

ORDINANCE NO. 272

AN ORDINANCE ADOPTING THE SUBDIVISION REGULATIONS OF THE CITY OF TROUTDALE.

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT the following attached regulations are hereby adopted, thereby deleting and repealing all prior subdivision regulations in conflict herewithin to the extent of such conflict.

SECTION 8.000 ENACTMENT

This ordinance shall be declared to be in full force and effect from the date of passage.

Adopted by the Common Council of the City of Troutdale, in the County of Multnomah, State of Oregon on this 10TH day of October, 1978.

YEAS: 5

NAYS: 0

Signed by the mayor this 11th day of October, 1978.

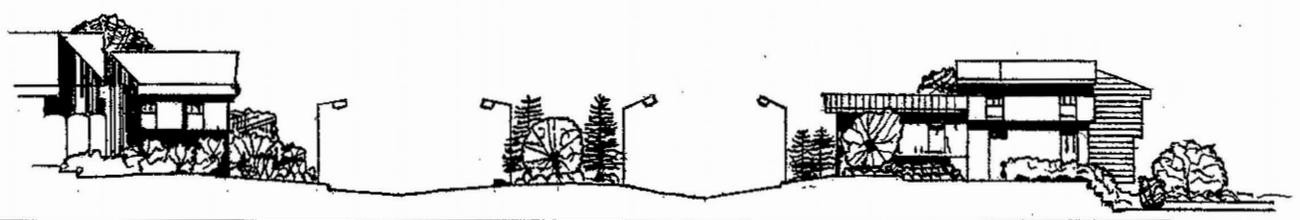
ATTEST:

Jerry L. Widner
JERRI WIDNER, CITY RECORDER

R. M. Sturges
R. M. Sturges, Mayor

1978

SUBDIVISION REGULATIONS



CITY OF TROUTDALE

Department of Community Development

104 Kibling St., Troutdale, Oregon

CITY COUNCIL

ROBERT STURGES, MAYOR

HELEN ALTHAUS

FRANK KAISER

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DONNA BURLINGAME

CAROL KLINGER

DR. FRANK CARD

VEDA PARSLEY

NORMA GREENLEY

EDY WILDE

FINANCED, IN PART, THROUGH A LAND CONSERVATION AND DEVELOPMENT
COMMISSION GRANT

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ORDINANCE NO. 272

AN ORDINANCE ADOPTING THE SUBDIVISION REGULATIONS OF THE CITY OF TROUTDALE.

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT the following attached regulations are hereby adopted, thereby deleting and repealing all prior subdivision regulations in conflict herewithin to the extent of such conflict.

SECTION 1.000 GENERAL PROVISIONS

1.010 TITLE AND REFERENCES:

These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of the City of Troutdale, and may be referred to herein as "this ordinance". In addition, the City of Troutdale may be referred to herein as "the City".

1.020 POLICY:

1.021 It is hereby declared to be the policy of the City to consider the subdivision of land subject to the control of the City pursuant to the City's Comprehensive Plan for the orderly, planned, efficient, and economical development of the City.

1.022 Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until available public facilities and improvements exist or proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvements.

1.023 The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Comprehensive Plan, and the Capital Improvements Plan of the City, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the building codes, Zoning Ordinance, Comprehensive Plan, and Capital Improvements Plan of the City.

1.024 Proposed improvements shall be designed to achieve long term dependability and low maintenance costs.

1.030 PURPOSES:

These regulations are adopted for the following purposes:

- .01 To protect and provide for the public health, safety, and general welfare of the City.
- .02 To guide the future growth and development of the City, in accordance with the Comprehensive Plan.
- .03 To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
- .04 To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the City.
- .05 To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
- .06 To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- .07 To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
- .08 To establish reasonable standards of design and procedures for subdivisions and re-subdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivision land.
- .09 To insure that public facilities are available and/or provisions have been made so public facilities will have sufficient capacity to serve the proposed development.
- .10 To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to

safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability, and beauty of the community and the value of the land.

- .11 To preserve the natural beauty and topography of the City and to insure appropriate development with regard to these natural features.
- .12 To provide for open spaces through the most efficient design and layout of the land while preserving the density of land as established in the Zoning Ordinance of the City.

1.040 AUTHORITY:

1.041 By virtue of Oregon State Law (Chapter 92) which enables each City to control the subdivision and partitioning of land within its boundaries, the Common Council of the City of Troutdale does hereby exercise the power and authority to review, approve, and disapprove plans for the subdivision or partitioning of land within the corporate limits of the City which show lots, blocks, or sites with or without new streets.

1.042 By the same authority, the Common Council does hereby exercise the power and authority to pass and approve the development of subdivisions or partitions of land already recorded in the office of the Department of Administrative Services, Multnomah County if such developments are entirely or partially undeveloped.

1.043 The development shall be considered to be entirely or partially undeveloped if:

.01 Said development has been recorded with the office of the Department of Administrative Services, Multnomah County without a prior approval of the Planning Commission, or

.02 Said development has been approved by the Planning Commission where the approval has been granted more than three years prior to granting a building permit, on the partially or entirely undeveloped land and the zoning regulations for the district in which the development is located, have been changed subsequent to the final approval of the development.

1.050 JURISDICTION:

1.051 No land shall be subdivided within the corporate limits of the City until:

- .01 The subdivider or his agent shall submit a sketch plan of the parcel to the Planning Director or designated representative.
- .02 The subdivider obtains planning staff approval of the sketch plan and preliminary and final approval of the plan itself by the Planning Commission, or other approval procedure as outlined in this ordinance.
- .03 The approved plan is filed with the Department of Administrative Services, Multnomah County.

1.052 No building permit or certificate of occupancy shall be issued for any parcel of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these subdivision regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with the regulations.

1.060 INTERPRETATION, CONFLICT, AND SEPARABILITY:

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

1.061 CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS

- .01 Public Provisions. The regulations are not intended to interfere with or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
- .02 Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these

regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations, or the determinations of the Planning Commission or the City in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

1.062 SEPARABILITY

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

1.070 SAVING PROVISIONS:

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of these regulations, or vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in these regulations.

1.080 AMENDMENTS:

The City Council may consider amendments to the provisions imposed by these subdivision regulations if the amendment promotes the public health, safety and general welfare. Public hearings on all proposed amendments shall be held

by the Planning Commission. The Planning Commission or an individual may also initiate an amendment to the subdivision regulations if the amendment promotes the public health, safety and general welfare.

1.090 CONDITIONS:

The developer has the duty to comply with reasonable conditions laid down by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economical development of future residents in the subdivision or partition and of the City at large.

1.100 RESERVATIONS AND APPEALS:

Upon the adoption of these regulations according to law, all previous subdivision regulations of the City of Troutdale, are hereby repealed, except as to such sections expressly retained herein.

1.110 RE-SUBDIVISION OF LAND:

1.111 PROCEDURE FOR RE-SUBDIVISION

For any change in a map of an approved or recorded subdivision, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivision, such parcel shall be approved by the Planning Commission by the same procedure, rules, and regulations as for a subdivision.

1.112 PROCEDURE FOR SUBDIVISION WHERE FUTURE RE-SUBDIVISION IS INDICATED

Whenever a parcel of land is subdivided and the subdivision plat or partition map shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be re-subdivided into small building sites, the Planning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent street. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.

1.120 VACATION OF PLATS:

1.121 Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument,

to which a copy of such plat shall be attached, declaring the same to be vacated.

- 1.122 Such an instrument shall be approved by the Planning Commission in like manner as plats of subdivisions. The Planning Commission may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys.
- 1.123 Such an instrument shall be executed acknowledged or approved, and recorded or filed, in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.
- 1.124 When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

1.130 VARIANCES:

1.131 GENERAL

Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

- .01 The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property.
- .02 The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
- .03 Because of the particular physical surroundings, shape or topographical conditions of

the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.

- .04 The variances will not in any manner vary the provisions of the Zoning Ordinance and the City's Comprehensive Plan.

1.132 CONDITIONS

In approving variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

1.133 PROCEDURES

A petition for any such variance shall be submitted in writing by the applicant at the time when the preliminary plan is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

1.140 ENFORCEMENT, VIOLATIONS, AND PENALTIES

1.141 GENERAL

- .01 It shall be the duty of the Director of the Department of Community Development to enforce these regulations and to bring to the attention of the City Attorney and violations or lack of compliance herewith.
- .02 No owner, or agent of the owner, of any parcel of land located in a proposed subdivision or partition shall transfer or sell any such a parcel before a plat or map has been approved in accordance with the provisions of these regulations, and filed with both the Department Administrative Services, Multnomah County and the Oregon State Real Estate Division.
- .03 The subdivision or partitioning of any lot or any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations, shall not be permitted. All such described subdivisions or partitions shall be subject to all of the requirements contained in these regulations.

.04 No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.

1.142 VIOLATIONS AND PENALTIES

Any person, firm, or corporation who fails to comply with or violates any of these regulations shall be subject to a fine of not more than \$500, or imprisonment for a period not exceeding 50 days, or both, such fine and imprisonment pursuant to the provisions of Section 92.990 of the Subdivision and Partition statutes of the State of Oregon.

1.143 CIVIL ENFORCEMENT

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building structure or premises, and these remedies shall be in addition to the penalties described above.

SECTION 2.000 SUBDIVISION APPROVAL PROCEDURE

2.010 GENERAL PROVISIONS

2.011 The City of Troutdale utilizes a review process which entails two public hearings before the Planning Commission. The Commission has the option to waive the second hearing if the members determine that the Preliminary Plan of the subdivision requires only minor and/or relatively insignificant modifications in order to achieve the intent of the policies and "purposes" which are identified in Section 1.020 and 1.030.

2.020 PRE-SUBMISSION CONFERENCE;

2.021 Purpose. The purpose of the meeting is to discuss the procedures for adoption, the applicable State and local requirements, the availability of existing services, and the goals and objectives of the City's Comprehensive Plan.

2.022 Whenever any subdivision is proposed, before any contract is made for the sale of any part thereof, and prior to any permit for the erection of a structure is granted, the applicant or authorized agent desiring to create a subdivision shall request that the Planning Director arrange a pre-submission conference. This conference shall be held within 14 days following a request for the same. Prior to the conference the applicant shall pay a fee of \$50.00 (or an alternative fee as deemed appropriate by the City Council) which will be credited towards the subdivision fee if the applicant submits a preliminary plan within six months from the date of the conference.

