LAND MANAGEMENT DIVISION

LAND USE APPLICATION
Preliminary Investigation
Beaches and Dunes Combining Zone

PUBLIC WORKS DEPARTMENT *125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 682-3807*

For Office Use Only: *FILE #* PA105822 *CODE:* **AHCL** *FEE:* $1380

Applicant (print name): BENEDICK HOLDINGS LLC.

Mailing address: 27922 WARD LANE, EUGENE, OREGON 97402

Phone: (541) 688-6402 ~~(10,22)~~ Email: ejbenedick@msn.com

Applicant Signature: Sharla A Whitten

Agent (print name): EGR & ASSOCIATES

Mailing address: 2535 B PRAIRIE ROAD, EUGENE, OREGON 97402

Phone: (541)688-8322 Email: clintbeecroft@egrassoc.com

Agent Signature: Clint Beecroft

Land Owner (print name): BENEDICK HOLDINGS LLC.

Mailing address: 27922 WARD LANE, EUGENE, OREGON 97402

Phone: (541)688-6402 Email: ejbenedick@msn.com

Land Owner Signature: Sharla A Whitten

LOCATION

Township	Range	Section	Taxlot
18S	12W	10 ~~40~~ 18.12.10.34	400, 401 & 801

VACANT - NONE
Site address

PROPOSAL: A request for a Preliminary Investigation in accordance with Lane Code 10.270 (for land inside an Urban Growth Boundary) or ~~Lane Code 16.243 (for land outside an Urban Growth Boundary).~~

This application is based on objective evidence and is not a land use decision; therefore, the decision is not subject to public notice and may only be appealed by the applicant.

Exhibit K58-C

Beaches and Dunes Combining Zone
Preliminary Investigation Application for
Idylewood Fourth Addition
Additional Information

Copy

PHYSICAL FEATURES: Describe the site. Identify any steep slopes, water bodies (creeks, ponds, etc.) or other significant features. Include additional pages if necessary.

The subject property is best understood if we describe different sections separately as follows:

1) The northerly section of the site - generally consisting of the following proposed lot numbers 1-19;

2) The central and westerly portion of the site – generally consisting of the following proposed lot numbers 20-41 and 57-62;

3) The southerly section of the site - generally consisting of the following proposed lot numbers 42-56 and;

4) The easterly portion of the site not proposed for development.

A detailed discussion of the required grading and vegetation removal for each section is presented below.

It is important to note that other than for specifically surveyed transects, little accurate topographic information is available for this site. Available topographic mapping for the site was developed via aerial photographic means and due to the presence of extra-ordinarily thick vegetation is completely unreliable. In May of 2005, Applicant applied for and obtained from Lane County authorization to clear a portion of the site along proposed road alignments in order to obtain more accurate survey data on the site (Idylewood 5th Addition Limited Clearing Plan, Florence, Oregon, May 16th, 2005 prepared by EGR & Associates, Inc.). Elevations and features described herein were determined as a consequence of that clearing action and the survey data compiled after clearing occurred.

The northerly section of the site - generally consisting of the following proposed lot numbers 1-19;

This area of the site is characterized by multiple well-stabilized inactive sand dune formations and dense vegetation. Topography varies across this portion of the site from an elevation of less than 82 feet MSL in the lowest areas to a high of approximately 123 feet MSL. This area of the site is bordered on the west by the Idylewood and Idylewood First Addition Subdivisions, on the north by the Heceta South Subdivision, and on the east by a coastal lake formation (see description of the easterly portion of the site below).

The geology of this portion of the site displays a classically formed transverse dune/deflation plain formation with relict incisions formed by the interplay between historic wind and water movements across the formation. These formations developed as the dune formation was formed with intermittent periods of sand blowing across the deflation plain and then being washed away by seasonal or cyclical movement of water across the deflation plain. These topographic incisions and the associated remnant sand between them are close together and steeply inclined where forces of erosion removed the sand placed by seasonal winds. Similar relict incisions can be observed across the Heceta South Subdivision to the north of the subject property. These relict features are neither active nor considered to be significant geologic features and are proposed to be graded and stabilized in conjunction with the development. Average slopes across this portion of the site in an east-west orientation are approximately 6%.

The easterly fringe of this portion of the site drops abruptly at the lee side of the dune formation by as much as 35 to 40 feet and at a slope of approximately 50% to the edge of the coastal lake formation described below (see description of the easterly portion of the site). This "ridge" along the top of the old dune feature is at an elevation of approximately 110 feet MSL near the Heceta South Subdivision, rises to a peak of approximately 123 feet MSL approximately 250 feet south of the Heceta South Subdivision, and then falls to an elevation of approximately 100 feet MSL in the vicinity of proposed lot 23.

Another narrow interim dune peak also occurs and lying along a north-south orientation beneath the proposed north-south extension of Oceana Drive and the proposed utility easement south of Oceana Drive. Peak elevations along this alignment vary from approximately 100 feet MSL to 118 feet MSL.

Further west, the site is generally flatter with elevations varying from approximately 85 feet MSL to approximately 95 feet MSL but being incised by the aforementioned erosional actions.

Proposed Lots 24-28 and Lot 62 topographically transition from the features described herein to the portion of the site described below and included therein as the central and westerly portion of the site.

The central and westerly portion of the site – generally consisting of the following proposed lot numbers 20-41 and 57-62

This area of the site is characterized as a relatively flat and well-stabilized inactive sand dune formation covered with dense vegetation. Topography varies across from an elevation of less than 86 feet MSL in the lowest areas of the site to a high of approximately 92 feet MSL. This portion of the site is bordered on the west by the Idylewood First Addition Subdivision, on the north by the northerly section of the site as described above, and on the east by a coastal lake formation (see description of the easterly portion of the site below).

The geology of this portion of the site displays a subtle transverse dune/deflation plain formation with the highest elevations occurring along the proposed Bear Run Road alignment. Associated housing will also be located along this highest area of this portion of the site.

Minimal clearing and grading will be required on this portion of the site for development to occur.

The southerly section of the site - generally consisting of the following proposed lot numbers 42-56 and;

This area of the site is characterized by multiple well-stabilized inactive sand dune formations and dense vegetation. Topography varies from an elevation of less than 88 feet MSL in the lowest areas to a high of approximately 140 feet MSL. This portion of the site is bordered on the north by the Idylewood First Addition Subdivision and the central and westerly portion of this proposed subdivision, on the south and west by the Idylewood Second Addition Subdivision, and on the east by public lands.

