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## Chapter 16.04

### GENERAL PROVISIONS AND ADMINISTRATION

#### Sections:

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#### **16.04.010 Title.**

This title shall be the “subdivision ordinance of the city of Port Orford, Oregon.” (Ord. 258 § 1, 1974)

#### **16.04.020 Definitions.**

As used in this title, unless the context requires otherwise:

“City” means the city of Port Orford, Oregon.

“Community water supply” means a source of water and distribution system, whether publicly or privately owned, which serves more than three single residences or other users for the purpose of supplying water for drinking, culinary or household uses.

“Contested case” means a proceeding in which the legal rights, duties or privileges of specific parties pursuant to the zoning and subdivision

ordinances of the city and any orders or regulations pursuant thereto at which specific parties are entitled to appear and be heard.

“County” means the county of Curry, Oregon.

“Hearing” means a quasi-judicial hearing held pursuant to notice and may include the taking of testimony under oath and the introduction of exhibits at the discretion of the hearings officers.

“Hearings officer” means a person or board or commission appointed by the city council to hear matters encompassed within this title and may include one or more such persons, boards or commissioners.

“Lot” means a unit of land that is created by a subdivision of land.

“Major partition” means a partition which includes the creation of a road.

“Map” means a final diagram, drawing or other writing concerning a major partition.

“Minor partition” means a partition that does not include the creation of a street or road.

“Parcel” means a unit of land that is created by a partitioning of land.

“Partition” means either an act of partitioning land or an area or tract of land partitioned as defined in this section.

“Partition land” means to divide land into two or three parcels of land within a calendar year, but does not include:

1. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; or

2. An adjustment of a property line by the relocation of a common boundary where and additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with the minimum lot size requirements of the city zoning ordinance; however, if such adjustment involves a lot

described by a recorded plat or map the adjustment of property lines must follow the replat procedure defined by this chapter.

“Plat” includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

“Replat” means and includes a final map, diagram or drawing of the reconfiguration of lots and easements of a recorded plat and other writings containing all the descriptions, location, specifications, dedications and provisions and information concerning a recorded subdivision.

“Road” or “street” means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes.

“Subdivide land” means to divide an area or tract of land into four or more lots within a calendar year when such area or tract exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

“Subdivision” means either an act of subdividing land or an area or a tract of land subdivided as defined in this section. (Ord. 260-85 §§ 1, 2, 1985; Ord. 258 § 2, 1974)

#### **16.04.030 Delegation of powers to the planning commission and planning director.**

A. The Port Orford planning commission is delegated all lawful powers and functions of the city council of Port Orford with respect to

the consideration, requirements and approval of all tentative plans and plats and final approval of all plans and plats of subdivisions, major partitions and planned unit developments including the power to approve instruments dedicating land to the public use, so far as the same pertains to plans and plats of subdivisions, major partitions and planned unit developments.

B. The Port Orford planning director is delegated all lawful powers and functions of the city council of Port Orford with respect to the consideration, requirements and approval of all minor partitions.

C. Notwithstanding any requirements for appeals, the city council may upon its own motion review and affirm, modify or reverse any final decision of the planning commission of the planning director. In addition, at any time when the planning commission or the planning director may fail to act on any matter within the time as provided herein, or, if no time is provided, within a reasonable time, the city council may on its own motion or the motion of any interested party, intervene and take jurisdiction of such matter from the planning commission or the planning director, and render a determination in such matter. (Ord. 258 § 3, 1974)

#### **16.04.040 Sales of property.**

A. No person shall dispose of, transfer, sell or agree, offer or negotiate to sell any lot in any subdivision or any lot by reference to or exhibition of any plat of any subdivision, until such plat has been finally approved by the planning commission and duly recorded in the city.

B. A person may offer or negotiate to sell any parcel in a major partition, planned unit development or in a minor partition prior to the approval of the tentative or final plan for the major or minor partition or the planned unit development, but no person may dispose of, transfer, sell or agree to sell any parcel in a major partition, planned unit development, or in a minor partition prior to final approval by the planning commission and filing in the city. (Ord. 258 § 4, 1974)

#### **16.04.050 Hearings.**

##### A. Notice.

1. Notice of hearing for a subdivision, major partition or planned unit development shall be given to the applicant at least fifteen (15) days before such hearing.