2.023 Format. The applicant shall submit to the Planning Director, or designated representative, a preliminary sketch of the proposed development. The preliminary sketch of the proposed subdivision shall be drawn as follows:

- .01 Scale of Drawing. Subdivisions shall be drawn at a scale not less than one inch equals two hundred feet, or greater than one inch equals fifty feet. A scale of one inch equals one hundred feet is preferred. The scale of the drawing shall be noted on the preliminary sketch and a north arrow shall also be included.

2.024 DATA REQUIREMENTS:

- .01 Names and rights-of-way widths of all streets within 150' of the proposed development.
- .02 Ground elevations shown by contour lines at two foot vertical intervals for ground slopes of less than 10%, and at ten foot vertical intervals for ground slopes exceeding 10%.
- .03 Proposed land uses, and number of units by type of units.
- .04 Natural features (such as trees, streams, and rock outcroppings).
- .05 Approximate size of lots.
- .06 Proposed street pattern.
- .07 All contiguous holdings of the owner of including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be divided, and accompanied by an affidavit of ownership.
- .08 All property lines within 250' of the proposed development.

2.030 PRELIMINARY PLAN:

- 2.031 Preparation. The applicant, following the presubmission conference, shall prepare 20 copies of a Preliminary Plan, together with 20 copies of any other supplementary material as may be required to indicate the general program and objectives of the project. The preceding, along with a completed application and payment of fees, shall be submitted to the Planning Division.

- .01 Scope. The Preliminary Plan need not be a finished drawing, but it should characterize all relevant graphic data to scale.
- .02 Format. The Preliminary Plan shall be drawn as follows:
 - (a) The Preliminary Plan for a subdivision shall be drawn on a sheet 18 X 24 inches in size and at a scale of one inch equals one hundred

.03 DATA REQUIREMENTS:

- (a) Proposed name. The proposed name cannot duplicate or resemble the name of any other subdivision in Multnomah County.
- (b) Scale of drawing, north arrow, and date.
- (c) Location of the subdivision by section, township and range, and a legal description sufficient to define the location and boundaries of the proposed tract.
- (d) A vicinity map, showing adjacent property boundaries and how the proposed streets may be extended to connect to existing streets.
- (e) Names, addresses, and telephone numbers of the owner or owners of the property, designer of the subdivision, the engineer or surveyor, and the date of the survey.
- (f) Names and addresses of the legal owners of immediately adjacent properties.

.04 EXISTING CONDITIONS:

- (a) Streets: location, names, present paved widths, alleys, and rights-of-way on and abutting the tract.
- (b) Easements: location, widths, and purpose of all existing easements of record on and abutting the tract.
- (c) Utilities: location of storm services, sanitary sewers and water lines on and abutting the tract. If water mains and sewers are not on or abutting the tract, indicate the direction and distance to the nearest ones.
- (d) Ground elevations shown by contour lines at two foot vertical intervals for ground slopes of less than 10%, and at ten foot vertical intervals for ground slopes exceeding 10%. Such ground elevation shall be related to some established bench mark or other datum approved by the City's engineer.
- (e) Trees: location of all existing trees, 6" diameter or larger, and other significant wooded areas on the tract.

- (f) Other natural features such as marshes, rock outcroppings, cultivated fields, etc.
- (g) The location of at least one temporary bench mark within the tract boundaries.
- (h) Water coursed on and abutting the property; approximate location of areas subject to inundation by water, and the location, width, and direction of flow of all water courses.
- (i) Existing uses of the property, including scaled location and present use of all existing structures to remain on the property after platting.

.05 PROPOSED IMPROVEMENTS:

- (a) Streets; location, right-of-way widths, approximate radii of curves, and grades.
- (b) Easements; location, width, and purpose of all easements.
- (c) Lots and parcels: approximate dimensions of all lots and parcels, minimum lot and parcel size, and proposed lot and block numbers.
- (d) Proposed land use and number of units by type of unit.
- (e) All parcels of land intended to be dedicated or reserved for public use, with the purpose, condition, or limitations of such reservations clearly indicated.
- (f) Proposed sanitary and storm sewers, and water system.

.06 SUPPLEMENTAL INFORMATION

- (a) Partial Development. If the subdivision proposal pertains to only part of a tract owned or controlled by the applicant or is within an area surrounded by undeveloped parcels, the Planning Director may require a sketch of a tentative layout of streets in the undivided portion.

2.040 PRELIMINARY PLAN REVIEW PROCESS:

- .01 Upon receipt of the Preliminary Plan, the Planning Director shall provide copies of the Plan and supplementary material to representatives of the Department of Community Development, and representatives of any other agency or organization as deemed appropriate by the Planning Director. Representatives of the Department of Community Development, or other agencies, shall be given a reasonable time (10 working days) to review the Plan and suggest revisions that appear to be in the public interest. If no written response is received by the Planning Director, it shall be assumed that the officials and agencies approve the Plan as submitted. The Planning Director, upon receipt of a written request, may grant an additional thirty days response time to an affected agency.
- .02 The Planning Director shall establish a date for a public hearing on the Preliminary Plan. Such hearing shall be no more than sixty days following submission of the Preliminary Plan unless a longer period, up to an additional thirty days, has been requested, in writing, by a representative of the Department of Community Development or an affected agency.
- .03 At least ten days prior to the hearing a notice shall be mailed to all persons owning property in the affected area, inviting testimony. The affected area is all real property located within lines 250 feet, including intervening streets, from the parallel to the boundaries of the subdivision and such contiguous property as is under the legal control of applicant.
- .04 The Planning Commission shall review the Preliminary Plan, the written reports of the responding agencies, and the hearing testimony. The Planning Commission may approve, approve with conditions, or disapprove the Preliminary Plan. In addition, when the Commission feels that further information is necessary to take proper action on the subdivision the Commission may continue action on the proposal at a later date.
- .05 One copy of the Preliminary Plan shall be returned to the developer with the date of approval, or disapproval and the reasons therefore accompanying the Plan.
- .06 Approval of the Preliminary Plan shall generally signify approval of the Final Subdivision Plat provided that:
 - (a) The final plat complies with the terms of approval of the Preliminary Plan;

- (b) the final plat complies with the requirements of this ordinance;
- (c) and that no circumstances or situations arise which would leave the Preliminary Plan unacceptable.

2.050 EFFECTIVE PERIOD OF PRELIMINARY APPROVAL:

Approval of the Preliminary Plan of a subdivision shall be effective for two years from the date of approval by the Planning Commission, during which time the final plat shall be recorded when an applicant desires to record and develop subdivision. Plats covering portions of the approved Preliminary Plan in stages, the Planning Commission may authorize a time schedule for submission of the various stages over a period of time in excess of two years. However, in no case shall the total time period for submission of all stages be greater than five years without re-submission of the Preliminary Plan. A request for an extension of the approval time shall be submitted in writing prior to the approval period elapsing. If the applicant has not requested extension of the subdivision within thirty days after the elapsed date, all approvals shall become void. In the event the applicant wishes to proceed with the subdivision after the time limit has expired, the Preliminary Plan shall be subject to modifications necessary to meet changed conditions.

2.060 FINAL PLAT

2.061 Preparation. The applicant, following approval of the Preliminary Plan, shall prepare 20 copies of the Final Subdivision Plat, together with 20 copies of any other supplementary material as may be required to indicate the general program and objectives of the project.

.01 Format. The Final Subdivision Plat shall be drawn as follows:

- (a) The final subdivision plat shall be drawn, at a scale of one inch equals one hundred feet, with black india ink on stander 18" X 24" white pressed board recorder's sheet. If more than one sheet is required, the additional sheets shall be numbered and indexed. The recorder's sheet shall have a three inch reinforced binding strip attached to the left hand edge. No portion of the writing or map shall be closer than one inch to the outer edges of the sheet or fold line of the binding strip. A tracing, certified as being an exact duplicate of the original drawing, shall also be prepared for submission. Tracings may be of linen or acetate emulsion materials not less than five mills in thickness, and may either be by a permanent photographic process,

or acetate ink. Three prints of the plat made from this tracing shall accompany the application for approval of the final plat.

.02 Data Requirements. In addition to that specified by law, the following information shall be shown on the plat:

- (a) Reference points of existing surveys identified, related to the plat by distances and bearing, and referenced to a field book or map as follows:
 - (1) Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the subdivision.
 - (2) Adjoining corners of the adjoining subdivisions or partitions.
 - (3) Other monuments found or established in making the survey of the subdivision or required to be installed by State Law.
- (b) State grid coordinated shown on three prominent points within the development.
- (c) The location, width, and centerline of streets and easements intercepting the boundaries of the tract.
- (d) Normal flood plain or high water line for any creek or other minor body of water or natural drainage way and the one hundred year flood line of major water bodies.
- (e) Tract, block, and lot or parcel boundary lines and street right-of-way and center lines with dimensions, bearings or deflection angles, radii arc points of curvature and tangent bearings. Tract boundaries and street bearings shall be shown to the nearest second with basis of bearings. Distances shall be shown to the nearest 0.01 feet.
- (f) The width of the portion of streets being dedicated and the width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius, cord distance, bearing, and central angle shall be indicated.

- (g) Easements, clearly identified and, if already of record, their recorded reference. If an easement is not definitely located of record, a statement of the easement shall be given. The bearing, and sufficient ties to locate the easement with respect to the subdivision, shall be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificates of dedication.
- (h) Lot numbers beginning with the number "1" and numbered consecutively in each block in subdivision.
- (i) Block numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout a subdivision. The numbers shall be of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Block numbers in addition to a subdivision of the same name shall be a continuation of the numbering in the original subdivision.
- (j) Identification of land to be dedicated for any purpose, public or private, to distinguish it from lots or parcels intended for sale.
- (k) Building setback lines, if any are to be made a part of the subdivision's Deed Restrictions.
- (l) The following certificates may be combined where appropriate:
 - (1) A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the plat.
 - (2) A certificate with the seal of and signed by the engineer or surveyor responsible for the survey and final map.

.03 Supplementary Information. The following information shall accompany the plat:

- (a) A copy of any deed restrictions.
- (b) A copy of any dedication requiring separate documents.
- (c) Warranty deeds conveying property to the City.
- (d) A zoning map depicting the lots in the var-

(d) con't

ious zoning districts, if more than one zone is involved in the plat.