The geology of this portion of the site displays a series of irregularly located high and low features suggesting that when the dune site was active it was subject to irregular and changing local influences resulting in other than "classically formed transverse" (south-west or north-west trending) dune/deflation plain formations. These relict features are neither active nor considered to be significant geologic features and are proposed to be graded and stabilized in conjunction with the development. Because of the odd orientation of these features, there are no "average slopes" across this portion of the site.

In order to provide access to this site with roadways meeting conventional design standards and to avoid adversely impacting adjacent neighboring properties, grading activity will be required during project development.

The easterly portion of the site - not proposed for development.

This area of the site is characterized as a coastal lake formation and also has a Lane County Planning PW-RCP zoning overlay. Seasonally and cyclically, water levels rise and fall across this portion of the site in response to movements in groundwater levels. Distinct areas of predominantly water are separated by interim ridges of higher ground vegetated with upland vegetation. Water levels between these distinct water bodies varies in response to the regional groundwater gradient that slopes approximately one foot in 400 feet in the vicinity of the project in an east-west orientation toward the Siuslaw River approximately one mile to the west.

The geology of this portion of the site displays deflation plain characteristics except as separated by the separating sand formations described above. Elevations of this portion of the site are generally flat and vary from lows of 80 to 82 feet MSL to highs of approximately 90 feet MSL along the dividing sand formations.

During some years, when the seasonal and cyclical groundwater levels are low, most of this area is devoid of water and the site takes on the physical appearance of a coastal bog. When seasonal and cyclical groundwater levels are high, the site takes on the characteristics of a shallow water body.

No known channelized inflow or outflow channels exist from these features and the site is understood to be solely a reflection of groundwater levels.

No development, clearing, or grading is proposed for this portion of the site.

APPROVAL CRITERIA

(a) Explain why your proposed vegetation clearance is not excessive:

The required clearing area is the minimum that will be necessary in order to construct roads, utilities, and to provide suitable building locations for the proposed development. In areas where irregular topography exists and proposed overall grading will occur, re-vegetation and sand stabilization will occur within the timelines required by other sections of this code. We consider this course of general grading and then re-vegetation to provide less overall disruptive impact than would occur if only road and utility infrastructure areas were initially cleared and graded and then followed on a case by case random basis as lots are developed one at a time with grading impacts and/or structural damage potentially occurring across proposed lot lines.

As previously described, some proposed roadway alignments were cleared of vegetation in 2005 in conjunction with an approved limited clearing plan and five years later, the impact of this clearing can hardly be discerned.

Portions of the site that do not require grading or installation of roads or utility infra-structure are not proposed to be cleared at the time of Subdivision development.

(b) Vegetation free areas which are suitable for development shall be used instead of sites which must be artificially cleared.

If you are not using the vegetation free area, explain why:

Generally speaking, vegetation free areas of the site are not suitable for development as they occur on portions of the site overlain by seasonal water bodies that are protected by other sections of Lane Code and that are proposed to remain in a common area or eventually be dedicated to a public or conservation agency.

(e) Development shall result in the least topographic modification of the site as is possible.

Does your plan comply with this requirement? Explain:

Yes. Grading activity will generally coincide with the above described clearing activity. The proposed grading activity and the proposed clearing activity are the minimum that will be necessary in order to construct roads, utilities, and to provide suitable building locations for the proposed development.

(f) Slopes in excess of 25 percent shall be prohibited from development.

Do you plan to disturb any slope greater than 25%? If yes, explain:

Yes, on a localized basis (a few feet to tens of feet) existing slopes over portions of the site are in excess of 25% due to erosional incision and/or irregular and highly localized forces during dune formation. During prior conversations with Lane County Planning staff, these localized slopes were discussed in the context of the Code's intent. As we understand the intent of the Code, it is to prevent uncontrolled development on slopes that are, or may be unstable so as to minimize property damage to existing and future development. Because most of these steeper slopes are localized, grading activity on the site can occur in a manner that eliminates slopes in excess of 25% from the proposed development areas while preserving the significant features of the site and maintains buffer areas adjacent to existing development, remaining slopes in excess of 25%, and areas subject to the PW-RCP zoning overlay.

Development of this property cannot occur without this localized grading activity because roadways could not be built.

Because of the aforementioned topographic irregularities over certain areas of the site, we propose to mass grade the internal portions of the site where roadways and building pads will be located. This approach will minimize future disturbance by completing all required clearing and grading at one time. In so doing, vegetation will be allowed to promptly re-establish itself and remain generally undisturbed at the time of lot development except where structures are located. This will minimize the potential impacts of sporadic lot development (anticipated with the poor building market) and disturbance that could cross lot lines if not completed at the time of subdivision development.

The nature of other development in this area is to maintain vegetative buffers between adjacent dwellings. It is the Developer's intent to maintain to the maximum extent possible, this development nature with this subdivision. By mass grading only those areas that must be graded for development to occur and completing most required clearing activity at the time of development of the subdivision, these internal buffer areas will be re-established sooner and prior to most lot development activity occurring.

Specific grading plans will be submitted with design drawings for the subdivision. As indicated above, the proposed grading activity and the proposed clearing activity will be the minimum that will be necessary in order to construct roads, utilities, and to provide suitable building locations for the proposed development.

I&A - about no vegetation removed w/in 50' setback of PW zone.

10-09

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Copy

KENDALL Jerry

From: Clint Beecroft [clintbeecroft@egrassoc.com]
Sent: Tuesday, June 07, 2011 10:26 AM
To: KENDALL Jerry
Subject: RE: Benedick Subdiv.

Jerry,

Thank you for your initial comments regarding the beaches and dunes preliminary investigation application. To what extent will the requirements of LC10.270-35(6) be applied to this site with respect to grading on steep slopes? In other words, one extreme case would be a site represented predominantly by slopes greater than 25% and thus the entire site would not be developable according to this code section while a site that is relatively flat with no slopes in excess of 25% would not be subject to this code section. As with your interpretation of LC 10.270-35(5), I assume that you will be looking for a balance between the two extremes with respect to development on sites with only minor steep slopes such as the proposed Idylewood site?

A majority of the slopes on the proposed development site is less than 25%; however, as described in the physical features section of the /BD application, there are some slopes that exceed 25%. For example, relict incision formations located on the northerly section of the site may have short slopes that exceed 25% in some areas, but the overall slope of this section of the site is approximately 6% east to west. As discussed in the /BD application these relic features are proposed to be graded and stabilized in conjunction with the development.