2. Notice of a hearing for a violation of this title shall be given by mailing such notice by certified mail, to the person or persons accused, to his last known address at least fifteen (15) days before such hearing if the person is within the city, or by serving such notice in the manner provided by law for the service of civil summons. In the event the notice is served as a civil summons, the time to appear shall contain at least the following:

- a. Date, time and place of hearing;
- b. Names of any other persons or corporations jointly accused of the violations;
- c. A succinct description of the violation charged together with a description of the property involved.

3. Nothing herein shall prevent the giving of additional or further notice of any hearing if it is deemed advisable.

B. Conduct of Hearing. The planning commission, planning director and city council are empowered to formulate such rules and procedures as they deem necessary or proper for the conduct of their respective hearings, including the power to require witnesses to testify under oath, provided that no rule shall be adopted that limits the right of an interested person or group to be represented by counsel. (Ord. 258 § 10, 1974)

#### **16.04.060 Appeals.**

A. Right of Appeal. Any ruling, decision or order of the planning commission may be appealed to the city council by filing with the city clerk within thirty (30) days after the planning commission or planning director has rendered a decision. Nothing herein shall be construed as limiting the right of appeal from the city council in the manner provided by the Oregon Revised Statutes.

B. Persons Entitled to Appeal. Any interested person including any governmental agency having an interest in the matter may appeal to the city council. "Interested person" means one who has an interest that is directly affected by the ruling, decision or order, as contrasted to a general interest in the subject matter. The city council may dismiss any appeal, with or without a hearing, that it finds is not brought by an interested party. (Ord. 258 § 11, 1974)

#### **16.04.070 Fee schedule.**

A. General. In addition to the fees required by the Oregon Revised Statutes, there shall be paid at the time of filing, the following fees:

1. Subdivisions.

a. Preliminary plats shall be charged a fee at the rate of ten dollars (\$10.00) per lot within the subdivision.

b. Final plan: one hundred (100) percent of the above fees.

2. Major Partitions.

a. Preliminary plans \$ 25.00

b. Final plans 25.00

3. Minor partitions 20.00

4. Planned Unit Developments.

a. Preliminary plans 250.00

b. Final plans 150.00

5. Appeals

a. Subdivisions and planned unit developments. 65.00

b. Major and minor partitions 10.00

(Ord. 258 § 12, 1974)

**16.04.080 Initiation of proceedings by city.**

Nothing in this title shall be construed to prohibit the initiation of any matter pertaining to this title, by the planning director, planning commission or city council. (Ord. 258 §b13(1), 1974)

**Chapter 16.08**

**SUBDIVISIONS AND MAJOR PARTITIONS**

**Sections:**

- 16.08.010**      **General provisions.**
- 16.08.020**      **Subdivisions–Tentative Plans and plats–Contents.**
- 16.08.030**      **Major partitions–Tentative plans and maps–Contents.**
- 16.08.040**      **Action by the planning director and planning commission on subdivisions and major partitions.**
- 16.08.050**      **Replatting**

**16.08.010**      **General provisions.**

A. Before a plat of any subdivision or the map of any major partition may be made and recorded, the person proposing the subdivision or the major partition or his authorized agent or representative shall make an application in writing to the planning commission for approval of such proposed subdivision or major partition. Each application shall be accompanied by eight copies of the tentative plan including plats and maps showing the general design. The filing fee shall be paid at this time. No plat or map will be considered for final approval until the tentative plan has been approved.

B. The application shall be filed with the city clerk.

C. Approval of the tentative plan shall not constitute final acceptance of the plat of the

proposed subdivision or the map of the proposed major partition for recording; however, approval of such tentative plan shall be binding upon the planning commission for the purposes of the preparation of the plat or map and the planning commission may require only such changes in the plat or the map as are necessary for compliance with the terms of its approval of the tentative plan for the proposed subdivision or the proposed major partition, (Ord. 258 § 5(A), 1974)

**16.08.020**      **Subdivisions–Tentative plans and plats–Contents.**

A. The tentative plat shall be of a scale of one inch to twenty (20), fifty (50) or one hundred (100) feet and shall contain the following:

1. The proposed name of the subdivision;
2. North point, scale and date of application;
3. Names and addresses of the subdivider and of the engineer or surveyor and the land planner or landscape architect if one has been employed;
4. The tract designation and legal description and existing tax lot and map numbers;
5. The boundary line of the entire tract and the portion to be subdivided;
6. Contours, with intervals of five feet or less, may be required;
7. The names of adjacent subdivisions or partitions or the names of recorded owners of adjoining parcels of unsubdivided land;
8. The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings and other important features such as section lines and school district boundaries;

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9. Existing and proposed sewers, water mains, culverts and other underground structures and utilities within the tract or immediately adjacent thereto together with pipe sizes, grades and location;

10. All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purpose of conditions or limitations of such reservations, if any;

11. The proposed street pattern or layout showing the names and width and grades. Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradients;

12. Easements, together with their dimensions and purpose;

13. Proposed lots, approximate lot dimensions and lots numbers. Where lots are to be used for purposes other than residential, it shall be indicated on such lots;

14. Parks, playgrounds, recreational areas, parkway and open space for public use;

15. Zoning, as set forth in the zoning ordinance for that area;

16. Drafts of proposed restrictions and covenants affecting the plat;

17. Location of all monuments found or set in the area;

18. A plan for providing electrical and telephone service to each lot in the proposed subdivision together with a letter from the appropriate utility stating that it can serve the subdivision as shown in the utility plan.

B. The tentative plan shall include the following information:

1. Drainage plan;
2. Any unusual topographic or geologic feature;

3. A vicinity map showing the general area;

4. A description of the proposed method, if any, of supplying domestic water to the proposed lots. If the proposed method involves the creation of or extension to a community water supply system, a statement from the system that they can and will supply water to the proposed subdivision if all requirements are met;

5. Anticipated date of completion of the subdivision.

C. The planning director or the planning commission may require supplemental information including a profile of all roads and streets on and adjacent to the proposed subdivisions. (Ord. 313 (part), 1982; Ord. 258 § 5(B), 1974)

**16.08.030 Major partitions–Tentative plans and maps–Contents.**

A. The tentative map shall be of a scale of one inch to twenty (20), fifty (50), or one hundred (100) feet and shall contain the following:

1. North point, scale and date of application;

2. Names and address of the partitioner and of the engineer or surveyor;

3. The tract designation and legal description and existing tax lot and map numbers;

4. The boundary line of the entire tract and of the portion to be partitioned;

5. Notation of any unusual or critical changes in elevation (contour map may be required);

6. The names of adjacent subdivisions or partitions or the names of recorded owners of adjoining parcels of land;

7. The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings and school district boundaries;

8. Existing and proposed sewers, water mains, culverts and other underground structures and utilities within the tract or immediately adjacent thereto, together with pipe sizes, grades and locations;

9. The proposed street pattern showing names, widths and grades and proposed future streets on land retained by partitioner;

10. Easements, together with their location and purpose;

11. Metes and bounds description of all lots with distances to the nearest tenth of a foot and angles to the nearest thirty-second. Lots may be assigned a number for reference only;

12. Zoning as set forth in the zoning ordinance for that area;

13. Location of all monuments found or set in the area;

14. A plan for providing electrical and telephone service to each lot in the proposed subdivision together with a letter from the appropriate utility stating that it can serve the major partition as shown in the utility plan.

B. The tentative plan shall include the following information:

1. Drainage plan;

2. Any unusual topographic or geologic features;

3. A vicinity map showing the general area.

C. The planning director or planning commission may require supplemental information including a profile of all roads and streets on and adjacent to the proposed partition. (Ord. 313 (part), 1982; Ord 258 § 5(C), 1974)

**16.08.040 Action by the planning director and planning commission on subdivisions and major partitions.**

A. The city clerk shall maintain a file properly indexed for all applications and tentative plans. One copy of such shall be marked "file copy" and shall show the date of filing, names of persons filing the same and the amount of fee paid.

B. The remaining seven copies shall be distributed as follows:

1. One copy for use of the planning director;

2. Two copies to the county health department;

3. One copy to the city street department;

4. Three copies to the planning director.

C. Upon such filing the planning director shall forthwith make an investigation of the proposed subdivision or major partition. Within thirty (30) days he shall transmit to the planning commission his written report and recommendations, including the reports and recommendations, including the reports and recommendations of the street department, county health department and other affected agencies.