(e) Vacation of existing right-of-way or easements.

2.070 FINAL PLAT REVIEW PROCESS

2.071 The applicant shall submit the final subdivision plat and other data to the Planning Director.

- .01 Upon receipt of the Final Plat, the Planning Director shall provide copies of the Plan and supplementary material to the City's Engineer. The City's Engineer shall be given a reasonable time (30 days) to review the Plan and suggest revisions which would be in the public interest. If no written response is received by the Planning Director, it shall be assumed that the City's Engineer approves the Plan submitted. The Planning Director, upon receipt of a written request, may grant an additional thirty days response time.
- .02 The Planning Director shall establish a date for a public hearing on the final plat, unless the Planning Commission has waived the second hearing. Such hearing shall be no more than sixty days following submission of the final plat.
- .03 The Planning Commission shall review the final plat, any written reports, and the hearing testimony. The Planning Commission shall determine whether:
 - (a) the final plat conforms with the requirements of this ordinance;
 - (b) the plat conforms with the requirements of the approved preliminary plan; and
 - (c) any circumstances or situations have arisen which would leave the final plat unacceptable.
- .04 Based on this review, the Planning Commission may approve, approve with conditions, or disapprove the final plat. In addition, when the Commission feels that further information is necessary to take proper action on the subdivision, the Commission may continue action on the proposal at a later date.

2.072 If the plat is found to be in conformity with the preceding requirements, the County surveyor may conduct a field check in order to verify that the plat is sufficiently correct on the ground. In the event that errors are present, the applicant shall be so notified and afforded an opportunity

to make the necessary corrections. When all of the preceding requirements, and supplemental documents are in order, the following signatures shall be obtained on the hardboard and mylar copy:

- .01 The City of Troutdale's Planning Commission Chairperson;
- .02 The City of Troutdale's Engineer;
- .03 three members of the Board of County Commissioners;
- .04 the Director of the Division of Assessment and Taxation (Multnomah County);
- .05 the Deputy of the Recording Section of the Department of Administrative Services (Multnomah County);
- .06 the Multnomah County Engineer.

2.080 FILING OF THE FINAL PLAT

The approval of the plat shall be null and void if the plat is not recorded within 90 days following the date the last required approval signature has been obtained.

2.090 APPROVAL OF FINAL PLAT

The approval of the Final plat does not constitute or effect an acceptance by the public of the dedication of any street or other easement shown on the plat, nor invalidate any or the City's other powers to act in the public interest.

2.100 MYLARS AND PRINTS

Following the signing of the Final plat the applicant shall submit the following information to the Planning Division.

- .01 one mylar copy of the Final plat;
- .02 two prints of the mylar; and
- .03 one mylar reduction (at a scale of 1"=200') of the Final plat.

2.110 APPEALS

- .01 A decision by the Planning Commission may be appealed. The appeal procedures are outlined in Section 6.000 of this ordinance.
- .02 A decision by the Planning Director, on an administrative matter, may be appealed to the City Administrative. The appeal procedures are outlined in Section 6.000 of this ordinance.

SECTION 3.000 MINOR AND MAJOR PARTITION APPROVAL PROCEDURE

3.010 GENERAL PROVISIONS

3.011 Minor or major partitions shall be approved by the Planning Director, City's Engineer, and the Planning Commission Chairperson, or the Planning Commission.

3.020 PRE-SUBMISSION CONFERENCE

3.021 The applicant or authorized agent desiring to create a partition shall request that the Planning Director arrange a pre-submission conference. The purpose of the meeting is to discuss the procedures for adoption, the applicable State and local requirements, the availability of existing services and the goals and objectives of the City's Comprehensive Plan. Prior to the conference the applicant shall pay a fee of \$50.00 (or an alternative fee as deemed appropriate by the City Council) which will be credited towards the partition fee if the applicant submits a preliminary plan within six months of the date of the conference.

3.030 PRELIMINARY PLAN

3.031 PREPARATION

The applicant, following the pre-submission conference, shall prepare 5 copies of a Preliminary Plan, together with 5 copies of any other supplementary material as may be required to indicate the general program and objectives of the project. The preceding, along with a completed application and payment of fees, shall be submitted to the Planning Division.

.01 Scope. The Preliminary Plan need not be a finished drawing, but it should characterize all relevant graphic data to scale.

.02 Format. The Preliminary Plan shall be drawn as follows:

- (a) Detailed Drawing. The Preliminary Plan for a partition shall be drawn on a sheet 8½ X 11 inches in size at a scale of one inch equals one hundred feet. The Planning Director may identify an alternative scale for specific proposal if the Director deems it appropriate.

.03 Data Requirements.

(a) General Data

- (1) Scale of drawing, north arrow, and date.
- (2) Location of the partition by section, township, and range, and a legal description sufficient to define the location and boundaries of the proposed tract.
- (3) A vicinity map, showing adjacent property boundaries and how the proposed streets and utilities may be extended to connect to existing streets and utilities.
- (4) Names, addresses, and telephone numbers of the owner or owners of the property, designer of the partition, the engineer or surveyor, and the date of the survey.
- (5) Names and addresses of the legal owners of immediately adjacent properties.

(b) Existing Conditions

- (1) Streets: locations, names, present paved widths, alleys, and rights-of-way on and abutting the tract.
- (2) Easements: location, widths, and purpose of all existing easements of record on and abutting the tract.
- (3) Utilities: location and type, of all utilities on and abutting the tract. If water mains, sewers, and streets are not on or abutting the tract, indicate the direction and distance to the nearest ones.

- (4) Ground elevations shown by contour lines at ten foot vertical intervals for ground slopes exceeding 10%. Such ground elevation shall be related to some established bench mark or other datum.
- (5) All significant wooded areas on the tract.
- (6) Other natural features such as marshes, rock outcroppings, cultivated fields, etc.
- (7) The location of at least one temporary bench mark within the tract boundaries.
- (8) Water courses on and abutting the property; approximate location of areas subject to inundation by water, and the location, width, and direction of flow of all water courses.
- (9) Existing uses of the property, including scaled location and present use of all existing structures to remain on the property after platting.

(c)

Proposed Improvements (where applicable):

- (1) Streets: location, right-of-way widths, approximate radii of curves, and grades.
- (2) Easements: location, width, and purpose of all easements.
- (3) Lots and parcels: approximate dimensions of all lots and parcels, minimum lot and parcel size.
- (4) Proposed land use and number of units by type of unit.
- (5) All parcels of land intended to be dedicated or reserved for public use, with the purpose, condition, or limitations of such reservations clearly indicated.
- (6) Proposed sanitary and storm sewers, and water system.

(7) Drainage: all proposals for surface water disposal.

(8) Other Utilities: the approximate location of other utilities including the location of streets lighting fixtures.

(d) Supplemental Information

(1) Partial Development. If the partition proposal pertains to only part of a tract owned or controlled by the applicant, or is within an area surrounded by undeveloped parcels, the Planning Director may require a sketch of a tentative layout of streets in the undivided portion.

(2) Deed Restrictions: Any proposed deed restrictions.

(3) Vacation of existing rights-of-way or easements.

3.040 PRELIMINARY PLAN REVIEW PROCESS

3.041 Upon receipt of the Preliminary Plan, the Planning Director shall provide a copy of the Plan and supplementary material to the City's Engineer and representatives of any other agency or organization as deemed appropriate by the Planning Director. The City's Engineer or other agencies, shall be given a reasonable time (10 working days) to review the Plan and suggest revisions that appear to be in the public interest. If no written response is received by the Planning Director, it shall be assumed that the Plan has been approved as submitted. The Planning Director upon receipt of a written request, may grant an additional five working days response time.

3.042

Within ten days following receipt of a Preliminary Plan by the Department of Community Development, a public notice shall be mailed to all persons owning property within the affected area. The affected area is all real property

within lines 150 feet, including intervening streets, from and parallel to the boundaries of the partition and such other contiguous property as is under legal control of the applicant. The notice shall state that a partition has been proposed and that detailed information is available at the Department of Community Development. Furthermore, any person in receipt of the notice who desires to testify regarding the proposal shall so indicate in writing to the Planning Director within ten days from the mailing date of the notice.

3,043 In the event a request for an opportunity to testify is received by the Planning Director, a hearing date shall be established. A notice shall be sent at least ten days prior to the date of the hearing. The hearing shall be no more than thirty days following the date upon which the Planning Director receives a request by an affected property owner to testify.

3,044 Partition approval process. A meeting date shall be established in order to allow testimony by the applicant and any person who has requested the opportunity to testify. At the hearing the Planning Commission chairperson, the Planning Director, and the City's Engineer shall review the Preliminary Plan. If there is a consensus between the Planning Commission chairperson, the Planning Director, and the City's Engineer on whether the applicant's proposal is in conformance with the intent as well as the provisions of this ordinance, the Zoning Ordinance and the Comprehensive Plan, then the Preliminary Plan shall be approved. In the event they determine that the preceding factors have not been met, they may either:

.01 Approve the Preliminary Plan subject to conditions. A written explanation of the conditions shall be attached to two copies of the Preliminary Plan. One such copy shall be returned to the applicant and one will be retained by the Planning Director. When approval is based upon conditions, such proposal will be in conformance with the intent as well as the provisions of this ordinance, the Zoning Ordinance, and the City's Comprehensive Plan.

- .0202 Disapprove the Preliminary Plan. A written explanation shall be sent to the applicant outlining the reasons for disapproval.
- .03 Refer the matter to the full Planning Commission for determination. A referral to the full Planning Commission is mandatory if there is not a consensus between the Planning Commission chairperson, the Planning Director, and the City's Engineer.
- 3.045 Partition approval process when the partition has been referred to the Planning Commission.
- .01 The Planning Director shall establish a date for a public hearing before the full Planning Commission. The hearing shall be no more than sixty days following a referral.
- .02 At least ten days prior to the hearing a notice shall be mailed to all persons owning property in the affected area, inviting testimony. The affected area is all real property located within lines 150 feet, including intervening streets, from and parallel to the boundaries of the partition and such contiguous property as is under the legal control of the applicant.
- .03 At the public hearing, the Planning Commission shall review the Preliminary Plan, any reports of affected agencies, and the hearing testimony. If the Planning Commission determines that the applicant's proposal is in conformance with the intent as well as the provisions of this ordinance, the Zoning Ordinance, and the City's Comprehensive Plan, the Commission shall approve the Preliminary Plan. In the event the Commission determines that the preceding factors have not been met, they may either:
- (a) Approve the Preliminary Plan subject to conditions. A written explanation of the conditions shall be attached to two copies of the Preliminary Plan. One of the copies shall be returned to the applicant and the other one retained by the Planning Director. When approval is based upon conditions, such conditions

will be in conformance with the intent as well as the provisions of this ordinance, the Zoning Ordinance, and the City's Comprehensive Plan.