Another example is the southerly section of the site which is characterized by multiple well-stabilized inactive sand dune formations with varying slopes from relatively flat to in excess of 25%. Due to the odd orientation of these features there are no average slopes across this portion of the site. In order to provide access to this site with roadways, and connection to Cloudcroft Lane to the south as suggested by City/County comments, grading activity will be required during project development that will generally level these dune formations such that a majority of these slopes will be less than 25% after initial grading activities are complete and cannot be avoided.

I am aware that past interpretations of this code section for development projects that EGR designed has allowed grading on slopes in excess of 25% where the overall site slopes on average were less than 25%. These projects were reviewed by John Petsch with Shane Hughes as the lead engineer for EGR.

Clint

From: KENDALL Jerry [mailto:Jerry.KENDALL@co.lane.or.us]
Sent: Monday, June 06, 2011 4:53 PM
To: 'Clint Beecroft'
Subject: Benedick Subdiv.

Clint:

1.) I checked with some County staff and yes, the County owned tax lot 1600 (18-12-10.4) was acquired from the Siuslaw Nat. Forest back in 1970 for public park use, so yes we will want to see access to it established as the City so mentioned on p.1-2 of its referral.

2.) Re: your question on the /BD requirements and the concern that when you re-do the preliminary sub. layout and reconfigure lots that I (the County) don't come back later and say you overdid it and need to adjust again... about all I can say is it is a balance of sorts. I'll use hyperbole to illustrate:

-If you came back with a scenerio where every lot and roads was one level, it would violate the "...least topographic modification..." standard (LC 10.270-35(5).

- On the other hand, we need to realize that the above standard is advisory and somewhat subjective and leaves your client open to appeal, as one could argue that any modification is not the "least topographic modification".

FILE # PA _____

EXHIBIT # _____

I'm looking for you to present a reconfigured site plan that is a balance between the two above extremes. My role is to evaluate what is presented (and not to do the designing).

I would like to point out LC 10.270-35(6), which prohibits development on slopes greater than 25%. That standard may be a bit more difficult to meet with a long linear road layout, but you certainly would need to avoid creating a lot which is predominantly 25% slopes so that there is no buildable room left. In other words, if that occurs, I recommend combining lots or making some bigger.

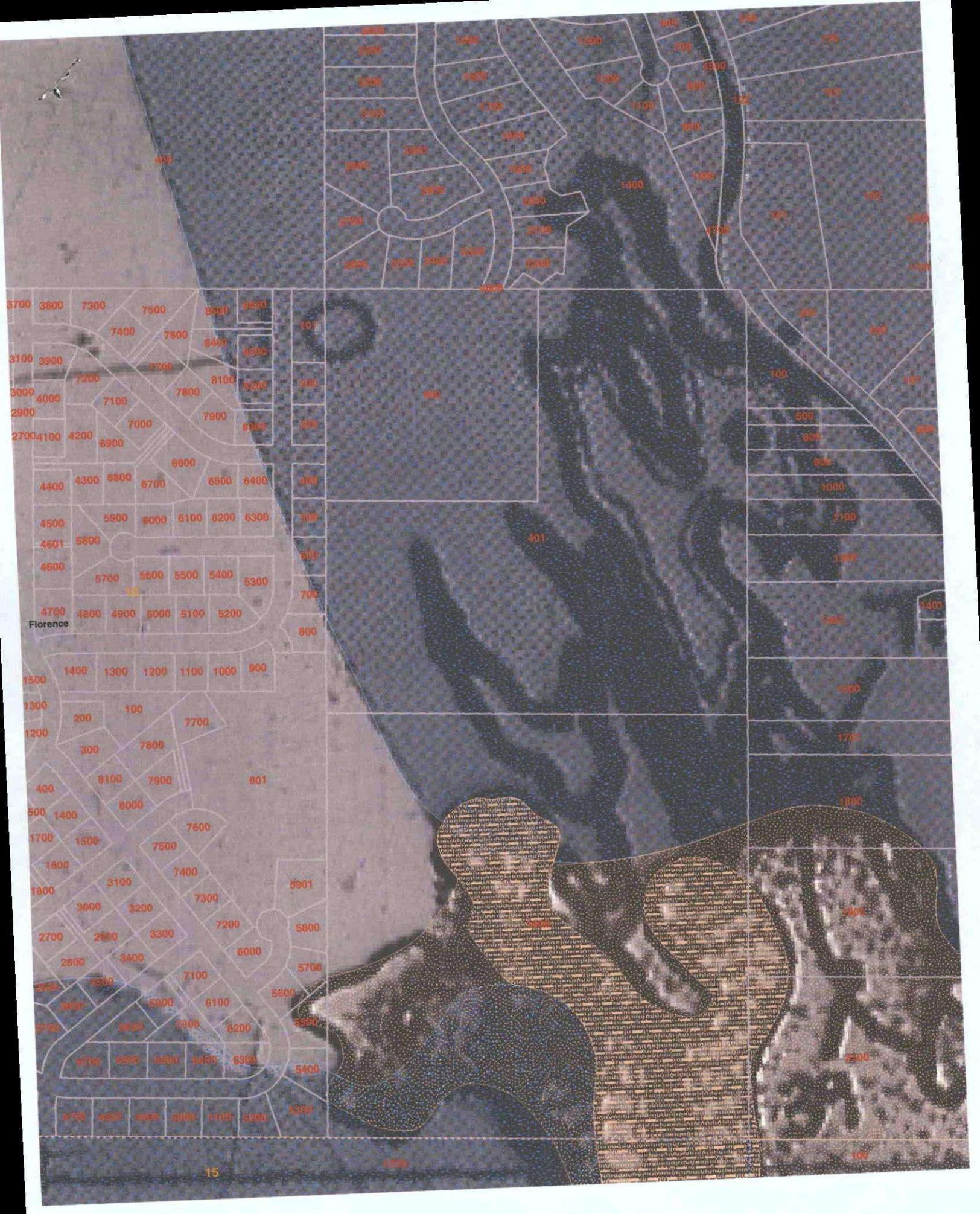
I do ask that when you submit the reconfigured plan, that you provide a copy that shows all pre-existing grades that are greater than 25%.

I hope that helps as a followup to our meeting of June 1

FYI, I am out of the office June 13-22.

Regards.