D. Upon receipt of the report of the planning director, the planning commission shall schedule a hearing on the same at a regular meeting not later than thirty (30) days after its receipt. Notice shall be given to the person filing the application.

E. Within thirty (30) days after the hearing the planning commission shall by letter express its tentative approval or disapproval of the tentative plan. If the plan is rejected, the reasons shall be stated in writing. Approval of the tentative plan is null and void if the final

plan is not submitted to the planning commission within six months after the date of the letter of approval.(Ord. 258 § 5(D), 1974)

**16.08.050 Replatting**

A. The procedure to adjust the internal lot lines or external boundary of the plat of any subdivision, map of any major partition or any other area which is partitioned by a recorded plat or map shall be by replatting.

B. Replatting which involves an adjustment of interior lot lines or the exterior boundaries of a plat or map that would change the area of any affected lot more than ten percent of the original area of the lots involved and shall follow the same procedure as the platting of new subdivisions or major partitions as defined by Sections 16.08.010 through 16.08.040.

C. Replatting which involves an adjustment of interior lot lines or the exterior boundaries of a plat or map that would change the area of any affected lot less than ten percent of the original area of the lots involved shall be done by preparing a map of that portion of the plat which is affected by the change which shall be presented to the city planning director for review.

1. This map shall be prepared by a surveyor licensed in the state of Oregon, at the same scale as the original plat and clearly show the changes to be made in the original plat.

2. The planning director shall review this map using the procedure specified in Section 16.12.030 and shall sign and date the replat map if approval is granted.

3. Upon approval by the planning director the replat map shall be recorded in the same manner as the original plat or map. (Ord. 260-85 § 3, 1985)

**Chapter 16.12**

**MINOR PARTITIONS**

**Sections:**

- 16.12.010      General provisions.**
- 16.12.020      Standards and procedures for submission of maps.**
- 16.12.030      Action by the planning director and planning commission.**

**16.12.010      General provisions.**

A. The map of a minor partition need not be recorded, however, it shall be filed with the city clerk.

B. All descriptions shall be by metes and bounds and not by reference to lot and block, however, the partitioner may assign lot numbers for convenience and reference. (Ord. 258 § 6(A), 1974)

**16.12.020      Standards and procedures For submission of maps**

A. The map shall be of a size and scale as prescribed by the planning director and shall contain the following:

1. North point, scale and date of application;
2. Names and addresses of the partitioner and of the engineer or surveyor employed to make the survey and map;
3. Written legal description of the entire property and of the proposed partitions;
4. Description and location of all permanent and reference monuments found or set within the area;
5. Names of existing streets and the planned location of any future proposed streets on land retained by partitioner;

6. Location and outline of existing buildings on the lots being partitioned and within one hundred (100) feet thereof;

7. Location of all existing and proposed utilities, easements, sewer and water lines;

8. Zoning districts and restrictions in that area.

B. In addition there shall be accompanying information which shall include:

1. Any unusual topographic or geologic feature;

2. A statement indicating the number of lots sold from the same tract within the calendar year. (Ord. 258 § 6(B), 1974)

**16.12.030      Action by the planning director and planning commission.**

A. The planning director shall maintain a file properly indexed for all applications and plans. One copy of such shall be marked "file copy" and shall be permanently filed. Each such permanent copy shall show the date of filing, name of person filing the same and the amount of fee paid.

B. Upon such filing, the planning director shall forthwith make an investigation of the proposed minor partition. Within thirty (30) days he shall transmit to the partitioner his written report and convey approval or disapproval of the proposed partition. (If appeal is taken the ultimate resolution thereof will constitute the final approval of disapproval.)

C. If there is no person designated by the city council as planning director at the time of application, all applications for minor partitions shall be submitted to the planning commission.

