



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category: Orders Item No:

Date: August 20, 2019

Originating Department: Public Works

Issue: In the matter of executing an order for Abutter’s Rights to Homedale Road for Lots 9, 10, and 11 of Tract 1420 of Sherwood Forest in Klamath County, Oregon.

Background: The current developer requested to restore access to some of the lots as presented and agreed to in a Work Session meeting in June 2019, on Homedale Road between Shasta Way and Foothills Blvd as shared access between Lots 10 and 11 and a single access to Lot 9. This order establishes conditions of approval.

Fiscal Impact: None

Recommended Motion: Board approve and execute the order for Abutter’s Rights to Homedale Road for Lots 9, 10, and 11 of Tract 1420 of Sherwood Forest in Klamath County, Oregon. Fiscal Impact is none.

DONE AND DATED this _____ day of _____, 20__.

Chair
Approved
Denied

Vice-Chair
Approved
Denied

Commissioner
Approved
Denied

BOARD OF COUNTY COMMISSIONERS

IN AND FOR THE COUNTY OF KLAMATH, STATE OF OREGON

In the Matter of Abutter's Rights to)
Homedale Road for Lots 9, 10, and 11 of)
Tract 1420 of Sherwood Forest in Klamath)
County, Oregon)

Order # _____

WHEREAS, Klamath County consolidated lot accesses on the Subdivision Plat in 2006 due to the roadway classification (Collector). There are three adjacent lots (9, 10, and 11) to Homedale that were required to utilize one shared access on Lot 10. Reasons for consolidated accesses and easement from Shalynn Court in 2006 were intended to reduce conflicts between public users of the road and services (post office, waste management, school buses, etc.) thereby increasing safety to the public. Site distance constraints were also considered in 2006 and thought to be marginal for the existing residential roadway (25 mph). The consolidated accesses to Homedale was planning ahead for future increase in traffic as development and future increase in speeds (Collector, 35 mph) in the vicinity occurs. The dead-end street (Homedale) acted like a rural County Road for many decades until Foothills was constructed in the 1990's and the addition of the North Hills residential developments in the 2000's makes the roadway act like an urban road. In consideration for consolidation, the developer in 2006 was not required to upgrade Homedale along the frontage of the development which would defer upgrading of Homedale to be by the County (sidewalks, drainage, three lanes, etc.); and

WHEREAS, the Board of Commissioners was requested by the current developer to restore access to some of the lots, presented and agreed in a Work Session meeting in June 2019, a shared access between Lots 10 and 11 and a single access to Lot 9; and

WHEREAS, the Board of Commissioners is waiving the requirement that current developer provide "half" street frontage improvements (to Collector standard, curb/sidewalk, drainage, three lanes, etc.); and

WHEREAS, Homedale Road is an existing two lane County road (substandard width) designated as a Collector (will be a three lane road in the future) in the Urban Transportation Plan (2012); and

WHEREAS, driveways onto Homedale only meet site distance for residential street standards (25 mph). When the County upgrades this roadway to a three lane Collector (35 mph) the current developer (future property owners) acknowledge that a median may be installed to restrict left turn movements unless site distance changes with future design/construction to eliminate site distance constraints; and

WHEREAS, the developer shall be responsible for the following conditions of approval:

1. establishing an easements for a shared access on Lot 11 for Lot 10 (existing plat only gives Lot 11 rights to access Lot 10),
2. recording a document (for future title insurance purposes) with this board order that grants abutters rights for a shared driveway on Lot 11 for Lots 10 & 11,
3. submitting a proposed location of the new driveways (for Public Works review for site distance and other constraints for a 35 mph Collector),

4. submitting for and securing a driveway permit for construction of any driveway from Homedale from County Public Works,
5. establishing a widened gravel or paved shoulder (\pm 8' minimum) for mailbox and/or garbage cans,
6. relocating existing utilities as needed (guy wires, fire hydrants, utility boxes/poles, etc),
7. and modifying any planning and/or land use actions (from 2006) that need to be revised.
8. Submitting a letter to Public Works for recording (for future title insurance purposes) that is signed by the developer, property/home owner, Public Works, and notary publics stating all parties agree to access control when the roadway is improved to a three lane collector (right in right out or curb/median that prevents left turns in or out of the driveway) in order to accommodate increased traffic, minimum site distance vs future speed limit, driveway access within a designated left turn lane, etc.

NOW THEREFORE IT IS HEREBY ORDERED if the current developer complies with all of the above listed conditions of approval within 12 months of this order. The Board of County Commissioners grants abutter's rights for a shared driveway on Lots 10 and 11 and a single driveway on Lot 9 of Tract 1420 Sherwood Forest.

DONE AND DATED THIS _____ DAY OF _____, 20 _____

KLAMATH COUNTY BOARD OF COMMISSIONERS

_____	_____	_____
Chair	Commissioner	Commissioner
Approved _____	Approved _____	Approved _____
Denied _____	Denied _____	Denied _____