Jerry Kendall/Associate Planner/Lane County Oregon
PSB/LMD
125 E. 8th Ave.
Eugene, Or. 97401
ph: 541-682-4057
FAX: 541-682-3947
Jerry.Kendall@co.lane.or.us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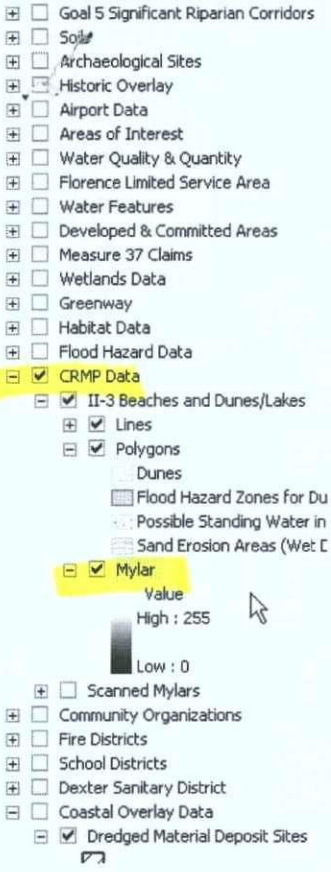
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Historic Overlay
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Areas of Interest
Water Quality & Quantity
Florence Limited Service Area
Water Features
Developed & Committed Areas
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Wetlands Data