- (b) Disapprove the Preliminary Plan. A written explanation shall be sent to applicant outlining the reasons for disapproval.

3.046 Approval of the Preliminary Plan shall signify approval of the partition provided that:

- .01 the final map complies with the requirements of this ordinance;
- .02 the final map complies with the terms of approval of the Preliminary Plan;
- .03 and that no circumstances or situations arise which would leave the Preliminary Plan unacceptable.

3.050 EFFECTIVE PERIOD OF PRELIMINARY APPROVAL

Approval of the Preliminary Plan of a partition shall be effective for two (2) years from the date of approval, during which time the final map shall be recorded. When an applicant desires to record and develop portions of the approved Preliminary Plan in stages. The Planning Commission may authorize a time schedule for submission of the various stages over a period of time in excess of two years. However, in no case shall the total time period for submission of all stages greater than three years without re-submission of the Preliminary Plan. A request for an extension of the approval time shall be submitted in writing prior to the approval period elapsing. If the applicant has not requested extension of the partition within thirty (30) days after the elapsed date, all approvals shall become void. In the event the applicant wishes to proceed with the partition, after the time limit has expired, the Preliminary Plan shall be re-submitted. Any re-submitted Preliminary Plan shall be subject to modifications necessary to meet changed conditions.

3.060 FINAL MAP

3.061 PREPARATION.

The applicant, following approval of the Preliminary Plan, shall prepare 5 copies of the Final Partition Map, together with 5 copies of any other supplementary material as may be required to indicate the general program and objectives of the project.

.01 Format. The Final Partition Map shall include the following data:

- (a) The final partition map shall be drawn with black india ink on good quality mylar drafting film. The map shall be 8½" X 11" in size and drawn at a scale of one inch equals one hundred feet.

.02 Data Requirements. In addition to the information required by Oregon State Law (chapter 92) the following data shall be shown on the final map:

- (a) Reference points of existing surveys identified, related to the map by distances and bearings, and referenced to a field book or map as follows:
 - (1) Stakes, monuments, or other evidences found on the ground and used to determine the boundaries of the partition.
 - (2) Adjoining corners of adjoining subdivisions or partitions.
 - (3) Other monuments found or established in making the survey of the partition or required to be installed by State Law.
- (b) State grid coordinate shown on one prominent point within the development.
- (c) The location, width, and centerline of streets and easements intercepting the boundaries of the tract.

- (d) Normal flood plane or high water line for any creek or other minor body of water or natural drainage way and the one hundred year flood line of major water bodies.
- (e) Tract, block, and lot or parcel boundary lines and street right-of-way and centerlines, with dimensions, bearings. Tract boundaries and street bearings shall be shown to the nearest second with basis of bearings. Distances shall be shown to the nearest 0.01 feet.
- (f) The width of the portion of streets being dedicated and the width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius, cord distance, bearing, and central angle shall be indicated.
- (g) Easements, clearly identified and, if already of record, their recorded reference. If an easement is not definitely located of record, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the partition shall be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificates of dedication.
- (h) Lot numbers beginning with the number "1" and numbered consecutively in each block.
- (i) Identification of land to be dedicated for any purpose, public or private, to distinguish it from lots or parcels intended for sale.
- (j) Building setback lines, if any, are to be made a part of the partition restrictions.
- (k) The following certificates may be combined where appropriate:

- (1) A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the map.
- (2) A certificate with the seal of and signed by the engineer or surveyor responsible for the survey and final map.
- (3) Other certification now or hereafter required by law.

.03 Supplemental Information

- (a) A copy of any deed restrictions
- (b) A copy of any dedication requiring separate documents.
- (c) Warranty deeds conveying property to the City.

3.070 FINAL MAP REVIEW PROCESS

3.071 The applicant shall submit the final partition map and other data to the Planning Division of the Department of Community Development. The Planning Director, the Planning Commission Chairperson, and the City's Engineer shall determine whether:

- .01 The final map conforms with the requirements of this ordinance;
- .02 The final map conforms with the approved preliminary plan; and
- .03 Any circumstances or situations have arisen which would leave the final plat unacceptable.

3.072 In addition, the County Surveyor may conduct a field check in order to verify that the map is sufficiently correct on the ground. In the event that any of the preceding has not been met, the applicant shall be so notified and afforded an opportunity to make the necessary corrections. If it is found that the map is in conformity with the preceding requirements, and the supplemental documents are in order, the Planning

Commission Chairperson and the City's Engineer shall sign and date the map.

3.073 The applicant shall submit the approved partition map to the Recording Section of the Department of Administrative Services, Multnomah County.

3.080 APPEALS

3.081 A decision by the Planning Director, the Planning Commission Chairperson, and the City's Engineer or a decision by the full Planning Commission may be appealed. The appeal procedures are outlined in Section 6.000 of this ordinance.

3.082 A decision by the Planning Director, on an administrative matter, may be appealed to the City Administrator.

SECTION 4.000 ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENT, CONSTRUCTION DRAWING REQUIREMENTS, PROCEDURE FOR COMMENCEMENT OF CONSTRUCTION, CONDITIONAL BUILDING PERMITS AND ACCEPTANCE OF CONSTRUCTION IMPROVEMENTS

4.010 ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

4.011 GENERAL

After approval of the Preliminary Plan and the construction plans, and before the commencement of any construction, the applicant shall be required to secure a bond, or place cash in escrow or trust, to insure that all improvements in the development will be completed and maintained in accordance with the requirements of this ordinance, the Planning Commission's decision, and the City Engineer's specifications. The applicant shall guarantee both workmanship and materials.

4.012 PERFORMANCE GUARANTEE REQUIREMENTS

.01 Following approval of the construction drawings (see Section 4.020 for construction plans approval procedure) the applicant shall secure a bond, or place cash in escrow or trust, in an amount equal to 110% of the estimated cost of the improvements. The amount may be reviewed by the City's Engineer to verify the estimated cost of the project. Bonds, or funds placed in escrow or trust, shall comply with all statutory requirements and shall be satisfactory to the City's Attorney as to form, sufficiency, and manner of execution as set forth in these regulations and the Department of Community Development's procedures.

- .02 The period within which required improvements must be completed shall be eighteen (18) months from the date of approval of the final subdivision plat or partition map. The Planning Commission, upon proof of extraordinary difficulty, may extend the completion date.
- .03 Temporary Improvements. The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission and shall maintain the improvements for the period specified by the Planning Commission. Prior to construction of any temporary facility or improvement, the applicant shall file with the City a separate bond, trust, or escrow agreement, for temporary facilities, which shall insure that the temporary facilities will be properly constructed, maintained, and removed.
- .04 Oversizing. All required improvements shall be made by the applicants, at their own expense, without reimbursement by the City, unless specifically authorized. Any oversizing authorization shall be made prior to construction and after approval of the construction drawings and specifications by the City's Engineer. The amount of reimbursement, or the percentage of the project cost, to be paid by the City, if any, shall be determined and authorized by the City Council.
- .05 Failure to Complete Improvements. When a bond, trust or escrow agreement has been posted and the required improvements have not been installed within the terms of the bond, trust or escrow agreement, the City may thereupon declare said applicant to be in default and require that all the improvements be installed to the satisfaction of the City's Engineer. If the cost to make the improvements exceeds the amount of the bond, trust or escrow agreement,

the applicant shall be liable to the City for the difference together with court costs and attorney fees necessary to collect said costs from the applicant.

4.020 PROJECT DEVELOPMENT AND INSPECTION FEE AND CONSTRUCTION DRAWINGS

4.021 The applicant shall pay the Project Development Inspection Fee (P.D.I.F.) at the time the construction drawings are filed with the City for review. When it is anticipated that there will be an abnormally long delay between submission of the construction plans for review and the actual field inspection of the facilities, the City Administrator may provide that only one-half of the P.D.I.F. be paid prior to filing the final plat or map and the balance shall be due before actual commencement of construction.

4.022 Construction drawings shall be prepared for all required improvements. The applicant shall submit three sets of the construction drawings to the Director of the Department of Community Development at any time following approval of the Preliminary Plan.

4.023 DESIGN AND DATA REQUIREMENTS OF CONSTRUCTION DRAWINGS

.01 Drawings shall be drawn at a scale of one inch equals fifty feet. Drawings shall be oriented so that north will be at the top of the page. However, when the preceding requirement proves to be impractical, then north shall be oriented to the right side of the page.

.02 Profiles shall show existing and proposed elevations along center lines of all streets. When a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets within one hundred feet of the intersection shall be shown. Approximate radii of all curves, lengths of tangents, and central angles on all streets.

.03 Plans and profiles shall show the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch inlets; the locations of street trees, the location of replacement trees for those to be removed in the development process; the

location, size, direction of flow, and invert elevations of existing and proposed sanitary sewers, storm water system, and fire hydrants.

- .04 Streets and storm water systems shall be shown on the same set of drawings.
- .05 Sanitary sewer and water systems shall be shown on the same set of drawings.
- .06 Location, size, elevation, and other appropriate description of any existing facilities or utilities shall be shown on the drawings. In addition, all elevations shall be referred to the U.S.G.S. datum plane.
- .07 All specifications and references required by the City's construction standards and specifications shall be shown on the construction drawings.
- .08 Title, name, address, and signatures of the engineer and surveyor, and date, including revision dates shall be shown on the drawings.

4.014 REVIEW PROCEDURE

- .01 The City's Engineer shall have 30 days, following submission of the construction drawings, to review the plans. One copy of the construction drawings, along with the Engineer's comments, shall be returned to the applicant. In the event that significant modifications are necessary, the City's Engineer may require that the drawings be altered and re-submitted for final approval. The City's Engineer shall have another 30 days to review the re-submitted drawings.