D. Upon final approval, the partitioner may proceed to sell the lots without further action or filing. (Ord. 258 § 6(C) 1974)

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2. Housing or use densities;
3. Location and size of all parking areas;
4. Landscaping, walls and fences. (Ord. 258 § 7(B), 1974)

**16.16.030 Action by the planning director and planning commission.**

In general the actions taken by the planning director and the planning commission shall be the same as stated in Section 16.08.040, pertaining to subdivisions and major partitions. In the event of a zone change or a conditional use permit is required, the planning commission shall first dispose of this. If such disposition is favorable to the applicant, the planning commission shall then proceed with the consideration of the planned unit development in accordance with Section 16.08.040, subsections D and E. (Ord. 258 § 7(7), 1074)

**Chapter 16.20**

**FINAL PLATS**

**Sections:**

- 16.20.010 General provisions.**
- 16.20.020 Final plans--Subdivisions.**
- 16.20.030 Final plans--Planned unit developments.**
- 16.20.040 Action by the planning director and planning commission.**
- 16.20.060 Action by the subdivider.**

**16.16.010 General provisions.**

A. All plats and maps and other writing made a part of such plats and maps shall be made in black India ink or photocopy upon material that is suitable for binding and copying purposes, and that it of sufficient strength and durability to be a permanent record of the city.

B. The size of the paper shall be eighteen (18) inches by twenty-four (24) inches. There shall be at least one inch of clear space left around all sides.

C. The scale shall be of one inch to twenty (20), twenty-five (25), fifty (50) or one hundred (100) feet.

D. Only one side of the material may be used.

E. All lettering, affidavits, dedications, etc., shall be of such size as will be clearly legible. Space shall be provided for all necessary signatures of approving agencies, and the chairman and secretary of the planning commission.

F. The plat or map shall be placed on as many sheets as necessary but when two or more sheets are used there shall be a face sheet, index sheet and a sheet showing the entire layout sheet may be combined.

G. The survey and plat or map shall be made only by a civil engineer, logging engineer or surveyor licensed in the state of Oregon. (Ord. 258 § 8(A), 1974)

**16.20.020 Final plans--Subdivisions.**

The final plan shall show:

- A. The name of the subdivision;
- B. North point, scale and date submitted;
- C. Names and addresses of the subdivider and of the engineer or surveyor and of the land planner or landscape architect if one has been employed;

D. The tract designation and legal description and existing tax lot and map numbers;

E. The boundary line of the entire tract and the portion subdivided;

F. The names of adjacent subdivisions or partitions or the names of recorded owners of adjoining parcels of unsubdivided land;

G. The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings, and other important features such as section lines, incorporation lines and school district boundaries;

H. Existing sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto together with pipe sizes, grades and locations;

I. All parcels of land dedicated for public use or reserved in the deeds for the use of all

property owners in the proposed subdivision together with the purpose of conditions or limitations of such reservation, if any;

J. The street pattern showing the names, widths and grades, and the length of all arcs, tangents and radii, and all internal angles and points of curvature;

K. Easements including those for public services and utilities together with their dimensions and purpose;

L. Lots, lot dimensions and lot and block numbers. Where lots are to be used for purposes other than residential, it shall be indicated on such lots;

M. Parks, playgrounds, recreational areas, parkway and open space for public use;

N. Restrictions and covenants affecting the plat;

O. Location of all monuments found or set in the area. All monuments set shall meet specifications as set forth in Section 12, Chapter 696, Oregon Laws, 1973.

P. A description of the proposed method, if any, of supplying domestic water to the proposed lots, including:

1. A certification by a city-owned domestic water supply system or by the owner of a privately owned domestic water supply system, subject to regulation by the Public Utility Commissioner of Oregon, that water will be available to the lot line of each and every lot depicted in the proposed plat, or

2. A bond, contract, or other assurance by the applicant to the city that a domestic water supply system will be installed by or on behalf of the applicant to the lot line of each and every lot depicted in the proposed plat; and the amount of any such bond, contract, or other assurance by the applicant to be determined by a registered professional engineer, subject to change in such amounts determined necessary by the planning

commission, or

3. In lieu of subdivisions (1) and (2) of this subsection, a statement that no domestic water supply facility will be provided to the purchaser of any lot depicted in the proposed plat even though a domestic water supply source may exist. This statement shall be signed by the applicant and endorsed by the Curry County environmental sanitarian,