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Habitat Data
Flood Hazard Data
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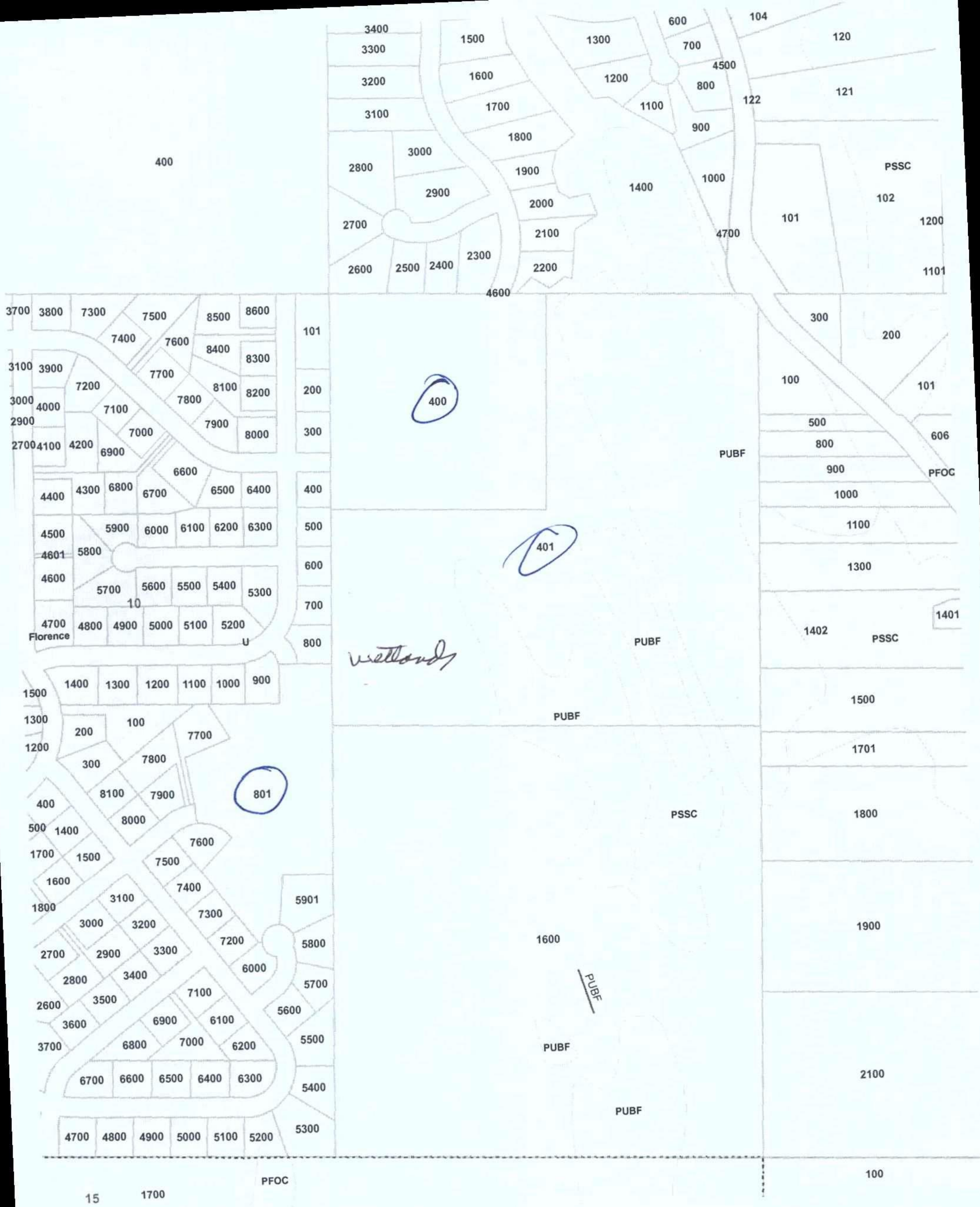
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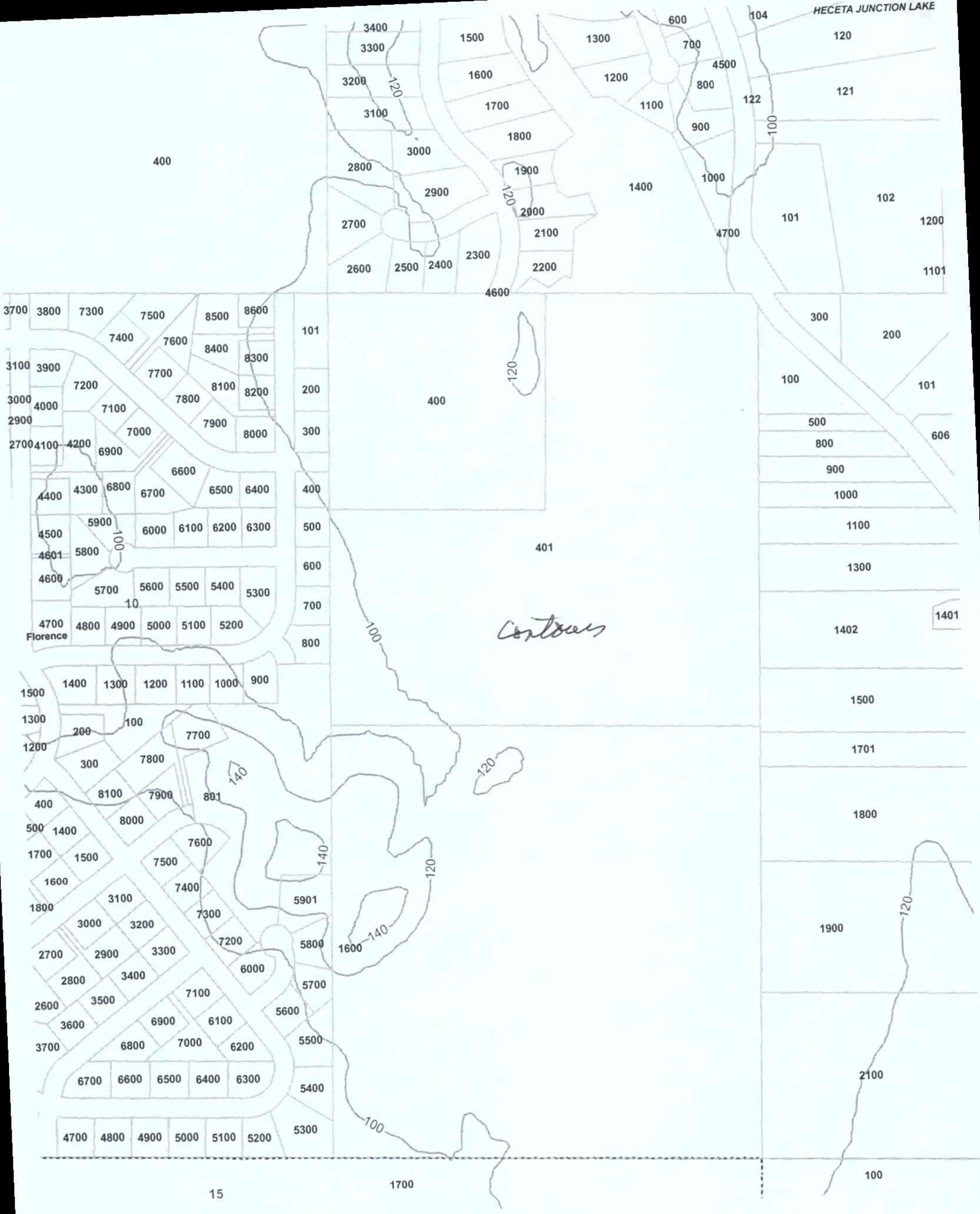
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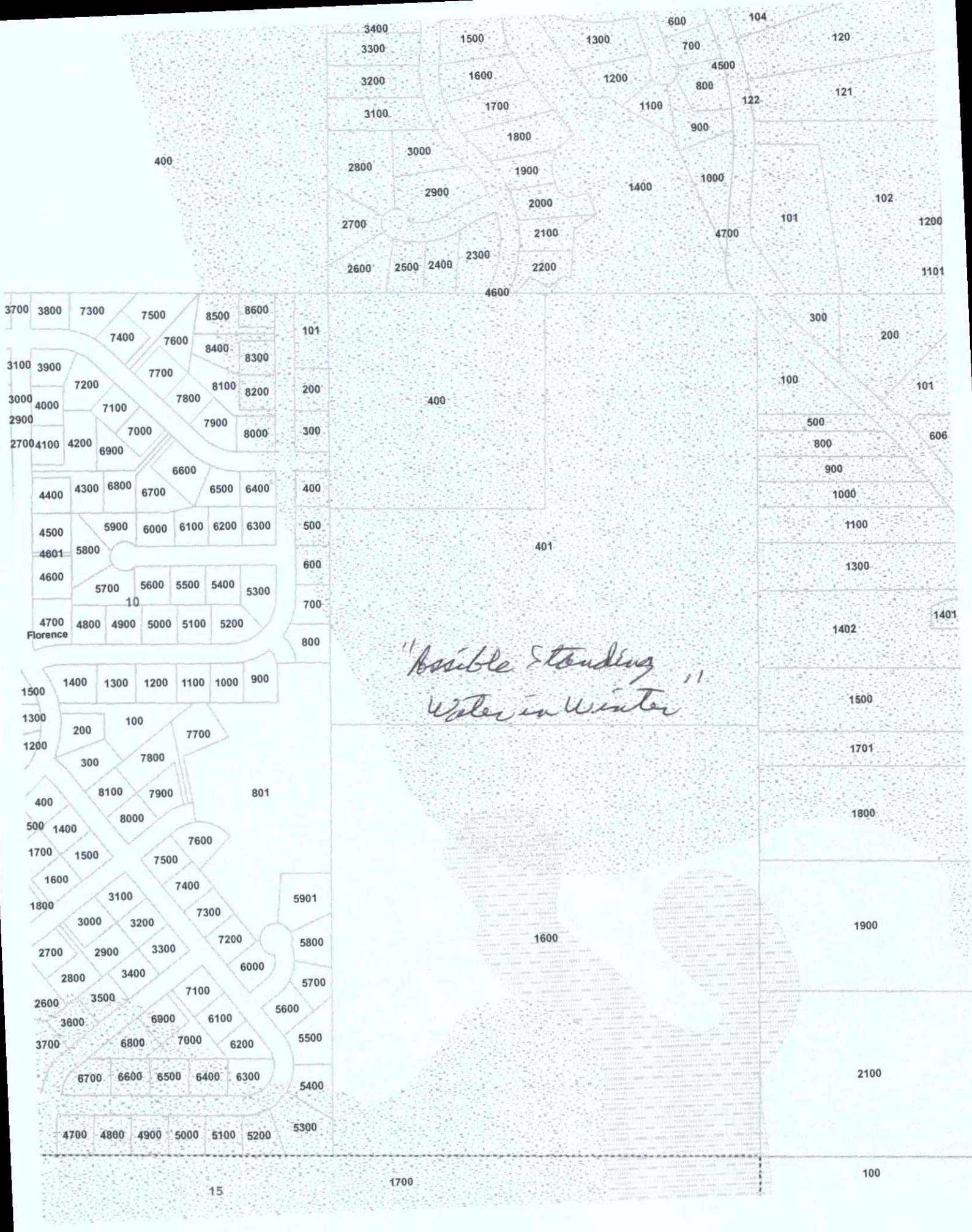
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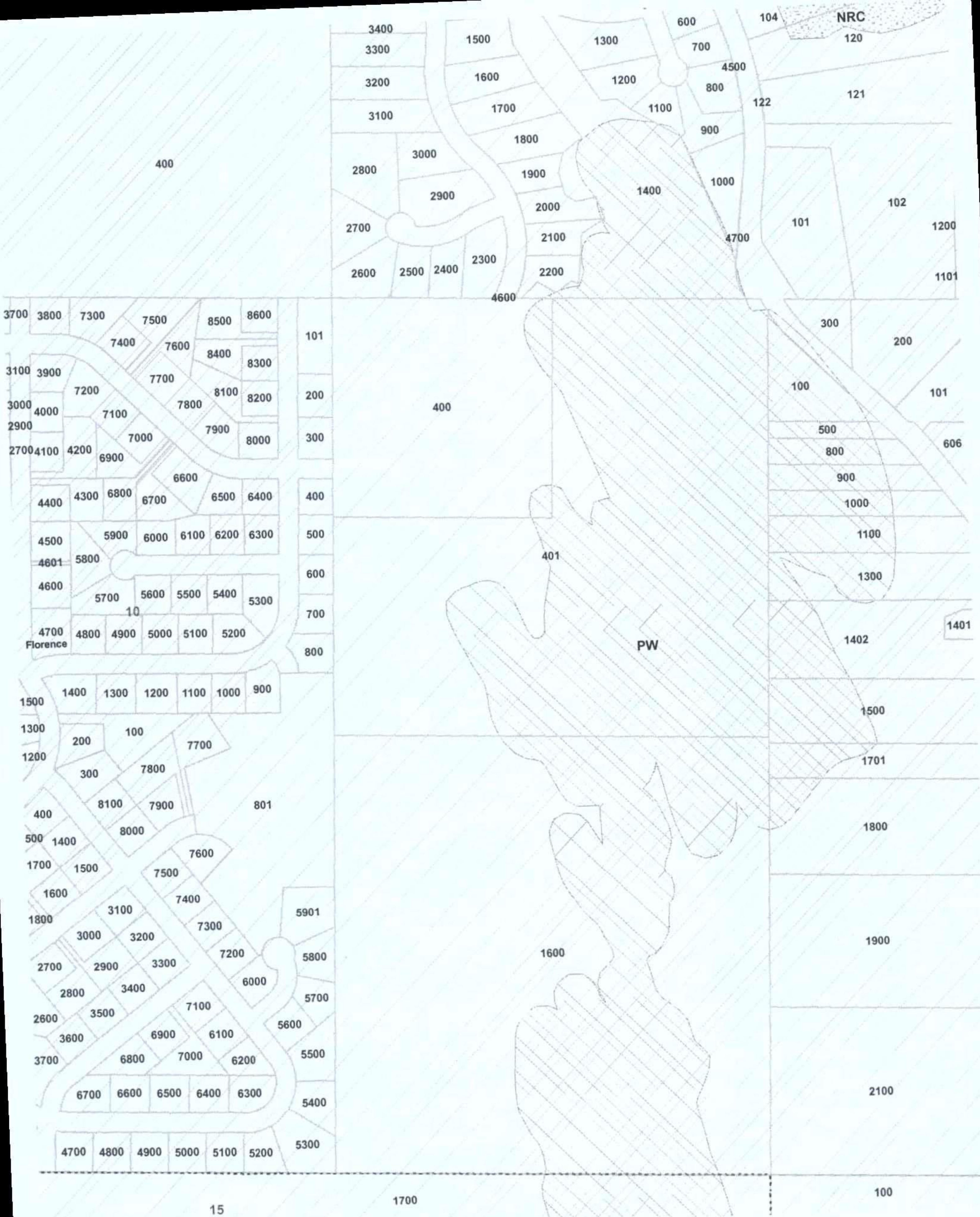
"Visible Standing Water in Winter"