4.030 COMMENCEMENT OF CONSTRUCTION

4.031 Prior to commencement of construction, all the following shall be completed:

- .01 The applicant shall request in writing to the Director of the Department of Community Development that he be allowed to commence with construction.
- .02 The applicant shall have paid all outstanding fees, assessments, and liens on the property, including, but not limited to: sewer or water assessment, and all taxes on any property being deeded to the City or dedicated to the public.

- .03 The applicant shall have submitted and had the construction drawings approved.
 - .04 The applicant shall have submitted and had approved a Performance Bond.
 - .05 The Director of the Department of Community Development shall have issued a notice of "Authorization To Commence With Construction".
- 4.032 No construction shall take place prior to official authorization. Any construction which may take place may be halted by the Director of the Department of Community Development.

4.040 CONDITIONAL BUILDING PERMITS

- 4.041 After the issuance of a letter authorizing the commencement of construction, and before official acceptance of the construction improvements by the City, conditional building permits may be issued within the subdivision only when in compliance with the following requirements:
- .01 If a subdivision is substantially complete, and a "Certificate of Substantial Completion" has been issued by the Director of Community Development, conditional building permits may be issued on up to 90% of the lots within the subdivision.
 - (a) The "Certificate of Substantial Completion" is issued by the Director of the Department of Community Development following a field inspection by the City's Engineer, or designated representative, who shall verify that the required improvements have been constructed in accordance with the applicable standards and specifications (along with any noted exceptions) and that the streets, sanitary and storm sewers, water system, and other improvements are operable and suitable for public use.
 - .02 If the subdivision is not substantially completed, no building permits will be issued except by authorization of the Director of the Department of Community Development when under the following circumstances:
 - (a) When the street on which the lot fronts is substantially complete allowing direct public access to the lot.

(b) When the lot has alternative access to a completed street for building purposes, providing such access would not create traffic hazards or damages to existing streets or utilities, and if there is operable sewer and water lines to the lot, and if the street on which the lot fronts is at least graded and base rock and can be paved prior to completion of the building.

.03 No more than 50% of the lots within the subdivision may receive building permits prior to a "Certificate of Substantial Completion" being issued by the Director of Community Development.

4.042 No building permits will be issued on the last 10% of the building lots within the subdivision until all of the following requirements have been fulfilled:

.01 The applicant has submitted a letter to the Director of the Department of Community Development requesting that the City accept the improvements and that the improvements have been built to City standards and the approved construction drawings.

.02 The applicant has submitted one set of mylar "as-built" drawings and two prints of each mylar.

.03 The City's Engineer and Public Works Department have approved the improvements and recommended acceptance.

.04 The applicant has submitted a maintenance bond, escrow or trust agreement, in an amount which is not less than 10% of the cost of the improvements, in the event a maintenance guarantee has not previously been submitted. The bond shall be in a form which is satisfactory to the City's Attorney. The bond shall run for a period of at least one year following acceptance by the City and the applicant shall be required to correct all deficiencies of workmanship and materials within the development for that period. The City Council may require a larger bond, or allow the bond to run for a longer period (2 years) if the City has good reason to believe that the construction improvements will fail because of workmanship or materials.

.05 The applicant has submitted a bond, escrow or trust agreement, which will guarantee the placement and maintenance of a one inch overlay of asphaltic concrete on all streets within the development. The applicant shall be required to place the overlay on all streets after at least 90% of the buildings within the development have received "Certificates of Occupancy" or two years

after acceptance of the streets by the City,
whichever comes first.

4.043 Regular building permits may be issued for the remainder of the lots after official City acceptance of all the public improvements.

4.050 ACCEPTANCE OF CONSTRUCTION IMPROVEMENTS

4.051 The City will accept the improvements only after all the following has been completed:

- .01 The applicant has submitted a letter to the Director of the Department of Community Development requesting that the City accept the improvements and that the improvements have been built to City standards and the approved construction drawings.
- .02 The applicant has submitted one set of mylar "as-built" drawings and two prints of each mylar.
- .03 The City's Engineer and Public Works Department have approved the improvements and recommended acceptance.
- .04 In the event a maintenance guarantee has not previously been submitted, the applicant has submitted a maintenance bond, escrow or trust agreement, in an amount which is not less than 10% of the cost of the improvements. The bond shall be in a form which is satisfactory to the City's Attorney. The bond shall run for a period of at least one year and the applicant shall be required to correct all deficiencies of workmanship and materials within the development for that period. The City Council may require a larger bond, or allow the bond to run for a longer period (2 years) if the City has good reason to believe that the construction improvements will fail because of workmanship or materials.
- .05 The applicant has submitted a bond, escrow or trust agreement, which will guarantee the placement and maintenance of a one inch overlay of asphaltic concrete on all streets within the development. The applicant shall be required to place the overlay on all streets after at least 90% of the buildings within the development have received "Certificates of Occupancy" or two years after acceptance of the streets by the City, whichever comes first.

SECTION 5.000 REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

5.010 GENERAL IMPROVEMENTS

In addition to the requirements established herein, all parcels which are subdivided or partitioned shall comply with the following laws, rules, and regulations:

5.011 All applicable statutory provisions.

5.012 The City's Zoning Ordinance, Building Code, and all other applicable laws of this City or appropriate agency or jurisdiction.

5.013 The City's Comprehensive Plan and Capital Improvements Plan.

5.014 The standards and specifications required by the City's Engineer. The engineering specifications may be varied by the City's Engineer when adequate testing, construction and inspection procedures result in a product of an equivalent performance standard.

5.015 All pertinent policies of the Metropolitan Service District, and State or Federal agencies.

Approval may be withheld if any partition or subdivision is not in conformance with the above guides, or the policy and purposes of these regulations established in Section 1.000 of these regulations.

5.020 CHARACTER OF THE LAND

Land which the Planning Commission finds to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the partition or subdivision and the surrounding areas, shall not be developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation of the City's

Engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve such a danger.

5.030 WATER FACILITIES

Water lines and fire hydrants serving the subdivision or partition, and connecting the development to City mains, shall be installed to provide adequate water pressure to protect against fire and provide adequate water pressure to serve present and future consumer demand. The materials, sizes, and locations of water mains, valves, and hydrants shall be in accordance with the standards of the Fire District, the City, and the State.

5.040 UNDERGROUND UTILITIES

All subdivisions or major partitions shall be required to install underground utilities (including, but not limited to, electrical and telephone wiring). The utilities shall be installed pursuant to the requirements of the utility company. Electric power transmission lines (over 50,000 volts) or primary feeder lines, and transformer vaults are exempted from these requirements.

5.050 LOT IMPROVEMENTS

5.051 LOT ARRANGEMENT

The lot arrangement shall be such that there will be no foreseeable difficulties, for reason of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance.

5.052 LOT DIMENSIONS

The lot dimensions shall comply with the minimum standards of the Zoning Ordinance. When lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots.

5.053 DOUBLE FRONTAGE LOTS AND ACCESS TO LOTS.

Double frontage lots shall be avoided except where necessary to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography and/or orientation.

5.054 Lots shall avoid deriving access from major or minor arterials. When driveway access from major or minor arterials may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards on such streets. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on minor or major arterials.

5.055 FENCING

An applicant shall be required to furnish and install fencing wherever the Planning Commission determines that a hazardous condition may exist. The fencing shall be constructed according to standards established by the City's Engineer. No certificate of occupancy shall be issued until said fence improvements have been duly installed.

5.056 EROSION CONTROL

Grass seed planting shall take place prior to September 30th on all lots upon which a dwelling has not been started but the ground cover has been disturbed. The seeds shall be of an annual rye grass variety and shall be sown at not less than four pounds to each one thousand (1,000) square feet of land area.

5.057 Grass or weeds on lots shall be cut when it reaches a height of ten (10) inches or more, in order to prevent a fire hazard and/or a traffic hazard.

5.060 SURFACE DRAINAGE AND STORM SEWER SYSTEMS

5.061 GENERAL PROVISIONS

The Planning Commission shall not recommend for approval any partition or subdivision which does not make adequate provisions for storm or flood water run-off. The storm water drainage system shall be separate and independent of any sanitary sewer system. Inlets shall be provided so surface water is not carried across any intersection. Surface water drainage patterns shall be shown for each and every lot and block. The sewer system shall be build to the standards of the City's Engineer.

5.062 ACCOMMODATION OF UPSTREAM DRAINAGE AREAS

A culvert or other drainage facility shall in each case be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside of the development. The City's Engineer shall determine the necessary size

of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by the Zoning Ordinance. The applicant may petition the City Council for reimbursement of a portion of any oversizing cost (see Section 4.012.03).

5.063 EFFECT ON DOWNSTREAM DRAINAGE

Where it is anticipated that the additional runoff incidents to the development of the subdivision will overload an existing drainage facility, the Planning Commission may withhold approval of the subdivision until provisions have been made for improvement of said potential condition.

5.064 DRAINAGE EASEMENTS

When topography or other conditions are such as to make impractical the inclusion of drainage facilities within street right-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the street. When a proposed drainage system will carry water across private land outside the development, appropriate drainage rights must be secured.

5.070 SEWERAGE FACILITIES

5.071 GENERAL PROVISION

The applicant shall install sanitary sewer facilities in a manner prescribed by the Department of Environmental Quality (D.E.Q.) and the City's Engineer. Where sanitary sewer facilities are not required, an individual disposal system shall be used. The individual disposal system, including the size of the septic tanks and size of the tile fields or other treatment device, shall be approved by Multnomah County.

5.072 SIZING SYSTEM

Sanitary sewer systems should be designed for the ultimate tributary population, which should be determined by consideration of the current zoning. Sewer capacities should be adequate to handle maximum hourly quantities of sewage and industrial waste together with an adequate allowance for infiltration and other extraneous flow.

5.080 GATEWAY TO NEIGHBORHOODS

5.081 In order to create a "Gateway" to neighborhoods, all subdivisions containing fifty (50) or more units, and which have direct access to a collector or arterial street, shall be required to provide a landscaped island or an alternative Gateway at the entrance of the subdivision. A water stub-out and meter shall be provided to the landscaped island. The applicant shall consult with the Planning Director concerning the Gateway's design and type of plantings. The Planning Director may also require extra right-of-way width and/or flatter curve radius. Signs, identifying the name of the subdivision, may be allowed following design review approval and when there is some mechanism or agreement (preferably a homeowner's association or when the City Council has authorized City maintenance) which shall insure maintenance of the sign and surrounding landscaping.