4. In addition to subdivision (1), (2) or (3) of this subsection, if the proposed method of supplying domestic water to any lot depicted on the proposed plat involves the creation of or extension to a community water supply system, the applicant shall furnish proof that engineering plans and drawings of the proposed method have been approved by the Oregon State Health Department;

Q. A description of the proposed method, if any, of providing sewage disposal to the proposed lots, including:

1. A certification by a city-owned sewage disposal system or by the owner of a privately owned sewage disposal system that is subject to regulation by the Public Utility Commissioner of Oregon, that a sewage disposal system will be available to the lot line of each and every lot depicted on the proposed plat, or

2. A bond, contract or other assurance by the subdivider to the city that a sewage disposal system will be installed by or on the behalf of the subdivider to the lot line of each and every lot depicted on the proposed plat; and the amount of such bond, contract or other assurance shall be determined by a registered professional engineer, subject to any change in such amount as the planning commission considers necessary, or

3. In lieu of subdivisions (1) and (2) of this subsection, a statement that no sewage disposal

facility will be provided to the purchaser of any lot depicted in the proposed plat. This statement will include a statement from the county sanitarian that each lot will accommodate a subsurface sewage disposal system under regulations in effect at this time;

R. A description of the proposed street and road improvements including:

1. Certification from the city engineer that all streets and roads proposed by the applicant have been completed to city standards,

2. A bond by the subdivider to the city that all road and street improvements will be completed to city standards, the amount of the bond to be determined by the city engineer;

S. Applicant must provide a statement to the planning commission that provisions have been made to protect surrounding property from any accelerated runoff created by the subdivision;

T. The affidavit of the engineer or land surveyor that he has correctly surveyed the property and that all corners and monuments are properly set or that all monuments for the exterior boundaries have been set, that all interior monuments will be set on or before a certain date; and that a cash deposit or approved bond to cover the cost of setting the same has been furnished, pursuant to Sections 12, 13 and 14, Chapter 696, Oregon Laws, 1973;

U. A subdivision guarantee, provided by a recognized land title insurance company;

V. A letter from the electrical and telephone utilities stating that these utilities have been installed and inspected as per the plan provided as part of the preliminary plat and can be energized to any lot in the proposed subdivision at the request of the owner. (Ord. 313 (part), 1982; Ord. 258 § 8(B), 1974)

### **16.20.030 Final plans—Major partitions.**

The final plan shall show:

A. The name of the partition, if any;

B. North point, scale and date submitted;

C. Names and addresses of the partitioners and of the engineer or surveyor and of the land planner or landscape architect, if any;

D. The tract designation and legal description and existing tax lot and map numbers, including an accurate location referenced to existing records;

E. The boundary line of the entire tract and the portion partitioned;

F. The names of adjacent subdivisions or partitions or the names of recorded owners of adjoining parcels of unpartitioned land;

G. The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings and other important features such as section lines, political subdivisions or incorporation lines and school district boundaries;

H. The street pattern showing the names, widths and grades, and the length of all arcs, tangents, and radii, and all internal angles and points and curvature;

I. Easements including those for public services and utilities together with their dimensions and purpose;

J. Existing sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto together with pipe sizes, grades and locations;

K. All parcels of land dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservations, if any;

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L. Metes and bounds description of all lots with distances to the nearest tenth of a foot and angles to the nearest thirty-second. Lots may be assigned a number for reference only;

M. Location of all monuments found or set in the area. All monuments set shall meet the specifications set forth in Section 12, Chapter 696, Oregon Laws, 1973;

N. The affidavit of the engineer or land surveyor that he has correctly surveyed the property and that all corners and monuments are properly set;

O. A description of the proposed method, if any, of supplying domestic water to the proposed parcels. If the method involves the creation of or extension to a community water supply system, the applicant shall furnish proof that engineering plans and drawings of the method have been approved by the Oregon State Health Division;

P. A letter from the electrical and telephone utilities stating that these utilities have been installed and inspected as per the plan provided as part of the preliminary plat and can be energized to any lot in the proposed major partition at the request of the owner. (Ord. 313 (part), 1982; Ord. 258 § 8(C), 1974)

**16.20.040 Final plans–Planned unit developments.**

The final plan shall show:

A. The information required for the final plan of a subdivision as contained in Section 16.20.020;

B. Location and dimensions of all proposed and existing structures together with the name and address of any architect, engineer or designer designing the same;

C. Housing or use densities;

D. Location and size of all parking areas;

E. Landscaping, walls and fencing;

F. A statement that any required zone change or conditional use has been granted and that the plan conforms to the zone or conditions of any conditional use. (Ord. 258 § 8(D), 1974)

**16.20.050 Action by the planning director and planning commission.**

A. Upon a final plan being presented to the planning director he shall check to see that it conforms with the requirements of this title and with the tentative plan as approved. He shall verify the approval of the other concerned city agencies and within thirty (30) days shall transmit the same to the planning commission with his recommendation of approval or disapproval. His recommendation shall be shown by a letter or memorandum accompanying the plan. If he recommends disapproval, he shall state his reasons therefor.

B. Upon receipt of the plan and the recommendations, the planning commission shall schedule a hearing on the same at a regular meeting not later than thirty (30) days after its receipt. Notice shall be given to the person filing the plan.

C. Within thirty (30) days after the hearing the planning commission shall by letter express its final approval or disapproval of the final plan. If the plan is approved, the necessary signatures of the chairman and secretary shall be affixed and the plan shall be delivered to the person filing the same. (Ord. 258 § 8(E), 1974)

**16.20.060 Action by the subdivider.**

Upon receiving approval of the final plan, the same shall be recorded as provided by law after

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the time for appeal has expired and within ninety (90) days from the date of approval. Any plan not so recorded shall become null and void and the clerk shall refuse to accept the same for recording. In the event there is any appeal by any party from the order of approval by the planning commission, the plat may not be filed until the final disposition of any such appeal, and the ninety (90) days' time shall not start to run until the date of such final disposition. (Ord. 258 § 8(F), 1974)

**Chapter 16.24**

**STREET AND ROAD SPECIFICATIONS**

**Sections:**

- 16.24.010 Standards.**
- 16.24.020 Surfacing requirements**
- 16.24.030 Modification of requirements.**

**16.24.010 Standards.**

All public and private roads and streets shall meet the standards set forth in this chapter. In all zones:

A. The minimum dedicated right-of-way shall be at least fifty (50) feet. Additional right-of-way may be required for adequate protection of cuts and fills, slide hazards and drainage problems.

B. The width of streets shall conform to the width designated on the official map of the city.

C. The grades of streets shall not exceed ten percent without written approval from the planning director and the planning commission.

D. Every effort shall be made to bring about conformity to topography in design and land planning.

E. Dead-end streets (cul-de-sacs) shall not exceed four hundred (400) feet in length and shall terminate in a turnaround with a minimum property line radius of fifty (50) feet.

F. The minimum radius of curvature shall be three hundred (300) feet for major thoroughfares and two hundred (200) feet for secondary streets. On all streets there shall be a tangent of not less than one hundred (100) feet between the reversed curves.

G. Property corners at street and alley intersections shall have a radius of not less than ten feet.

H. Major thoroughfare intersections shall have a curb radius of not less than thirty-five (35) feet. All other street intersections shall have a curb radius of not less than twenty (20) feet.

I. No half streets shall be allowed.

J. The minimum width of an alley shall be twenty (20) feet. The corners of all alleys or streets shall be curved with a radius of not less than ten feet.

K. Utility easements shall not be less than six feet in width. (Ord. 258 § 9(A), 1974)

**16.24.020 Surfacing requirements.**

A. All streets and roads constructed under this title shall have a base of at least eight inches and compacted bar run, crushed rock or approved equivalent. The traveling surface shall be paved with at least two inches of asphaltic concrete or approved equivalent, and such curbs and gutters as may be required for adequate disposal of surface water.

B. The applicant may provide a bond to the city stating that street and road requirements will be met. The amount and any time limitations of the bond are to be approved by the planning commission. (Ord. 258 § 9(B), 1974)

**16.24.030 Modification of requirements.**

In case, due to topography, water courses or odd shaped parcels, it is impractical to comply with one or more of the requirements as stated

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in this chapter, such requirements as stated in this chapter, such requirements may be modified upon the inspection and written recommendation of the city engineer and planning director and approval of the planning commission. (Ord. 258v § 9(C), 1974)