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LAND MANAGEMENT DIVISION

LAND USE APPLICATION
Preliminary Investigation
Beaches and Dunes Combining Zone

PUBLIC WORKS DEPARTMENT *125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 682-3807*

For Office Use Only: FILE # PA105822 CODE: **AHCL** FEE: $1380

Applicant (print name): BENEDICK HOLDINGS LLC.

Mailing address: 27922 WARD LANE, EUGENE, OREGON 97402

Phone: (541) 688-6402 ~~(8722)~~ Email: ejbenedick@msn.com

Applicant Signature: Sharla A Whitten

Agent (print name): EGR & ASSOCIATES

Mailing address: 2535 B PRAIRIE ROAD, EUGENE, OREGON 97402

Phone: (541)688-8322 Email: clintbeecroft@egrassoc.com

Agent Signature: Clint Beecroft

Land Owner (print name): BENEDICK HOLDINGS LLC.

Mailing address: 27922 WARD LANE, EUGENE, OREGON 97402

Phone: (541)688-6402 Email: ejbenedick@msn.com

Land Owner Signature: Sharla A Whitten

LOCATION

18.12.10.34

18S	12W	10	40	400, 401 & 801
Township	Range	Section		Taxlot

VACANT - NONE
Site address

PROPOSAL: A request for a Preliminary Investigation in accordance with Lane Code 10.270 (for land inside an Urban Growth Boundary) or ~~Lane Code 16.243 (for land outside an Urban Growth Boundary).~~

This application is based on objective evidence and is not a land use decision; therefore, the decision is not subject to public notice and may only be appealed by the applicant.

Version 10-05

INSTRUCTIONS: Completely fill out this application form. Attach additional pages if necessary. Failure to submit a complete application or answer every question will result in a delay or rejection of your application.

The Preliminary Investigation will determine the presence of any hazards to the proposed development. If a significant hazard is found that requires further review, a Site Investigation Report will be required. Details regarding a Site Investigation Report are contained in Lane Code 10.270-55 to 10.270-80 and Lane Code 16.243(12) to 16.243(16).

PROJECT DESCRIPTION What are you proposing? What are you going to build?

THE PROJECT CONSISTS OF A 62-LOT RESIDENTIAL SUBDIVISION OF THREE TAX LOTS THAT HAVE A BEACHES AND DUNES COMBINING DISTRICT OVERLAY. ROADS AND UTILITIES WILL BE CONSTRUCTED TO SERVE THE SUBDIVISION.

SITE PLAN A site plan must be included. Refer to the handout entitled "How to prepare your site plan".

ZONING: RA,BD,U,PW

ACREAGE: 46.06

LOCATION Describe how to find the property. Is the address visible? Are there any identifying features?

FROM RHODODENDRON DRIVE TURN EAST ONTO OCEANA DRIVE. CONTINUE THROUGH THE INTERSECTION WITH SANDRIFT STREET TO THE END OF OCEANA DRIVE. THE PROPERTY ABUTS THE END OF OCEANA DRIVE. THE SITE IS VACANT AND HAS NO ADDRESS.

EXISTING IMPROVEMENTS Does the property contain any roads, structures, etc.?

NONE, EXCEPT FOR A STORMWATER PUMP STATION AND PIPE LOCATED ON TAX LOT 801 WHICH WILL REMAIN.

STAKE OUT THE DEVELOPMENT AREA. The location of the structure(s) must be staked out on the site and identified with colored ribbon or a similar item.