5.090 PEDESTRIAN ACCESS

The Planning Commission may require, in order to facilitate pedestrian access from streets to schools, parks, or other nearby streets, perpetual unobstructed easements at least twelve (12) feet in width.

5.100 UTILITY EASEMENTS

A minimum five (5) foot utility easement shall be required along the front, side, and rear lot lines for all lots within the subdivision.

5.110 PRESERVATION OF NATURAL FEATURES AND AMENITIES

5.111 GENERAL

Existing features which would add value to residential developments or to the City as a whole, such as trees, watercourses, beaches, historical spots, and similar irreplaceable assets, shall be preserved in the design of the development. No trees shall be removed from any development nor any change of grade of the land effected until approval of the final plat or map has been granted. All trees on the site which have been designated to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade.

5.112 STREET TREES

Street trees shall be planted along collector and arterial streets. Such trees are to be planted

within five (5) feet of property lines which abut a collector or arterial street, or at the discretion of the Planning Commission. One tree shall be planted for every twenty (20) feet of frontage along each street unless the Planning Commission, upon recommendation of the Planning Director, shall grant a waiver. The type of trees to be planted shall be identified by the Planning Director.

5.120 STREETS

5.121 GENERAL REQUIREMENTS

No subdivision or partition shall be approved unless the development has frontage or approved access to an existing public street. In addition, all streets shall be graded, improved, and be in conformance to the City's construction standards and specifications by the City's Engineer, in accordance with the construction plans.

5.122 TOPOGRAPHY AND ARRANGEMENT

Local streets shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be properly related to special traffic generators such as industries, business districts, schools, and shopping centers; and to the pattern of existing and proposed land uses.

5.123 LOCAL STREETS

Local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, to require the minimum number of streets necessary to provide convenient and safe access to property, and to allow for the southern exposure of homes.

5.124 BUSINESS AND INDUSTRIAL STREETS

In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.

5.125 PROPOSED STREETS

Proposed streets shall be extended to the boundary lines of the tract to be subdivided. A reserve

strip across the end of the street shall be deeded to the City at the applicant's own expense. In addition, a barricade shall be built at the end of the street by the applicant and it shall not be removed until authorized by the Planning Director.

5.130 BLOCKS

- 5.131 Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. However, exceptions to the block width shall be allowed for blocks which are adjacent to arterial streets, or natural features.
- 5.132 Blocks along arterials or collector streets shall not be less than one thousand (1,000) feet in length, wherever possible.
- 5.133 In long blocks the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Pedestrianways, not less than twelve (12) feet wide, may be required by the Planning Commission through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, parks, shopping centers, public transportation, other community facilities.

5.140 ACCESS TO ARTERIALS

- 5.141 When major partition or subdivision abuts on an existing or proposed arterial, the Planning Commission may require that access to such streets be limited by one of the following means:
- .01 The subdivision of lots so as to back onto the arterial and front onto a parallel local street.
 - .02 A series of cul-de-sacs, u-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial.

5.150 CURVE RADIUS

- 5.151 All local and neighborhood collector streets shall have a minimum curve radius (at intersections) of twenty (20) feet, unless otherwise approved by the Planning Director. When a local or neighborhood collector enters on to a collector or arterial

street, the curve radius shall be a minimum of thirty (30) feet, unless otherwise approved by the Planning Director.

5.160 STREET SIGNS

5.161 The City shall install all street signs and the applicant shall pay for the signs prior to the issuance of Authorization to Commence with Construction. In addition, the applicant may be required to pay for traffic safety devices as related to the development. The type and location of the street signs and/or traffic safety devices shall be designated by the City's Engineer and Public Works Director, and shall be approved by the Planning Director or Planning Commission.

5.170 CUL-DE-SAC

5.171 Permanent. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the City's construction standards and specifications. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length to six times the minimum lot width, serving no more than eighteen (18) dwelling units, and not exceeding four hundred (400) feet in length.

5.180 STREET SURFACING AND IMPROVEMENTS

5.181 Public streets, including alleys, within the development shall be improved in accordance with the requirements of the City or the standards of the Oregon State Highway Department. A one inch overlay of asphaltic concrete, or material approved by the City's Engineer, shall be placed on all streets within the development when at least 90% of the Certificates of Occupancy have been issued or two years after acceptance of the streets by the City, whichever comes first.

5.190 ARTERIAL STREET SETBACK

5.191 In residential districts a building setback line, which shall extend twenty (20) feet back from the right-of-way line of an arterial street, shall be provided adjacent to the arterial. The placement of structures within the buffer strip is prohibited.

5.200 INTERSECTIONS

5.201 Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed

intersection of two new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the Planning Commission.

5.210 STREET LIGHTING

5.211 A complete lighting system (including, but not limited to: conduits, wiring, bases, wooded poles, arms, and fixtures) shall be the financial responsibility of the applicant on all cul-de-sacs, local streets, and neighborhood collector streets. The developer will be responsible for providing the arterial luminaries in those cases where the developer is required to improve a collector or arterial street. The following subsection (5.220 - 5.280) identifies the mounting height and brightness requirements.

5.212 The applicant shall contact Portland General Electric, who shall develop a lighting plan for the subdivision in accordance with the City of Troutdale's lighting standards and policies. Portland General Electric shall also develop a cost estimate for the lighting system.

5.213 The Public Works Department shall review and approve the design and cost estimate for the lighting system. The Public Works director shall bill the applicant for the cost of the lighting system, plus a 2% charge for administration or as otherwise approved by the City Council.

5.220 DESIGN STANDARDS - PRINCIPAL/MAJOR ARTERIAL

5.221 FUNCTION:

To expedite the movement of traffic to and from major trip generators and between communities; to collect and distribute traffic from freeways or expressways to minor arterial streets, collector streets, or directly to traffic generators. The design of principal and major arterials is identical; the difference is that principal arterials carry inter-county trips while major arterials carry intra-county trips.

5.222 STANDARDS:

- .01 Traffic Volume: 16,000 or more vehicles per day.
- .02 Right-of-Way: 80-90 feet; additional set-back can be provided to a maximum of 60 feet from centerline.
- .03 Pavement Width: 66-76 feet.
- .04 Number of Moving Lanes: 4 or more.
- .05 Speed Limits: 35-45 m.p.h.
- .06 Access Control: Minimum of 300 feet sight distance.
 - (a) Residential Uses: No direct access.
 - (b) Commercial Uses:
 - (1) Curb cuts 50 feet to curb return (minimum) and no access if an alternative exists.
 - (2) A maximum of one 45' wide curb cut per 150 feet of street frontage or fraction thereof (shared driveways are encouraged).
 - (3) Left-hand turning at intersections only, or one left-turn lane per 400 feet if controlled.
 - (c) Industrial Uses:
 - (1) Curb cuts 100 feet to curb return (minimum), no access if an alternative exists.

- (2) A maximum of one 45' wide curb cut per 200 feet of street frontage or fraction thereof.
- (3) Left-hand turning at intersections only, or one left-turn lane per 400 feet if controlled.

.07 Landscaping:

- (a) A 30 foot minimum setback from curb return.
- (b) A 10 foot minimum setback from any driveway access.
- (c) All landscaping shall be maintained by the property owner.
- (d) Residential Uses:
 - (1) One tree per 20 foot interval (minimum 2 trees per lot).
 - (2) A 10 foot wide planting strip beyond the right-of-way.
- (e) Commercial Uses:
 - (1) One tree per 20 foot interval (minimum 2 trees per lot).
- (f) Industrial:
 - (1) One tree per 20 foot interval (minimum 2 trees per lot).

.08 Land Uses Served (within one mile):

- (a) The central business district of the City.
- (b) International airports.
- (c) Regional shopping centers.
- (d) Colleges and universities.
- (e) Community parks.
- (f) Industrial parks.
- (g) Stadiums or civic centers.

.09 Spacing:

- (a) One mile minimum between principal arterials.

.10 Parking:

- (a) Restricted to emergency parking only.

.11 Intersection Design:

- (a) Exclusive left and right turn lanes.
- (b) Signalization at intersections with principal and minor arterials, and with collectors as warranted.
- (c) Bus turnouts.
- (d) Designated crosswalks at controlled locations.

.12 Street Lighting:

- (a) Mounting height: 35' to 40'.
- (b) Brightness: 55,000 lumens mercury vapor (1,000 watts) or 48,000 lumens sodium vapor (400 watts).
- (c) See Section 5.210 for additional standards and requirements.

.13 Bus/Truck Restrictions:

- (a) None.

.14 Bicycle Lanes:

- (a) 4' to 6' wide and on both sides of the street.

.15 Sidewalks:

- (a) Separated from street with a minimum 5 foot planting strip.
- (b) Residential: 5' minimum.
- (c) Business/Industrial: 6' minimum.

.16 Slope:

- (a) Maximum 6% slope.

5.230 DESIGN STANDARDS - MINOR ARTERIAL STREETS

5.231 FUNCTION:

- .01 To collect and distribute traffic from principal arterials to collectors and neighborhood collectors, or directly to traffic destinations; to facilitate traffic movement between neighborhoods.

5.232 STANDARDS:

- .01 Traffic Volume: 10,000-16,000 vehicles per day.
- .02 Right-of-Way: Range = 60-80 feet.
- .03 Pavement Width: Range = 44-66 feet.
- .04 Number of Moving Lanes: 2-4.
- .05 Speed Limit: 25-40 m.p.h.
- .06 Access Control: Minimum sight distance of 275 feet.

(a) Residential Uses:

- (1) Curb cuts 200 feet (minimum to curb return, and no access if less distance is required).
- (2) Left-hand turns allowed only at intersections.

(b) Commercial Uses:

- (1) Curb cuts 50 feet (minimum to curb return).
- (2) A maximum of one 45' wide curb cut per 150 feet of street frontage or fraction thereof (shared driveways are encouraged).
- (3) Left-hand turns only at intersections, if possible, or one left-hand turn per 200 feet. Option of continuous left-turn lane.

(c) Industrial Uses:

- (1) Curb cuts 100 feet to curb return (minimum), and no access if an alternative exists.

