- B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family, common wall, or duplex residential use, unless no other access point is practical.

[...]

Finding: The lot sizes being proposed are unique, in that the lots will be 25 feet wide and 125 feet deep. This exceeds the usual standard for lot shape, which is that the depth of the lot not ordinarily exceed two times the average width. However, the code allows for some variation in lot shape, so long as the lot size, width and shape are appropriate for the location of the subdivision and for the type of use contemplated. The proposed common wall single family dwellings are a building type that could be constructed on a 25 foot wide lot and still leave adequate space and light between buildings. In addition, the proposed layout of the common wall single family dwelling units is to have two separate buildings with only two dwelling units attached to each other. The overall form of the proposed layout will be consistent with the form of two typical duplexes that would be side-by-side. This layout provides for additional open space between the buildings, and also allows for more green space in the front yard between driveways. This layout and building form will be more consistent with the surrounding area and will provide a transition from the higher density apartments to the east down to the surrounding single family development. The applicant has also provided evidence of other residential dwelling units in the city that have been developed on similar sized lots, which provides evidence that the common wall single family dwelling units can be constructed in such a way as to

blend into surrounding residentially developed areas. Therefore, the lot size and width is appropriate for the location and for the type of use being proposed.

Each lot will have a street frontage of 25 feet, which meets the minimum lot width for access. A condition of approval has been included to require that driveways and sidewalks meeting the applicable Public Right-of-Way Accessibility Guidelines (PROWAG) standards be constructed at the time of building permits.

A condition of approval will require that the final plat only allow for the development of common wall single family dwellings, and that the final development be consistent with the site plans provided during the tentative subdivision review.

CD:sjs