PHYSICAL FEATURES: Describe the site. Generally describe the vegetation. Identify any steep slopes, water bodies (creeks, ponds, etc.) or other significant features.

SEE ATTACHED ADDITIONAL INFORMATION

APPROVAL CRITERIA

LC 10.270 Beaches and Dunes Combining Zone: Applicable to land inside a UGB.
LC 16.243 Beaches and Dunes Combining Zone: Applicable to land outside a UGB.

These two sections from the Lane Code contain identical review and approval criteria for development in the Beaches and Dunes Combining Zone. The approval criteria are listed below.

Additional Site and Development Requirements. The following requirements apply to all development, except the harvesting of timber as allowed by the Zone with which the /BD-RCP Zone is combined. Timber harvesting activities shall conform to Oregon Forest Practices Act rules regulating logging practices in dune areas:

(a) Development shall not result in the clearance of natural vegetation in excess of that which is necessary for the structures, required access, fire safety requirements and the required septic and sewage disposal system.

Footprint of the proposed structure(s): 0 sf

Total area of vegetation clearance: (16 AC) 698,300 sf

Explain why your proposed vegetation clearance is not excessive:

SEE ATTACHED ADDITIONAL INFORMATION

(b) Vegetation free areas which are suitable for development shall be used instead of sites which must be artificially cleared.

Does the property contain any vegetation-free areas? (Yes) No

If you are not using the vegetation-free area, explain why:

SEE ATTACHED ADDITIONAL INFORMATION

(c) Areas cleared of vegetation during construction in excess of those indicated in LC 16.243(7)(a) above shall be replanted within nine months of the termination of major construction activity.

This will be a condition of approval.

(d) Sand stabilization shall be required during all phases of construction and post-construction as specified by standards set forth in the Lane Manual.

If the site is comprised of sandy soil, you will be required to stabilize the soil during construction, and permanently stabilize the soil within 90 days after construction. Acceptable stabilization methods are listed in Lane Manual 10.056. If applicable, this will be included in the packet mailed to you.

(e) Development shall result in the least topographic modification of the site as is possible.

Does your plan comply with this requirement? Explain: _____

SEE ATTACHED ADDITIONAL INFORMATION

(f) Slopes in excess of 25 percent shall be prohibited from development.

Do you plan to disturb any slopes greater than 25%? If yes, explain: _____

SEE ATTACHED ADDITIONAL INFORMATION

(g) Significant structural loads or structural fills to be placed on dune areas where, based on the Development Hazards Checklist, compressible subsurface areas are suspected, shall be allowed only after a thorough foundation check and positive findings are reported.

If applicable, an engineer may be required to prove the site can support the proposed structure. If so, this will be a condition of approval.

(h) The requirements for yards, setback, area, vision clearance and parking spaces shall be as provided in the respective zone with which the /BD-RCP Zone is combined, unless specifically provided otherwise by the provision of the /BD-RCP zone.

What is the property zoned: RA

What are the setbacks: 15-FOOT FRONT, 5-FOOT SIDE AND REAR

These setbacks and zoning will be verified by planning staff.

Beaches and Dunes Combining Zone
Preliminary Investigation Application for
Idylewood Fourth Addition
Additional Information

PHYSICAL FEATURES: Describe the site. Identify any steep slopes, water bodies (creeks, ponds, etc.) or other significant features. Include additional pages if necessary.

The subject property is best understood if we describe different sections separately as follows:

1) The northerly section of the site - generally consisting of the following proposed lot numbers 1-19;

2) The central and westerly portion of the site – generally consisting of the following proposed lot numbers 20-41 and 57-62;

3) The southerly section of the site - generally consisting of the following proposed lot numbers 42-56 and;

4) The easterly portion of the site not proposed for development.

A detailed discussion of the required grading and vegetation removal for each section is presented below.

It is important to note that other than for specifically surveyed transects, little accurate topographic information is available for this site. Available topographic mapping for the site was developed via aerial photographic means and due to the presence of extra-ordinarily thick vegetation is completely unreliable. In May of 2005, Applicant applied for and obtained from Lane County authorization to clear a portion of the site along proposed road alignments in order to obtain more accurate survey data on the site (Idylewood 5th Addition Limited Clearing Plan, Florence, Oregon, May 16th, 2005 prepared by EGR & Associates, Inc.). Elevations and features described herein were determined as a consequence of that clearing action and the survey data compiled after clearing occurred.

The northerly section of the site - generally consisting of the following proposed lot numbers 1-19;

This area of the site is characterized by multiple well-stabilized inactive sand dune formations and dense vegetation. Topography varies across this portion of the site from an elevation of less than 82 feet MSL in the lowest areas to a high of approximately 123 feet MSL. This area of the site is bordered on the west by the Idylewood and Idylewood First Addition Subdivisions, on the north by the Heceta South Subdivision, and on the east by a coastal lake formation (see description of the easterly portion of the site below).

The geology of this portion of the site displays a classically formed transverse dune/deflation plain formation with relict incisions formed by the interplay between historic wind and water movements across the formation. These formations developed as the dune formation was formed with intermittent periods of sand blowing across the deflation plain and then being washed away by seasonal or cyclical movement of water across the deflation plain. These topographic incisions and the associated remnant sand between them are close together and steeply inclined where forces of erosion removed the sand placed by seasonal winds. Similar relict incisions can be observed across the Heceta South Subdivision to the north of the subject property. These relict features are neither active nor considered to be significant geologic features and are proposed to be graded and stabilized in conjunction with the development. Average slopes across this portion of the site in an east-west orientation are approximately 6%.

The easterly fringe of this portion of the site drops abruptly at the lee side of the dune formation by as much as 35 to 40 feet and at a slope of approximately 50% to the edge of the coastal lake formation described below (see description of the easterly portion of the site). This "ridge" along the top of the old dune feature is at an elevation of approximately 110 feet MSL near the Heceta South Subdivision, rises to a peak of approximately 123 feet MSL approximately 250 feet south of the Heceta South Subdivision, and then falls to an elevation of approximately 100 feet MSL in the vicinity of proposed lot 23.

Another narrow interim dune peak also occurs and lying along a north-south orientation beneath the proposed north-south extension of Oceana Drive and the proposed utility easement south of Oceana Drive. Peak elevations along this alignment vary from approximately 100 feet MSL to 118 feet MSL.

Further west, the site is generally flatter with elevations varying from approximately 85 feet MSL to approximately 95 feet MSL but being incised by the aforementioned erosional actions.