- (2) A maximum of one 45' wide curb cut per 200 feet of street frontage or fraction thereof.
- (3) Left-hand turns only at intersections, if possible, or one left-hand turn per 200 feet. Option of continuous left-turn lane.

.07 Landscaping:

- (a) A 30 foot minimum setback from curb return.
- (b) A 10 foot minimum from any driveway access.
- (c) All landscaping shall be maintained by the property owner.
- (d) Residential:
 - (1) One tree per 20 foot interval (minimum 2 trees per lot).
 - (2) A 10 foot wide planting strip beyond the right-of-way.
- (e) Commercial Uses:
 - (1) One tree per 20 foot interval (minimum 2 trees per lot).
- (f) Industrial Uses:
 - (1) One tree per 20 foot interval (minimum 2 trees per lot).

.08 Land Uses Served (within 1/2 mile):

- (a) General aviation airports.
- (b) Community shopping centers.
- (c) Community Colleges.
- (d) Large industrial firms.
- (e) High schools.
- (f) Large office complexes.
- (g) Fire stations.

.09 Spacing:

- (a) One-half mile between minor arterials

.10 Parking:

- (a) Allowed on one side in some areas.

.11 Intersection Design

- (a) Exclusive turn lanes are optional.
- (b) Signalization at intersections with principal and minor arterials, and with other streets as warranted.
- (c) Flared intersections are optional.
- (d) Bus turnouts.
- (e) Designated crosswalks at controlled locations.
- (f) No parking within 100 feet of an intersection.
- (g) 90° intersection angles (minimum 75°).
- (h) Street alignments at intersections shall be continuous.
- (i) 150 foot minimum distance between intersections.

.12 Street Lighting:

- (a) Mounting height: 30' to 35'.
- (b) Brightness: 21,000 lumens mercury vapor (400 watts) or 25,000 lumens sodium vapor (250 watts).
- (c) See Section 5.210 for additional standards and requirements.

.13 Bus/Truck Restrictions:

- (a) None

.14 Bicycle Lanes:

- (a) Areas to be provided on each side of the street for combined emergency parking and bicycle use.

.15 Sidewalks:

- (a) Separated from street with a minimum 5 foot planting strip.
- (b) Residential: 5' minimum.
- (c) Commercial: 6' minimum.

.16 Slope:

- (a) Maximum 6% slope.

5.240 DESIGN STANDARDS - COLLECTOR STREET

5.241 FUNCTION

- .01 To collect and distribute traffic from principal and minor arterials to neighborhood collectors and local streets, or directly to traffic destinations.

5.141 STANDARDS

- .01 Traffic Volume: 4,000 - 10,000 vehicles per day.
- .02 Right-of-Way: Range = 50-60 feet; standard = 60 feet.
- .03 Pavement Width: Range = 40-44 feet; standard = 44 feet.
- .04 Number of Moving Lanes: 2-4
- .05 Speed Limit: 25-30 m.p.h.
- .06 Access Control:
 - (a) Residential Uses:
 - (1) Curb cuts 45 feet to curb return (minimum), and no access if an alternative exists.
 - (2) No restrictions regarding left-hand turns.
 - (b) Commercial Uses:
 - (1) Curb cuts 50 feet to curb return (minimum).
 - (2) A maximum of one 45' wide curb cut per 150 feet of street frontage or fraction thereof (shared driveways are encouraged).
 - (3) No restrictions regarding left-hand turns.
 - (c) Industrial Uses:
 - (1) Curb cuts 100 feet to curb return (minimum).

(2) A maximum of one curb cut per 150 feet of street frontage or fraction thereof (shared driveways are encouraged).

(3) No restrictions regarding left-hand turns.

.07 Landscaping:

(a) A 30 foot minimum setback from curb return.

(b) A 10 foot minimum setback from any driveway access.

(c) Landscaping shall be maintained by the property owners.

(d) Residential Uses:

(1) One tree per 20 foot interval (minimum 2 trees per lot).

(e) Commercial:

(1) One tree per 20 foot interval (minimum 2 trees per lot).

(f) Industrial:

(1) One tree per 20 foot interval (minimum 2 trees per lot).

.08 Land Uses Served (within 1/4 mile):

(a) Elementary schools.

(b) Small industries.

(c) Large warehouse facilities.

(d) Neighborhood shopping centers.

(e) Small office building.

(f) Neighborhood parks.

.09 Spacing:

(a) None required.

.10 Parking:

(a) Can be restricted on one side of the street, or both sides, or during peak hours.

.11 Intersection Design:

- (a) Signed as warranted at intersections with principal arterials, minor arterials and collectors.
- (b) 90° intersection angles (minimum 75°).
- (c) 150 feet minimum between intersections.

.12 Street Lighting;

- (a) Mounting height: 25' to 30'.
- (b) Brightness: 7,000 lumens mercury vapor (175 watts) or 9,500 lumens sodium vapor (100 watts).
- (c) See Section 5.210 for additional standards and requirements.

.13 Bus/Truck Restrictions:

- (a) Trucks, other than small local service delivery vehicles, allowed only if the trip destination is not on a residential or commercial local street.

.14 Bicycle Lanes:

- (a) Where parking is not allowed areas are to be provided on each side of the street for combined emergency parking and bicycle use.

.15 Sidewalks:

- (a) Separated from the street with a minimum 5 foot planting strip.
- (b) Residential: 5' minimum.
- (c) Commercial: 6' minimum.

.16 Slope:

- (a) Maximum 8% slope.

5.250 DESIGN STANDARDS - NEIGHBORHOOD COLLECTOR STREET

5.251 FUNCTION:

- .01 To collect and distribute traffic from higher type arterial streets to neighborhood access streets or directly to traffic destinations.

5.252 STANDARDS:

- .01 Traffic Volume: 1,000-4,000 vehicles per day.
- .02 Right-of-Way; Range = 50-60 feet; standard= 54 feet.
- .03 Pavement Width: Range = 36-40 feet; standard = 36 feet.
- .04 Number of Moving Lanes: Two.
- .05 Speed Limit: 20-25 m.p.h.
- .06 Access Control: No restrictions.
- .07 Landscaping:
 - (a) A 30 foot minimum setback from curb return.
 - (b) A 10 foot minimum setback from any driveway access.
 - (c) Landscaping shall be maintained by the property owner.
 - (d) All land uses shall be required to have one tree per 20 foot interval (minimum 2 trees per lot).
- .08 Land Use Served:
 - (a) Residential uses.
 - (b) Other uses allowed on conditional use permits.
- .09 Spacing:
 - (a) None specified.
- .10 Parking:
 - (a) Parking allowed on both sides of the street.

- (b) No parking shall be allowed within 30 feet of an intersection.

.11 Intersection Design:

- (a) 90° intersection angles (minimum 75°).
- (b) 100 feet minimum between intersections.
- (c) Street alignments at intersections shall be continuous.
- (d) Signed as warranted.

.12 Street Lighting:

- (a) Mounting height: 25'.
- (b) Brightness: 5,800 lumens sodium vapor (70 watts) or 7,000 lumens mercury vapor (175 watts).
- (c) See Section 5.210 for additional standards and requirements.

.13 Bus/Truck Restrictions:

- (a) No trucks shall be allowed (except local delivery or service vehicles).

.14 Bicycle Lanes:

- (a) No bicycle lanes.

.15 Sidewalks:

- (a) Residential: 4 foot minimum.
- (b) Other uses: 6 foot minimum.

.16 Slope:

- (a) Maximum 10% slope.

5.260 DESIGN STANDARDS - LOCAL STREET

5.261 FUNCTION

- .01 To provide direct access to abutting property and connect to collector streets.

5.262 STANDARDS

- .01 Traffic Volume: Less than 1,000 vehicles per day.
- .02 Right-of-Way: Standard = 50 feet.
- .03 Pavement Width: Range = 32-36 feet; standard= 32 feet.
- .04 Number of Moving Lanes: Two.
- .05 Speed Limit: 15-25 m.p.h.
- .06 Access Control: No restrictions.
- .07 Landscaping:
 - (a) A 30 foot minimum setback from curb return.
- .08 Spacing:
 - (a) None specified.
- .09 Parking:
 - (a) Parking allowed on both sides of the street.
 - (b) No parking shall be allowed within 30 feet of the curb return.
- .10 Intersection Design:
 - (a) 90° intersection angle (minimum 75°)
 - (b) 150 feet minimum between intersections.
 - (c) Signed as warranted.
 - (d) Street alignments at intersections shall be continuous.
- .11 Street Lighting:
 - (a) Mounting height: 25'.
 - (b) Brightness: 5,800 lumens sodium vaper

(70 watts) or 7,000 lumens mercury vapor (175 watts).

(c) See Section 5.210 for additional standards and requirements.

.12 Bus/Truck Restrictions:

- (a) No trucks shall be allowed (except local delivery or service vehicles).
- (b) No public transit busses allowed, unless otherwise approved by the Planning Commission.

.13 Bicycle Lanes:

- (a) None.

.14 Sidewalks:

- (a) Residential: 4 foot minimum.

.15 Slope:

- (a) 12% maximum, unless otherwise approved by the Planning Commission.

5.270 DESIGN STANDARDS - CUL-DE-SAC

5.271 FUNCTION:

.01 To provide direct access to abutting property.

5.272 STANDARDS:

.01 Traffic Volume: Less than 150 trips per day.

.02 Number of Housing Units Served: 18 units.

.03 Right-of-Way: Standard = 50 feet.

.04 Pavement Width: Standard = 28 feet.

.05 Number of Moving Lanes: Two.

.06 Speed Limit: 10-20 m.p.h.

.07 Landscaping:

(a) A 30 foot minimum setback from curb return.

.08 Spacing:

(a) None specified.

.09 Parking:

(a) Parking allowed on both sides of the street.

(b) No parking shall be allowed within 30 feet of the curb return.

.10 Intersections:

(a) 90° intersection angle (minimum 75°).

(b) 150 feet minimum between intersections.

(c) Signed as warranted.

(d) Street alignments at intersections shall be continuous.

.11 Street Lighting:

(a) Mounting height: 25 feet.

(b) Brightness: 5,800 lumens sodium vapor (70 watts) or 7,000 lumens mercury vapor (175 watts).

(c) See Section 5.210 for additional standards and requirements.

.12 Bus/Truck Restrictions:

(a) No trucks shall be allowed (except local delivery or service vehicles).

(b) No public transit busses allowed.

.13 Bicycle Lanes:

(a) None.

.14 Sidewalks:

(a) 4 foot.

5.280 SHARED PRIVATE DRIVES

5.281 When the size and shape of the lot makes separate drives impossible, shared drives may be approved by the Planning Commission when the following conditions are met:

- .01 The private drive does not serve more than six (6) units;
- .02 A homeowner's association, or other mechanism found acceptable to the City, is created to maintain the drive;
- .03 All utilities, except the private drive, shall have separate connections to the public system, or if shared utilities are allowed, an access agreement shall be secured to allow public access on the drive for operation and maintenance of the utilities; and
- .04 Any utilities or facilities shared by two or more property owners shall meet the standards of the City Engineer.

5.290 NON-RESIDENTIAL SUBDIVISIONS OR PARTITIONS

5.291 GENERAL

This section covers subdivisions or partitions which include land that is zoned for commercial or industrial purposes. A non-residential subdivision or partition shall be subject to all of these regulations, as well as such additional standards required by the Planning Commission, and shall conform to the proposed land use and standards established in the City's Comprehensive Plan and the Zoning Ordinance.

5.292 STANDARDS

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is adapted to the uses in the vicinity. The following principles and standards shall be observed:

- .01 Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- .02 Street right-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.

- .03 Special requirements may be imposed by the City with respect to street, curb, gutter, and sidewalk design and construction.
- .04 Special requirements may be imposed by the City with respect to the installation of public utilities, including water, sewer, and storm water drainage.
- .05 Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- .06 Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

6.000 APPEAL PROCEDURES

6.010 GENERAL PROCEDURE

6.011 A decision by City staff or appointed City officials shall be final at the end of ten (10) working days following the decision, unless a notice of appeal is filed with the Director of the Department of Community Development. A notice of appeal shall contain:

- .01 The name, address, and telephone number of the person filing the notice;
- .02 An identification of the decision sought to be reviewed, including the date the decision was made; and
- .03 The specific reasons why the decision should be modified or reversed.

6.012 A person desiring to appeal the decision shall submit the notice with the required fee. Failure to file a notice of appeal, or payment of the required fee, within the designated time limit, shall be a jurisdictional defect and shall preclude review. On receipt of a notice of appeal a review or hearing shall be held within sixty (60) days.

6.013 Any Planning Commission member or City Department head may appeal a Planning Commission decision to the City Council without paying the appeal fee. The provisions of Section 6.011 shall apply.

6.020 PROCEDURE OF APPEAL

6.021 ADMINISTRATIVE APPEAL

.01 The proceedings before the City Administrator, on an administrative matter, shall be conducted according to the following provisions:

- (a) A review before the City Administrator on matters appealed shall be limited to the specific grounds relied on for reversal or modification of the decision in the notice of appeal.

(b) The findings of the City Administrator shall specifically address the relationships between the grounds for reversal or modification of the decision as stated in the notice of appeal and the criteria on which the decision was originally based.

(c) There shall be no fee for an administrative level appeal.

6.022 APPEAL OF A DECISION MADE BY THE PLANNING COMMISSION
CHAIRPERSON, THE PLANNING DIRECTOR AND THE CITY'S
ENGINEER ON A MAJOR OR MINOR PARTITION

.01 The proceedings before the Planning Commission on a matter appealed shall be conducted according to the following provisions:

(a) A hearing before the Planning Commission on matters appealed shall be limited to the specific grounds relied on for reversal or modification of the decision in the notice of appeal.

(b) The findings adopted by the Planning Commission shall specifically address the relationships between the grounds for reversal or modification of the decision as stated in the notice of appeal and the criteria on which the decision by the Planning Commission Chairperson, the Planning Director, and City's Engineer was based.

6.023 APPEAL OF A DECISION MADE BY THE PLANNING COMMISSION

.01 A decision of the Planning Commission may be appealed to the City Council. The proceedings before the City Council on a matter appealed shall be conducted according to the following provisions:

(a) A hearing before the City Council on matters appealed shall be limited to the specific grounds relied on for reversal or modification of the decision in the notice of appeal.

(b) The findings adopted by the City Council shall specifically address the relationship between the grounds for reversal or modification of the decision as stated in the notice of appeal and the criteria on which the decision by the Planning Commission was based.

SECTION 7.000 DEFINITIONS

- BLOCK:** A parcel of land bounded by streets, railroad rights-of-way, parks, unsubdivided acreage, or a combination thereof.
- CITY ADMINISTRATOR:** The appointed chief administrative officer of the City who is responsible for the administration of all City ordinances, and who may make final determinations on all decisions made by the Department of Community Development.
- COMPREHENSIVE PLAN:** For the purposes of this ordinance, the term Comprehensive Plan shall mean those coordinated plans which have been adopted by the City of Troutdale which designate plans to encourage the most appropriate use of land and that outlines procedures and establishes guidelines which will guide development throughout the City in the interest of public health, safety, and general welfare.
- CONDITIONAL BUILDING PERMIT:** A building permit which is issued prior to acceptance by the City of Troutdale of all required improvements. In the event the builder constructs a structure under a Conditional Building Permit, he agrees and promises to save and hold harmless the City of Troutdale from and against all damage, claim or liability arising as a result of Troutdale's refusal to issue a Certificate of Occupancy.
- CONSTRUCTION:** Any act which is undertaken in order to prepare the land for future development. This shall include, but is not limited to, the grading of land or the removal of vegetation.
- DEDICATION:** The designation of land by its owner for any general or public use.
- DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT:** The appointed department head who is responsible to the City Administrator for the enforcement of the subdivision regulations and other related ordinances.
- EASEMENT:** The granting of the right to use land for specific purposes.
- FINAL SUBDIVISION:** The plat of a plan containing those elements and requirements as set forth in this ordinance, and as required by State Statute.
- GRADE:** The line of the street or ground surface or inclination from the horizontal.

HOMEOWNER'S ASSOCIATION: An association of property owners within a defined area who form an incorporated entity for the prosecution of a common enterprise.

LOT: A unit of land created by a division of land.

LOT CORNER: A lot which has at least two (2) adjacent sides which abut upon a street.

LOT-DOUBLE FRONTAGE: A lot with street frontage along two (2) opposite boundaries.

MAJOR PARTITION: A partition which includes the creation of a street.

MINOR PARTITION: A partition which does not include the creation of a street.

OWNER: The individual, firm, association, partnership, or corporation having fee title to the land to be subdivided and having the right to commence and maintain proceedings under these regulations.

PARCEL: A unit of land which is created by a partitioning of land.

PARTITION LAND: To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year. "Partitioned Land" does not include divisions of land resulting from lien foreclosures, divisions of land resulting from the creation of cemetery lots, and division of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or interstate succession; and does not include an adjustment to a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot standards of the Zoning Ordinance.

PLANNED DEVELOPMENT: A residential subdivision which stays within the density requirements of the zoning district in which it is located for the overall project while allowing a degree of latitude in describing individual lot sizes.

PLAT: The final map which is a diagram, drawing, replat or other writing containing all descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision.

- PRELIMINARY PLAN:** A clearly legible and approximate drawing of the proposed layout of streets, lots, and other elements of a subdivision or partition which shall help furnish a basis for the Planning Commission approval or disapproval of the general layout of the subdivision. For the purpose of this ordinance, the terms "preliminary" and "tentative", as used by State law, shall be synonymous.
- PROJECT DEVELOPMENT INSPECTION FEE:** A required fee that is designed to cover the costs incurred by the City to inspect water, sanitary and storm water systems, streets, and any other facilities which are related to the development of a subdivision or partition.
- RESERVE STRIP:** A strip of land, usually one (1) foot in width, across the end of a street or alley which shall be under the ownership of the City to insure street extensions where needed.
- RIGHT-OF-WAY:** The area between boundary lines of a street or other dedicated area.
- ROADWAY:** That portion of a road or alley right-of-way that is improved for vehicular traffic and is narrower in width than the right-of-way
- SAME OWNERSHIP:** Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or entities, or unincorporated associations, in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.
- STREET:** A public way, improved to applicable City standards, which provides vehicular and pedestrian access to adjacent properties. It shall include the terms: street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, and other such terms.
- STREET LIGHTING:** The total system of wiring, poles, arms, fixtures and lamps, including all parts thereof that are necessary to light a street or pedestrian way.
- SUBDIVIDE LAND:** To divide an area or tract of land into four (4) or more lots within a calendar year when such area or tract of land exists as a unit, under a single ownership at the beginning of each year, whether or not that area or tract of land be divided by a watercourse or a road right-of-way.

SUBDIVISION: Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

TEMPORARY IMPROVEMENT: An improvement designated by the Planning Commission as being necessary to protect the public's health, safety, and general welfare while construction is underway. An example of such an improvement is a street plug at the end of a street which will eventually be a through street.

SECTION 8.000 ENACTMENT

This ordinance shall be declared to be in full force and effect from the date of passage.

Adopted by the Common Council of the City of Troutdale, in the County of Multnomah, State of Oregon on this 10TH day of October, 1978.

YEAS: 5

NAYS: 0

Signed by the mayor this 11th day of October, 1978.

ATTEST:

Jerrri L. Widner
JERRI WIDNER, CITY RECORDER

R. M. Sturges
R. M. Sturges, Mayor

SECTION 9.000 AMENDMENTS

PROJECT STAFF

BOB JEAN

CITY ADMINISTRATOR

ED MURPHY

DIRECTOR DEPARTMENT
OF COMMUNITY DEVELOP-
MENT

JEFFREY DAVIS

PLANNER II

LARRY CONRAD

PLANNING AIDE

CATHERINE SPENCER

TYPING FORMAT DESIGNER
AND PRODUCTION TYPIST

CONSULTING STAFF

BRIAN FREEMAN

ATTORNEY

DAVID LEE

ENGINEER

JOHN LICHTENHELD

TRANSPORTATION PLANNER

SPECIAL ACKNOWLEDGMENT

SPECIAL THANKS TO THE MEMBERS OF THE CITIZENS ADVISORY COMMITTEE,
LINDA MACPHERSON OF THE DEPARTMENT OF LAND CONSERVATION AND DE-
VELOPMENT AND JEFF GIBBS OF THE COLUMBIA REGIONAL ASSOCIATION OF
GOVERNMENTS.