Proposed Lots 24-28 and Lot 62 topographically transition from the features described herein to the portion of the site described below and included therein as the central and westerly portion of the site.

The central and westerly portion of the site – generally consisting of the following proposed lot numbers 20-41 and 57-62

This area of the site is characterized as a relatively flat and well-stabilized inactive sand dune formation covered with dense vegetation. Topography varies across from an elevation of less than 86 feet MSL in the lowest areas of the site to a high of approximately 92 feet MSL. This portion of the site is bordered on the west by the Idylewood First Addition Subdivision, on the north by the northerly section of the site as described above, and on the east by a coastal lake formation (see description of the easterly portion of the site below).

The geology of this portion of the site displays a subtle transverse dune/deflation plain formation with the highest elevations occurring along the proposed Bear Run Road alignment. Associated housing will also be located along this highest area of this portion of the site.

Minimal clearing and grading will be required on this portion of the site for development to occur.

The southerly section of the site - generally consisting of the following proposed lot numbers 42-56 and;

This area of the site is characterized by multiple well-stabilized inactive sand dune formations and dense vegetation. Topography varies from an elevation of less than 88 feet MSL in the lowest areas to a high of approximately 140 feet MSL. This portion of the site is bordered on the north by the Idylewood First Addition Subdivision and the central and westerly portion of this proposed subdivision, on the south and west by the Idylewood Second Addition Subdivision, and on the east by public lands.

The geology of this portion of the site displays a series of irregularly located high and low features suggesting that when the dune site was active it was subject to irregular and changing local influences resulting in other than "classically formed transverse" (south-west or north-west trending) dune/deflation plain formations. These relict features are neither active nor considered to be significant geologic features and are proposed to be graded and stabilized in conjunction with the development. Because of the odd orientation of these features, there are no "average slopes" across this portion of the site.

In order to provide access to this site with roadways meeting conventional design standards and to avoid adversely impacting adjacent neighboring properties, grading activity will be required during project development.

The easterly portion of the site - not proposed for development.

This area of the site is characterized as a coastal lake formation and also has a Lane County Planning PW-RCP zoning overlay. Seasonally and cyclically, water levels rise and fall across this portion of the site in response to movements in groundwater levels. Distinct areas of predominantly water are separated by interim ridges of higher ground vegetated with upland vegetation. Water levels between these distinct water bodies varies in response to the regional groundwater gradient that slopes approximately one foot in 400 feet in the vicinity of the project in an east-west orientation toward the Siuslaw River approximately one mile to the west.

The geology of this portion of the site displays deflation plain characteristics except as separated by the separating sand formations described above. Elevations of this portion of the site are generally flat and vary from lows of 80 to 82 feet MSL to highs of approximately 90 feet MSL along the dividing sand formations.

During some years, when the seasonal and cyclical groundwater levels are low, most of this area is devoid of water and the site takes on the physical appearance of a coastal bog. When seasonal and cyclical groundwater levels are high, the site takes on the characteristics of a shallow water body.

No known channelized inflow or outflow channels exist from these features and the site is understood to be solely a reflection of groundwater levels.

No development, clearing, or grading is proposed for this portion of the site.

APPROVAL CRITERIA

(a) Explain why your proposed vegetation clearance is not excessive:

The required clearing area is the minimum that will be necessary in order to construct roads, utilities, and to provide suitable building locations for the proposed development. In areas where irregular topography exists and proposed overall grading will occur, re-vegetation and sand stabilization will occur within the timelines required by other sections of this code. We consider this course of general grading and then re-vegetation to provide less overall disruptive impact than would occur if only road and utility infrastructure areas were initially cleared and graded and then followed on a case by case random basis as lots are developed one at a time with grading impacts and/or structural damage potentially occurring across proposed lot lines.

As previously described, some proposed roadway alignments were cleared of vegetation in 2005 in conjunction with an approved limited clearing plan and five years later, the impact of this clearing can hardly be discerned.

Portions of the site that do not require grading or installation of roads or utility infra-structure are not proposed to be cleared at the time of Subdivision development.

(b) Vegetation free areas which are suitable for development shall be used instead of sites which must be artificially cleared.

If you are not using the vegetation free area, explain why:

Generally speaking, vegetation free areas of the site are not suitable for development as they occur on portions of the site overlain by seasonal water bodies that are protected by other sections of Lane Code and that are proposed to remain in a common area or eventually be dedicated to a public or conservation agency.

(e) Development shall result in the least topographic modification of the site as is possible.

Does your plan comply with this requirement? Explain:

Yes. Grading activity will generally coincide with the above described clearing activity. The proposed grading activity and the proposed clearing activity are the minimum that will be necessary in order to construct roads, utilities, and to provide suitable building locations for the proposed development.

(f) Slopes in excess of 25 percent shall be prohibited from development.

Do you plan to disturb any slope greater than 25%? If yes, explain:

Yes, on a localized basis (a few feet to tens of feet) existing slopes over portions of the site are in excess of 25% due to erosional incision and/or irregular and highly localized forces during dune formation. During prior conversations with Lane County Planning staff, these localized slopes were discussed in the context of the Code's intent. As we understand the intent of the Code, it is to prevent uncontrolled development on slopes that are, or may be unstable so as to minimize property damage to existing and future development. Because most of these steeper slopes are localized, grading activity on the site can occur in a manner that eliminates slopes in excess of 25% from the proposed development areas while preserving the significant features of the site and maintains buffer areas adjacent to existing development, remaining slopes in excess of 25%, and areas subject to the PW-RCP zoning overlay.

Development of this property cannot occur without this localized grading activity because roadways could not be built.

Because of the aforementioned topographic irregularities over certain areas of the site, we propose to mass grade the internal portions of the site where roadways and building pads will be located. This approach will minimize future disturbance by completing all required clearing and grading at one time. In so doing, vegetation will be allowed to promptly re-establish itself and remain generally undisturbed at the time of lot development except where structures are located. This will minimize the potential impacts of sporadic lot development (anticipated with the poor building market) and disturbance that could cross lot lines if not completed at the time of subdivision development.

The nature of other development in this area is to maintain vegetative buffers between adjacent dwellings. It is the Developer's intent to maintain to the maximum extent possible, this development nature with this subdivision. By mass grading only those areas that must be graded for development to occur and completing most required clearing activity at the time of development of the subdivision, these internal buffer areas will be re-established sooner and prior to most lot development activity occurring.

Specific grading plans will be submitted with design drawings for the subdivision. As indicated above, the proposed grading activity and the proposed clearing activity will be the minimum that will be necessary in order to construct roads, utilities, and to provide suitable building locations for the proposed development.